

Medford Area Public School District

Important Policies

I acknowledge that I have received a copy of the Medford Area Public School District's Policies:

- GBCBA Harassment in the Workplace
- JBA Student Harassment/Bullying
- GBJ Staff Grievances
- GBCBC Pre-Employment Drug Testing
- GCDA Crime Information Records Check
- GBE Staff Health and Safety
- GBCB Staff Conduct
- GBC Staff Ethics
- KLD Public Complaints about School Personnel
- GBCAB Network Use - Staff
- GBCAC Network Use/District Website - Staff
- GBCBB Employee Possession, Use Sale or Distribution of Alcohol & Other Drugs
- KGC Use of Tobacco/Nicotine and Related Devices on District Premises

I hereby consent to a crime information records check and understand that receipt of satisfactory results is a condition of employment.

Full Name (First, Middle, Last): _____

Maiden Name: _____

Current Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Email: _____

Date of Birth: _____ Social Security #: _____

Sex: Male Female

Race: White Black Asian or Pacific Islander American Indian or Alaskan Native

I hereby consent to a pre-employment, post offer, drug test & pre-employment physical and understand that receipt of satisfactory results is a condition of employment.

Signature

Date

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED:	February 16, 1989	FILE SECTOR:	PERSONNEL
DATE REVISED:	November 16, 1995	POLICY TITLE:	HARASSMENT IN THE
DATE REVISED:	November 19, 1998		WORKPLACE
DATE REVISED:	March 18, 2004		
DATE REVISED:	January 23, 2006		
DATE REVISED:	October 29, 2012		
DATE REVISED:	November 26, 2018		

Medford Area Public School District (MAPSD) does not tolerate harassment in any form and will take all necessary and appropriate action to eliminate it. It is the policy of MAPSD to maintain and ensure a working environment free of any form of harassment or intimidation toward any person.

For this policy, "person" shall be defined as employee, paid or unpaid, Board of Education (BOE) member, volunteer, student or applicant.

Any person who works in MAPSD is required to be familiar with, and comply with, the policy prohibiting harassment.

Harassment is an individual act or pattern of abusive or degrading conduct towards another based in whole or in part, on sex, race, color, age, ancestry, arrest or conviction record, membership in the military reserve, national origin, creed, marital status, sexual orientation or disability, which substantially interferes with performance or creates an intimidating, hostile or offensive work environment, and is considered a form of discrimination according to state and federal law.

Sexual harassment can be by a person of the same or opposite gender, and is defined to include unwelcome sexual advances, unwelcome requests for sexual favors, physical contact of a sexual nature, verbal or physical conduct of a sexual nature when:

- Submission to or acquiescence in such conduct is made either explicitly or implicitly a term or condition of an individual's employment status.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, compensation, etc., affecting such individual.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive working environment, even if it leads to no tangible employment consequences.
- Such conduct has the effect of causing harm to the professional atmosphere of the school or violates community standards or ethics.

Sexual harassment may include, but is not limited to, deliberate and/or repeated displays of sexually explicit gestures, verbal comments, graphic or written materials, verbal or physical conduct of a sexual nature, whether repeated or not, that is sufficiently severe to create a hostile environment.

No person shall threaten or insinuate, either explicitly or implicitly, that any person's refusal to submit to sexual advances will adversely affect that person's school performance, employment, work status, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment, or career development. Nor shall any person promise, imply or grant any preferential treatment for engaging in sexual conduct.

Anyone who engages in harassment is subject to disciplinary action, up to and including termination, and referral to authorities for criminal prosecution.

Any person who believes they are a victim of harassment should report their concerns to their building administrator. Complaints under this policy shall be filed in a timely manner.

It is the intent of MAPSD to create an atmosphere where complaints will be treated fairly and quickly. If an individual is not comfortable with making a complaint to their building administrator, the complaint may be filed with any other administrator. The administrator will report the complaint to the district administrator unless the district administrator is allegedly involved as a party to or the focus of the complaint, in which case it shall be reported to the BOE president.

The right to confidentiality, of the complainant and the accused, will be respected consistent with the district's legal obligations, provided it does not interfere with the district's ability to investigate allegations of misconduct and to take corrective action.

Retaliation against anyone reporting or thought to have reported harassment is prohibited. Such retaliation shall be considered a serious violation of policy and shall be independent of whether a charge or complaint of harassment is substantiated. Encouraging others to retaliate also violates policy.

Policy Dissemination

- This policy and procedure will be made available to all employees on not less than an annual basis.
- New employees will attend an inservice in which an understanding of harassment, this BOE policy and complaint procedures and importance of vigilance will be emphasized.
- Information will be posted at each building advising any person of this policy and the procedures for filing a complaint.

CROSS REFERENCE: JBA & Employee Handbooks

LEGAL REFERENCE: Title VI & VII of the Civil Rights Act of 1964, §111.32(13), 118.195, 118.20, 947.0125, 947.013 Wis. Stats., Title IX, Education Amendments of 1972, EEOC Guidelines (29 C.F.R. - Part 1604.11), Age Discrimination Act of 1975, & Americans with Disabilities Act of 1970

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: February 16, 1989	FILE SECTOR: PERSONNEL
DATE REVISED: November 16, 1995	POLICY TITLE: HARASSMENT IN THE
DATE REVISED: November 19, 1998	WORKPLACE
DATE REVISED: March 18, 2004	(COMPLAINT PROCEDURE)
DATE REVISED: January 23, 2006	
DATE REVISED: October 29, 2012	
DATE REVISED: November 26, 2018	

The building administrator is generally responsible for compliance with state and federal regulations concerning harassment in their building. However, if the complainant is uncomfortable reporting to their building administrator or any other administrator noted in this policy, or if the administrator is allegedly involved as a party to, or the focus of the complaint, the complainant may present the complaint to the district administrator or the BOE president. The term "days" when used in this policy shall mean calendar days, excluding Saturdays, Sundays and legal holidays.

If the complainant goes to a BOE member instead of following the steps prescribed in this policy, the BOE member will immediately refer the matter to the BOE president, or, if the BOE president is allegedly involved as a party to or the focus of the complaint, to the district administrator.

Step 1

Any complaint shall be presented in writing or orally to their building administrator, or in the case of district office personnel, to the district administrator. Oral complaints will be handled informally. If the complaint is submitted in writing, it should include the specific nature of the harassment, corresponding dates as well as the name, address and phone number of the complainant. The building administrator or other administrator shall notify the district administrator. However, if the complainant is uncomfortable reporting to any administrator noted in this policy, or if the administrator is allegedly involved as a party to, or the focus of the complaint, the complainant may present the complaint to the district administrator or the BOE president.

Step 2

The building administrator or other administrator shall fully investigate the complaint; notify the person who has been accused of harassment; develop a response to the allegation; and arrange a meeting as soon as possible or within 5 days after receipt of the written complaint to discuss the complaint with all concerned parties. The building administrator or other administrator will promptly file a copy of the complaint and response with the district administrator.

Step 3

If the complainant is not satisfied with the answer of the building administrator or other administrator, they may submit a written appeal to the district administrator indicating the areas of disagreement with the response and reason underlying such disagreement. Such appeal must be filed within 10 days after receipt of the building administrator's or other administrator's response. The district administrator shall arrange a meeting with the complainant and other affected parties, if requested by the complainant, at a mutually agreeable time, to discuss the appeal. The district administrator shall give a written response to the complainant's appeal within 30 days after receipt of the notice of appeal. The district administrator may exercise authority to discipline the person involved if they feel satisfied that the evidence as presented warrants the discipline. If the party involved is a BOE member, findings and recommendations shall be made to the full BOE.

Step 4

If the complainant or the district administrator is not satisfied with the results of Step 3, they may file an appeal requesting a hearing with the BOE president within 10 days after the decision in Step 3 has been rendered. If the BOE president is allegedly involved, party to or the focus of the complaint, the appeal in Step 4 shall be filed with the BOE.

Step 5

If the complainant or the district administrator wishes to pursue the matter further, either party may file an appeal requesting a hearing with the BOE within 10 days after the decision in Step 4 has been rendered. The BOE will conduct a hearing about the matter and may take appropriate action in order to resolve any misconduct and/or the complaint.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: February 18, 1999	FILE SECTOR: STUDENTS
DATE REVISED: April 17, 2003	POLICY TITLE: STUDENT HARASSMENT/ BULLYING
DATE REVISED: March 21, 2006	
DATE REVISED: March 20, 2008	
DATE REVISED: September 16, 2010	
DATE REVISED: May 17, 2012	DATE REVISED: July 25, 2022
DATE REVISED: September 18, 2014	DATE REVISED: August 29, 2022
DATE REVISED: September 28, 2020	DATE REVISED: August 28, 2023

Medford Area Public School District (MAPSD) will maintain and ensure a learning environment free from any form of harassment/bullying or intimidation toward and between students. MAPSD consistently and vigorously addresses harassment and bullying so that there is no disruption to the learning environment and learning process.

Types of Harassment

Student harassment - behavior towards students based in whole or in part, on sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability which substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment and is considered a form of student discrimination according to state law.

Sexual harassment - any deliberate, repeated or unwanted physical sexual contact, sexually explicit derogatory statement, or sexually discriminatory remark which is offensive or objectionable to the recipient or which causes the recipient discomfort or humiliation or which interferes with the recipient's academic performance. Sexual harassment can take the form of, but is not limited to any unwanted sexual or gender related behavior ranging from leering, pinching, patting, offensive jokes, unwanted flirtations, graphic commentaries about a person's body, verbal comments, display of graphic or written sexual material, overt or implicit threats or bribes and subtle or express pressure for sexual activity. Sexual harassment can be by a person of the same or opposite gender.

Bullying - deliberate or intentional behavior using words or actions, intended to cause fear, intimidation or harm. Bullying is repeated behavior and involves an imbalance of power. The behavior may be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age, national origin, race, ethnicity, religion, gender, gender identity, sexual orientation, physical attributes, physical or mental ability or disability and social, economic or family status.

Bullying behavior can be:

- Physical (e.g. assault, hitting or punching, kicking, theft, threatening behavior)
- Verbal (e.g. threatening or intimidating language, teasing or name-calling, racist remarks)
- Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion).

Cyber bullying - use and employment of network systems (data, video, or voice) to harass, intimidate or bully. Cyber bullying involves the use of information and communication technologies including but not limited to: email, cellphone and text messages, instant messaging, defamatory personal websites, and defamatory online personal polling websites, to support deliberate, repeated and hostile behavior by an individual or group that is intended to harm others.

Prohibition

Bullying behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by MAPSD. This includes public transportation regularly used by students to go to and from school. Educational environments include, but are not limited to, every activity under school supervision.

Procedure for Reporting/Retaliation

All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to the building administrator or designee. Any other person, including a student who is either a victim of the bullying or is aware of the bullying or any other concerned individual is encouraged to report the conduct to any employee or student services team member who will then make the report to the building administrator or designee.

Reports of bullying may be made verbally or in writing and may be made confidentially. All such reports, whether verbal or in writing, will be taken seriously and a clear account of the incident is to be documented. A written record of the report, including all pertinent details, will be made by the recipient of the report.

The school official receiving a report of bullying shall immediately notify the building administrator or designee who serves as the investigating designee.

If a student with a disability, who has an IEP, is being harassed, bullied or is the perpetrator, the Local Educational Agency (LEA) should convene the IEP team to determine whether, as a result of the harassment or bullying, the student's needs have changed and revising the IEP is necessary to ensure the student is receiving meaningful education. The LEA may include building principal, teachers, director of special education and student service, etc.

The right to confidentiality, of both the complainant and of the accused, will be respected consistent with MAPSD's legal obligations, provided it does not interfere with MAPSD's ability to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

Procedure for investigating reports of bullying

The person assigned by the district to conduct an investigation of the bullying report shall, within one school day, begin interviewing the person(s) who are the victim(s) of the bullying and collect whatever other information is necessary to determine the facts and the seriousness of the report. Parents and/or guardians of each pupil involved in the bullying will be notified. The district shall maintain the confidentiality of the report and any related pupil records to the extent required by law.

Sanctions and Supports

Retaliation against anyone reporting or thought to have reported harassment/bullying behaviors is prohibited. Such retaliation shall be considered a serious violation of the policy and shall be independent of whether a charge or informal complaint of harassment/bullying is substantiated. Encouraging others to retaliate also violates the policy.

The administration and staff will inform students that MAPSD does not tolerate harassment/bullying in any form and will take all necessary and appropriate action to eliminate it, including social skills intervention and support, detention, suspension or expulsion.

Employees and volunteers who engage in student harassment/bullying shall be subject to disciplinary action up to and including termination and referral to appropriate authorities. All discipline shall be conducted in conformance with appropriate employee handbooks and existing state and federal law.

Disclosure and Public Reporting

The policy will be distributed annually to all students enrolled in MAPSD, their parents and/or guardians and employees. It will also be available to organizations in the community having cooperative agreements with the schools. MAPSD will also provide a copy of the policy to any person who requests it.

Records will be maintained on the number and types of reports made, and sanctions imposed for incidents found to be in violation of the bullying policy.

An annual summary report shall be prepared and presented to the board of education (BOE), which includes trends in bullying behavior and recommendations on how to further reduce bullying behavior. The annual report will be available to the public. Results from the risk behavior survey will be presented to the BOE annually.

Prevention

- This policy and procedure will be made available to all employees, students or student's parents at least once a year.
- Discussion of harassment/bullying will be included at an age appropriate level and in the proper context as part of the social emotional curriculum.
- New employees will be provided with the BOE policy and trained on procedures annually.
- Information will be posted at each building advising employees, students and volunteers of the policy and the procedures for making a report.
- This policy and procedures will be reviewed annually with input from parents/guardians and community members.

**CROSS REFERENCE: JB-R, JBA-R, & JOB, Bully Prevention Lab,
DPI Bullying Prevention Toolkit Resources**

LEGAL REFERENCE: §115.28(31), 118.13, 118.46, 120.13(1), 947.013, Title VI, Title IX, Education Amendments of 1972, PI9, PI 41, Wis. Admin. Code, Civil Rights Act of 1964 & 1991, Sec. 504, Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, & IDEA Amendments of 2004

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: February 18, 1999
DATE REVISED: April 17, 2003
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DATE REVISED: September 18, 2014
DATE REVISED: September 28, 2020

FILE SECTOR: STUDENTS
**POLICY TITLE: STUDENT HARASSMENT/
BULLYING APPEAL
PROCEDURES**

DATE REVISED: July 25, 2022
DATE REVISED: August 29, 2022
DATE REVISED: August 28, 2023

Appeal Process

1. If any party is not satisfied with the report of the building administrator or designee, a written appeal may be submitted to the district administrator indicating the nature of the disagreement. The appeal must be filed within 10 working days after receipt of the building administrator or designee's answer. The building administrator or designee shall schedule a meeting of all parties to the complaint to review the issues presented in the appeal.
2. The district administrator or designee shall provide a written response outlining the findings and disposition of the appeal within 20 working days of the date the appeal is filed or 20 working days after the meeting, whichever is later.
3. If the complainant or the district administrator wishes to pursue the matter further, either party may file an appeal requesting a hearing with the board of education (BOE) within 10 working days after the decision in Step 2 has been rendered. The BOE will conduct a hearing about the matter and may take appropriate action in order to resolve any misconduct and/or the complaint.
4. The complainant shall be notified of the right to appeal a negative determination by the BOE of a complaint of harassment/bullying that would constitute student discrimination within 30 days to the Wisconsin Department of Public Instruction.

Harassment/ Bullying Report Form

Instructions: It is designed to assist any staff member at a school site who may receive a report about harassment/bullying from a student. **THE STUDENT DOES NOT COMPLETE THIS FORM; THE STAFF PERSON TO WHOM THE STUDENT COMPLAINS SHOULD COMPLETE IT.** This form must be promptly forwarded to the building administrator or designee.

Date:	Time:
Name of Victim(s):	Grade:
Name of Perpetrator(s):	Grade:
Name of Witness(es):	Grade:
Does reporter want to stay anonymous?	Yes or No

Student(s) experienced bullying in the following place(s): Check all that apply.

<input type="checkbox"/> Classroom <input type="checkbox"/> Cafeteria <input type="checkbox"/> Bus <input type="checkbox"/> Online <input type="checkbox"/> Other: _____	<input type="checkbox"/> Bathroom <input type="checkbox"/> Locker room <input type="checkbox"/> Bus stop <input type="checkbox"/> School related activity or event	<input type="checkbox"/> Hallway <input type="checkbox"/> Extracurricular activity <input type="checkbox"/> Gym <input type="checkbox"/> Recess
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Student(s) engaged in the following act(s): Check all that apply.

<input type="checkbox"/> Electronic devices (e.g., internet, social media platforms, text, email, cyberbullying, etc.) <input type="checkbox"/> Written communication (e.g., handwritten notes, other written documents, email, etc.) <input type="checkbox"/> Physical act or conduct (e.g., pushing, hitting, destruction of property, stalking, etc.) <input type="checkbox"/> Verbal act or conduct (e.g., rumors, lies, name-calling, using derogatory slurs, etc.) <input type="checkbox"/> Social (e.g., purposeful exclusion, causing psychological harm, etc.) <input type="checkbox"/> Items depicting implied hatred or prejudice were worn, possessed or displayed <input type="checkbox"/> Other: _____
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Describe the event in detail.

Policy: JBA-R-E
Medford Area Public School District

Harassment/ Bullying Investigation Form

<p>Name of Investigator: _____</p> <p>Name of individual who engaged in bullying behavior: _____</p> <p>Name of individual who was victimized: _____</p> <p>Was there an imbalance of power? Yes / No Explain: _____</p> <p>Was there intent to cause physical, emotional, or social harm? Yes / No Explain: _____</p> <p>Was the incident based on any of these characteristics? (circle all that apply) Gender / Gender Identity / Race / National Origin / Ancestry / Ethnicity / Religion / Creed / Marital / Parent Status / Sexual Orientation / Disability / Physical Attributes</p> <p>Is this a repeated pattern, or without intervention, likely to be repeated for the individual who engaged in the bullying behavior? Yes / No Explain: _____</p> <p>Is this a repeated pattern, or without intervention, likely to be repeated for the individual who was victimized? Yes / No Explain: _____</p> <p>Based on the information, is this report determined to be an incident of bullying? Yes / No Explain: _____</p> <p>Based on the information, is this report determined to be an incident of harassment? Yes / No Explain: _____</p>	<p>Date of Investigation: _____</p> <p>Next steps for individual who was victimized:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Communication and collaboration with parents <input type="checkbox"/> Social skills instruction <input type="checkbox"/> Meet with school counselor, psychologist, etc. <input type="checkbox"/> Increased support by school staff <input type="checkbox"/> Other: _____ <p>Next steps for individual who engaged in bullying behavior:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Communication and collaboration with parents <input type="checkbox"/> Social skills instruction <input type="checkbox"/> Meet with school counselor, psychologist, etc. <input type="checkbox"/> Increased support by school staff <input type="checkbox"/> Detention <input type="checkbox"/> Suspension <input type="checkbox"/> Expulsion recommendation <input type="checkbox"/> Other: _____ <p>Follow-up (to be completed 2 weeks after intervention implemented)</p> <p>Do the steps implemented for the individual who engaged in bullying behavior appear effective?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No <p>Explain: _____</p> <p>Do the steps implemented for the individual who was victimized appear effective?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No <p>Explain: _____</p> <p>Are any additional steps needed?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No <p>Explain: _____</p>
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MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: August 18, 2011

FILE SECTOR: PERSONNEL

DATE REVISED: May 20, 2019

POLICY TITLE: STAFF GRIEVANCES-

EMPLOYEE DISCIPLINE, TERMINATION

AND WORKPLACE SAFETY

Informal Resolution:

Any Medford Area Public School District employee with a complaint related to employee discipline (except employee termination) or workplace safety should first seek to resolve the issue(s) with their immediate supervisor through informal discussion. Informal resolution of discipline complaints shall be initiated within seven days of the date when an employee has been notified of the discipline. An employee complaint about a workplace safety issue may be raised informally at any time while the safety issue persists. If the employee fails to initiate the informal resolution process with regard to employee discipline within seven days, the employee waives any further entitlement to utilize the grievance process with respect to the discipline (except employee termination).

If the informal discussion does not resolve the employee discipline or workplace safety complaint and the employee is dissatisfied with the response of their immediate supervisor, the employee may seek informal resolution by the district administrator or their designee within seven days after bringing it to the attention of their immediate supervisor. This step within the informal resolution process is optional; thus, it is not a necessary step in determining whether the informal resolution process has been exhausted.

If the complaint regarding employee discipline or workplace safety concerns the employee's supervisor, the employee may seek to resolve the complaint directly with the district administrator. If the complaint regarding employee discipline or workplace safety concerns the district administrator, the employee may seek to resolve the complaint directly with the Board of Education (BOE) President. In cases of such employee discipline, the informal resolution process shall be commenced within seven days of the date when an employee has been notified of the discipline. If the employee fails to initiate the informal resolution process with regard to employee discipline within seven days, the employee waives any further entitlement to utilize the grievance process with respect to the discipline (except employee termination).

Employee termination decisions and contract non-renewal decisions are not subject to the informal resolution process.

Formal Resolution

If the informal resolution process does not resolve the complaint, and the employee believes that their complaint rises to the level of a grievance, as defined below, the employee may initiate a formal grievance pursuant to the procedures described herein. A grievance involving employee termination or discipline shall be filed no later than 21 days after the employee receives notice of the discipline, termination or non-renewal of a contract pursuant to Wis. Stat. §118.22 or §118.24. A grievance involving workplace safety shall be filed no later than 21 days after the employee first attempts to resolve their workplace safety concerns through the informal resolution process.

In order to process grievances as expeditiously as possible, every effort should be made to handle each step within the specified time period. If the school district official fails to comply with the time periods or other procedures outlined in this policy, the grievant may advance the grievance to the next level. There shall be no other consequences or remedies for failure of the school district to meet the time periods outlined in this policy. If the grievant fails to comply with the time periods or other procedures outlined in this policy, the grievant waives any further rights of appeal and the grievance will be deemed resolved. However, with the exception of the time period for filing the written grievance, either party may request an extension of any time period provided in this policy, including the informal resolution process. Such extensions shall be by mutual written agreement.

If no grievance is filed, the decision of the administration shall be considered final, except a decision to terminate an employee that requires final ratification by the BOE. The grievance may be voluntarily withdrawn at any level. Once a grievance is withdrawn, it cannot be reopened. A former employee or an employee who separates from employment during the course of the grievance may not file or continue a grievance without the written consent of the district administrator or designee. If at any time during the grievance process the school district grants the grievant the relief originally requested, the district administrator or designee may terminate the grievance at that time. Any party involved may have a representative present at all levels once the grievance has been filed in writing. Facts presented and/or examined at the Level One and Level Two hearings shall be made available to both parties. All parties shall respect the confidentiality of the grievance procedure by holding in confidence the facts and information shared in meetings and written correspondence, to the extent authorized by law.

Definitions:

Grievant: A grievant is an employee whose own substantial interests related to termination, discipline, or workplace safety are adversely affected, denied, or controverted by a final administrative decision. In the cases of an employee with a definite term contract, a "final administrative decision" is defined to include, but not be limited to, a BOE approved termination based on an informal hearing (see General Considerations, paragraph C., below). In the case of a teacher or administrator non-renewal, a "final administrative decision" is defined to include a BOE approved non-renewal following the procedures set forth in Wis. Stat. §§ 118.22 or 118.24.

Grievance: A grievance is a formal written complaint by an employee that a final administrative decision related to termination, discipline, or workplace safety violated, misapplied, or misinterpreted a local BOE policy, administrative regulation or procedure, or specified federal or State law or rule, or in the case of an employee with a written employment contract, the terms of such written employment contract.

- **Employee Termination:** The term "employee termination" shall be narrowly construed to mean a separation from employment initiated by the employer, (including, for purposes of an employee with a definite term contract, a separation from employment initiated by the employer which is effective during the term of the contract), but shall not include, without limitation by enumeration, the following:

- Layoffs;
 - Workforce reduction activities;
 - Voluntary termination including, without limitation, quitting and resignation;
 - Job abandonment;
 - End of employment due to disability;
 - Retirement;
 - Death;
 - End of employment and/or completion of assignment of limited-term, temporary, seasonal, substitute, or part-time employees; or
- **Employee Discipline:** The term “employee discipline” shall be narrowly construed to mean a suspension without pay, or a demotion or reduction in rank, pay, or other benefits, imposed by the employer for disciplinary reasons, but shall not include, without limitation by enumeration, the following:
 - Termination, non-renewal of teacher contracts under Wis. Stat. §118.22, non-renewal of administrator contracts under Wis. Stat. §118.24, layoffs or workforce reduction activities;
 - Adverse employment actions other than a suspension without pay, or a demotion or reduction in rank, pay or other benefits, imposed upon the employee for disciplinary reasons;
 - Lateral transfers or reassignments;
 - Plans of correction or performance improvement;
 - Performance evaluations or reviews;
 - Documentation of employee acts and/or omissions in an employment file;
 - Oral or written reprimands or warnings;
 - Administrative suspension with or without pay pending investigation of misconduct or nonperformance; or
 - Non-disciplinary wage, benefit, or salary adjustments or reductions in assigned hours.
 - **Workplace safety:** The term “workplace safety” shall be narrowly construed to refer to (1) an existing condition that substantially endangers an employee’s health and safety; or (2) any workplace policy or procedure established by state or federal law or the BOE to protect the safety and health of employees in the school district and, as used in this section, is alleged by an employee to have been violated and to have substantially adversely affected the employee’s safety at a district workplace.

Days: “Days” mean calendar days.

General Considerations

Impartial Hearing Officer (IHO): The BOE shall adopt, prior to the beginning of each school year, or as the need arises, a resolution authorizing an IHO appointed by the BOE to hold a grievance hearing and make a decision regarding the grievance. The IHO shall not be an officer, agent or employee of the BOE at the time of appointment. The BOE may approve a list of IHO, prior to the beginning of each school year (or as the need arises), to be called upon under this procedure.

Standard of Review: The standard of review to be applied by the IHO of a final administrative decision giving rise to a grievance shall be based on the following, unless an alternative is provided in applicable policy, law, contract or employee handbook:

- The review of a final administrative decision to terminate or discipline an employee with a definite term contract or a “cause” standard shall be *de novo* and the decision shall be upheld if it is based on a good and sufficient reason, which shall be any reason that is not wholly frivolous and inconsequential and that has a reasonable basis in fact.
- The review of a final administrative decision to non-renew a contract (regardless of whether pursuant to a statutory procedure) or to terminate or discipline an employee without a definite term contract or a “cause” standard shall require deference to the final administrative decision and the decision shall be upheld if it is made on any basis other than a basis which is “arbitrary and capricious,” which shall be defined as an action which is either so unreasonable as to be without rational basis or the result of unconsidered, willful, or irrational choice.
- The review of a final administrative decision concerning a workplace safety grievance shall require deference to the final administrative decision and the decision shall be upheld if it is made on any basis other than a basis which is “arbitrary and capricious,” which shall be defined as an action which is either so unreasonable as to be without rational basis or the result of unconsidered, willful, or irrational choice.

Termination of an Employee with a Contract for a Definite Term:¹ The required procedure for terminating an employee where there is an expectation of continued employment because of a contract for a definite term, a “cause” standard or another basis in law or fact, is as follows:

- The district administrator or their designee (or in the case of the termination of the district administrator, an individual designated by the BOE President) shall notify the employee, in writing, that he/she intends to recommend that the BOE terminate the employee at the next regularly scheduled BOE meeting or a Special BOE meeting within 45 days of the date of the written notice.
- At the BOE meeting to hear the termination recommendation, the BOE shall hold an informal hearing, which means that the district administrator or their designee (or in the case of the termination of the district administrator, an individual designated by the BOE President) will present a summary of the evidence and argument in support of the recommendation for termination, to be followed by an opportunity for the employee and their representative to present a summary of any evidence and argument in response. An informal hearing, for purposes of this Grievance Policy and Procedure, is not a full-blown evidentiary hearing, i.e., there shall be no swearing of witnesses and no direct or cross examination of witnesses; and the rules of evidence do not apply.

¹ This procedure shall also apply to the non-renewal of an employee’s contract where Wis. Stat. §§ 118.22 and 118.24 do not apply, but where there is an expectation of continued employment because of the terms of the contract or another basis in law or fact.

- The BOE shall issue its decision, in writing, within seven days of the informal hearing. If the BOE accepts the recommendation to terminate the employee, the BOE shall inform the employee, in writing, that the BOE has terminated the employee's contract/employment and that, if the employee wishes to appeal the termination decision, the employee shall file an appeal at Level Two by filing a completed grievance form with the BOE President within 21 days of receiving written notice of termination. If no appeal is filed, the BOE's decision shall become final.

Non-Renewal of a Teacher or Administrator Contract. The procedures for non-renewal of a teacher or administrator contract set forth in Wis. Stat. §§ 118.22 and 118.24, respectively, shall be applicable. If the BOE non-renews the contract of a teacher or administrator, pursuant to Wis. Stat. §§ 118.22 or 118.24, and the teacher or administrator wishes to appeal the non-renewal decision, the teacher or administrator shall file an appeal at Level Two of this Grievance Policy and Procedure by filing a grievance form with the BOE President within 21 days of receiving final, written notice of non-renewal from the BOE. If no appeal is filed, the BOE's decision shall be final.

CROSS REFERENCE:

LEGAL REFERENCE: Wis. Stat. § 66.0509 (1m), 118.22, & 118.24

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: August 18, 2011

FILE SECTOR: PERSONNEL

DATE REVISED: May 20, 2019

POLICY TITLE: STAFF GRIEVANCES –

EMPLOYEE DISCIPLINE, TERMINATION

AND WORKPLACE SAFETY

Level One

The grievant may initiate a formal grievance by obtaining a grievance form from their immediate supervisor or designee or from the human resources manager or department, filling out the form, and providing a copy to their immediate supervisor and to the district administrator. On the form, the grievant shall (1) identify the category of grievance (i.e., termination of an employee without a contract with a definite term, discipline, or workplace safety), (2) describe the attempts to resolve the complaint informally (if applicable), (3) identify the facts supporting the grievance, (4) specify the policy, rule, regulation, or law alleged to have been violated, and (5) describe the relief requested. In order to be considered, a grievance shall be filed, in writing, using the appropriate form.

The district administrator or their designee shall act on the grievance within seven days of the filing of the grievance. If the district administrator or their designee denies the grievance, he/she shall inform the grievant who shall have seven days to appeal the denial to the BOE by filing a letter of appeal with the BOE President.

Level Two

Within 10 days after receipt of an appeal from a grievant, the BOE President shall appoint an IHO as authorized by resolution of the BOE. The IHO shall do the following:

- Screen the grievance and determine whether it falls within one of the categories subject to the grievance procedure, whether the informal process was exhausted, if applicable, and whether it has been timely filed.
- Notify the parties of the time and location for the hearing at least two weeks before the hearing.
- Subpoena witnesses, as necessary to ensure their testimony, when requested by either party.
- Make evidentiary findings and conclusions. In the case of a grievance related to a termination, a teacher contract non-renewal under Wis. Stat. § 118.22, an administrator contract non-renewal under Wis. Stat. § 118.24, or discipline, the IHO shall determine whether a full-evidentiary hearing is needed to afford the employee the requisite due process, and, if so, shall allow the grievant to present evidence, call and question witnesses, cross-examine adverse witnesses, obtain copies of evidentiary materials and argue his or her case. The rules of evidence shall not apply at any hearing, but the IHO may exclude or limit irrelevant, repetitive, or redundant evidence or any evidence lacking probative value. The IHO, in the conduct of the proceeding, shall be mindful of the desire for a speedy and inexpensive resolution of any appeal brought before them.

- If the grievance is meritorious, in whole or in part, determine what relief is necessary to provide recompense to the grievant in a grievance that involves termination, contract non-renewal under Wis. Stat. §§ 118.22 or 118.24, or discipline, and in a grievance filed over workplace safety, determine what action is necessary to correct the hazardous condition, provided, however, the IHO may not award attorneys fees or litigation expenses against the district at any time.
- The IHO shall expressly confine himself/herself to consideration of the precise issue(s) submitted on the grievance form and letter of appeal, if applicable, shall apply the applicable standard of review, and shall have no authority to determine any other issue not so submitted or to submit observations or declarations of opinion which are not directly essential in reaching the determination.
- The IHO will be without authority to make any decision which requires the commission of an act prohibited by law.

The hearing shall be recorded and the grievant shall be given the opportunity to have the hearing conducted in open session, subject to such other legal requirements relating to confidentiality or privacy, which may apply to the subject matter of the hearing, e.g. pupil confidentiality. The IHO shall consider whether to engage a court reporter in lieu of recording the hearing.

The IHO shall issue a written decision no more than 30 days after the hearing is concluded, unless the IHO notifies the parties that more time is needed and the reasons therefore. The need for post-hearing briefs, as determined by the IHO, shall be sufficient reason to extend the deadline.

The IHO shall inform the parties that an appeal of their decision may be taken to the BOE if filed within 10 days of the receipt of the decision of the IHO, after which the decision of the IHO shall become final.

Level Three

If either party is aggrieved by the decision rendered by the IHO, either party has the right to file a written appeal with the BOE within 10 days of receiving the IHO's decision, after which the decision of the IHO shall become final.

Except for grievances involving an employee termination (regardless of whether the employee has a contract for a definite term) or teacher or administrator contract non-renewal under Wis. Stat. §§ 118.22 or 118.24, the BOE may, at its sole discretion, assign an appeal panel of at least three members of the BOE, for the purpose of considering appeals under the grievance procedure.

The BOE or appeal panel shall make every reasonable effort to meet, consider and decide the appeal within 60 days after receipt of the appeal.

The BOE President shall give 10 day notice to the parties of an appeal hearing before the BOE or appeal panel, if such a hearing is necessary.

The BOE or appeal panel shall review the grievance on the record established by the IHO unless it determines that additional information is needed. Each party may make a brief oral presentation to the BOE or appeal panel to summarize their position. The appeal hearing shall be recorded and shall be held in closed session, unless the parties are allowed to present additional information, in which case the grievant shall be given the opportunity to have the evidentiary portion of the appeal hearing conducted in open session, subject to such other legal requirements relating to confidentiality or privacy, which may apply to the subject matter of the hearing, e.g. pupil confidentiality.

The BOE or appeal panel may affirm, reverse, or modify the decision of the IHO. The IHO's decision will be reversed if the decision was:

- In violation of constitutional provisions;
- In excess of the statutory authority or jurisdiction of the school district;
- Made upon unlawful procedure or in contravention of this Grievance Policy and Procedure;
- Affected by other error of law;
- Based upon improper application or interpretation of BOE policy;
- Unsupported by substantial evidence in view of the entire record as submitted. (As used in this policy, *substantial evidence* means such relevant evidence as a reasonable mind would accept as adequate to support a conclusion), or otherwise erroneous;
- Arbitrary and capricious;
- Affected by the inappropriate application of the standard of review by the IHO; or
- In contravention of public policy considerations.

Procedural errors, which do not have a substantial affect on the rights of the parties, shall not be grounds for reversal of any decision.

The decision of the BOE or appeal panel shall be final. The BOE or appeal panel shall make every effort to send to the grievant and the district administrator a written statement of its decision within a reasonable time after hearing the appeal.

Retaliation

No reprisals of any kind shall be taken by the BOE or by an employee of the district against any party in interest or other employee on account of their filing a grievance or participating in a filed grievance.

Request for Reconsideration of BOE Decision

This policy establishes a procedure for employees to grieve certain decisions of school officials. The policy does not grant employees the right to appeal decisions of the BOE itself, other than a termination or contract non-renewal decision by the BOE. Nonetheless, an employee may file, in writing to the BOE President, a request that the BOE reconsider one of its own decisions. The request shall be filed within 15 days of the BOE's decision and shall state the reasons why the BOE should reconsider its decision. The BOE may exercise its discretion whether to grant the requested reconsideration.

Judicial review of a BOE or appeal panel decision made at Level Three of this policy, if any, shall be as prescribed by law.

**Medford Area Public School District
Employee Grievance Form**

Employee Name: _____ Date: _____

Please identify the category of your grievance (circle one):

Termination Discipline Workplace Safety

Are you an employee with a contract?

Yes No

Describe your attempts to resolve your complaint informally (if applicable).

Identify the facts that support your grievance.

Specify the policy(ies), rule(s), regulation(s) and/or law(s) that you believe has/have been violated.

Describe the relief that you are requesting.

If you require additional space, please attach additional sheets to this form.

FILE: GBCBC

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: June 16, 1994
DATE REVISED: September 16, 1999
DATE REVISED: January 17, 2000
DATE REVISED: November 20, 2003
DATE REVISED: September 15, 2005
DATE REVISED: October 29, 2012
DATE REVISED: September 24, 2018

FILE SECTOR: PERSONNEL
POLICY TITLE: PRE-EMPLOYMENT DRUG TESTING

It is policy of Medford Area Public School District to be consistent with its obligations under state and federal law to establish and maintain drug-free schools and workplaces, to require applicants for covered positions to consent to a pre-employment, post-offer drug test.

Securing a drug-free environment is vital to the district's duty to comply with legal mandates and its obligation to promote the health, welfare, safety and education of students and employees. Because district employees render services to students, serve as role models for students, act as enforcers of student drug policies and constitute potential sources of illegal drugs for students, the district has a compelling interest in eliminating illegal drug use from its workplaces and in ensuring that its employees are drug-free.

No offer of employment for a covered position shall be made to any applicant who has not agreed to submit to a drug test as part of the employment screening process. Any applicant who receives a conditional offer of employment and refuses to take a drug test shall be disqualified from further consideration for the position.

All applicants for covered positions shall receive written notice of this drug testing policy prior to receiving conditional offers of employment. All drug test results from an applicant shall be maintained as a confidential record and shall be released only with the express, written consent of the applicant.

CROSS REFERENCE: GBCBB
LEGAL REFERENCE:

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: June 16, 1994
DATE REVISED: September 16, 1999
DATE REVISED: January 17, 2000
DATE REVISED: September 15, 2005
DATE REVISED: October 29, 2012
DATE REVISED: September 24, 2018

FILE SECTOR: PERSONNEL
POLICY TITLE: PRE-EMPLOYMENT DRUG TESTING

I. COVERAGE

Applicants: The term "applicant" includes persons making initial application for employment by the district as well as employees making voluntary application for posted vacancies but does not include employees who are recalled from layoff or transferred laterally or involuntarily by the district.

Covered Positions: Unless expressly excluded, all professional and nonprofessional regular full-time and part-time positions, including summer school teacher and paid non-teacher coach/advisor positions are covered positions.

Excluded Positions: Board of Education (BOE), student, substitute, temporary, outside consultant/contractor, competitive event referee/official/judge and volunteer positions are excluded positions, except as provided in policy JFCIA - Athlete Drug Testing.

Timing: A drug test shall be administered only after an offer of employment, conditioned on the results of the test, has been made to an applicant for a covered position.

II. NOTICE

Policy Notification: All applicants for covered positions shall be notified that such positions are subject to the district's drug testing policy, that agreement to submit to a drug test is a condition of consideration for such position, and that receipt of satisfactory drug test results is a condition of employment for such positions.

Advertising and Job Descriptions: Advertisements, job descriptions, and postings for all covered positions shall include notice as outlined in §II.

Application Form: The district's employment application form for all covered positions shall include notice as outlined in §II. and shall require the applicant to agree to submit to a drug test.

Consent Form: Applicants for all covered positions not filled pursuant to the district's employment application form shall be required to execute a consent form acknowledging the positions are subject to the district's drug testing policy and agreeing to submit to a drug test.

FILE: GCDA

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: August 19, 1993 **FILE SECTOR: PERSONNEL**
DATE REVISED: June 15, 2000 **POLICY TITLE: CRIME INFORMATION**
DATE REVISED: November 18, 2004 **RECORDS CHECK**
DATE REVISED: December 15, 2005
DATE REVIEWED: November 15, 2012
DATE REVISED: February 16, 2017
DATE REVISED: March 28, 2019

Prior to the appointment of any person to a paid or volunteer position with the Medford Area Public School District, the district administrator or their designee will conduct a crime information records check through Background Investigation Bureau.

If a crime records check reveals a conviction or pending charge, which the candidate failed to disclose as required on the district application form, their application for employment may be rejected.

If the crime records check confirms a conviction or pending charge, which the candidate acknowledged on the application form, a determination shall be made in consultation with administration, board of education, local police authorities and/or legal counsel whether to approve the application based on consideration of the circumstances of the conviction/pending charge and whether the circumstances substantially relate to the nature of the particular position for which the candidate has applied.

CROSS REFERENCE: IICC
LEGAL REFERENCE: §111.335 Wis. Stats.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: April 21, 1987	FILE SECTOR: PERSONNEL
DATE REVISED: February 13, 1992	POLICY TITLE: STAFF HEALTH AND SAFETY
DATE REVISED: February 20, 1997	
DATE REVISED: June 15, 2000	
DATE REVISED: May 19, 2005	
DATE REVISED: June 15, 2006	
DATE REVISED: October 29, 2012	
DATE REVISED: December 14, 2015	
DATE REVISED: January 25, 2018	
DATE REVISED: August 28, 2023	

Freedom from tuberculosis in a communicable form is a condition of employment. In accordance with state law, a screening certification that the individual poses no direct threat to the health or safety of the individual or others will be required of each school district employee at the time of their initial employment. This certification must include a screening questionnaire for tuberculosis approved by the department of health services and, if indicated, a test to determine the presence or absence of tuberculosis in a communicable form. If the reaction to the tuberculin test is positive, a chest X-ray shall be required. Additional physical examinations and/or completion of the screening questionnaire for tuberculosis shall be required thereafter at intervals determined by the school medical advisor.

After completing initial district employment requirements, individuals may be given additional screening questionnaires that may be administered by the school nurse or registered nurse. The screening questionnaire shall contain space for certification that the person examined by the registered nurse or school nurse does not have risk factors for tuberculosis. If tuberculosis risk factors are identified on the screening questionnaire, the registered nurse or school nurse shall recommend that the person receive a tuberculin skin test from a practitioner to determine the presence or absence of tuberculosis in a communicable form. If a test to determine the presence or absence of tuberculosis in a communicable form is recommended of the person, and if the test indicates the absence of tuberculosis in a communicable form, the practitioner who administers the test shall certify, on a form prepared by the department of health services, that the person appears to be free from tuberculosis in a communicable form. If a tuberculin test has a positive reaction of 15 mm will be considered high risk and will be referred for a chest X-ray and follow-up with the school medical advisor. A positive reaction will be based upon 5, 10, or 15 mm criteria as described by the Centers for Disease Control and Prevention.

In the case of a new school employee, the board of education (BOE) may permit the school employee to submit proof of an examination, chest X-ray or tuberculin test complying with this policy which was taken within the past 90 days in lieu of requiring such examination.

The provider making a physical examination shall prepare a report of the examination on a standard form prepared by section 118.25 of the Wisconsin statutes. Such report shall be retained in the provider's files and the provider shall make confidential recommendations there to the school board and school employee. The recommendation form shall contain space for a certificate that the person is free from tuberculosis in a communicable form. The cost of such examinations, including X-rays and tuberculin tests, shall be paid out of school district funds.

In all cases, the examining provider will be a Medford area provider and the cost shall be as determined by said provider and Medford Area Public School District. Anyone wishing to use other medical sources for these exams must have prior approval and will be paid only that amount set by the Medford provider for these services.

If an employee is absent from work because of illness, the BOE may request certification that the individual poses no direct threat to the health or safety of the individual or others before the employee resumes work.

CROSS REFERENCE: JHCC

LEGAL REFERENCE: Sections 118.25, 121.52(3)(a) Wis. Stats.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED:	March 18, 1980	FILE SECTOR:	PERSONNEL
DATE REVISED:	January 24, 1995	POLICY TITLE:	STAFF CONDUCT
DATE REVISED:	December 16, 1999		
DATE REVISED:	January 19, 2004		
DATE REVISED:	September 15, 2005		
DATE REVISED:	June 21, 2012		
DATE REVISED:	April 17, 2014		
DATE REVISED:	October 29, 2018		

Staff members and volunteers have a responsibility to make themselves familiar with and abide by state laws as they affect their work, policies of the board of education and regulations designed to implement them.

The mission of Medford Area Public School District is dependent on professional behavior of all staff. The following list is intended to provide concrete examples of types of unacceptable conduct that may lead to discipline. It is not intended to include all types of activity that could lead to discipline.

The following are specifically prohibited:

- Refusal to follow the board approved district curriculum.
- Violation of an established board policy or administrative procedure.
- Theft.
- Falsification of any school record or employment application.
- Deliberate destruction of school property or property of another school employee.
- Fighting or causing physical harm to others during working hours or on school property.
- Gambling and/or games of chance during working hours or on school property.
- Volatile discussion of professional or personal differences with other staff members in the presence of students.
- Unauthorized absence.
- Refusal to obey a supervisor's work related instructions or use of threatening language or actions directed toward supervisors in connection with those instructions.
- Sexual exploitation, sexual assault and all sexual conduct defined in Chapters 944 and 948 of the Wisconsin Statutes.
- Sleeping during work hours or taking breaks in excess of scheduled break time.
- Leaving assigned work site without permission.
- Divulging confidential information in violation of state or federal law that guarantees confidentiality of said information.
- Inappropriate or threatening language directed toward others, including such acts as prohibited by Chapter 947 of the Wisconsin Statutes.

- Failure to demonstrate concern and attention for their own and the district's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision during the school day and at school sponsored activities.
- Failure to provide careful attention to all professional duties, including student registration, attendance and record keeping, student discipline, reporting to parents/guardians, supervision of students, attendance at appropriate meetings, and the request for, care of, and accounting for instructional materials and equipment, as well as effective classroom interaction with students.

CROSS REFERENCE: GBCAB, GBCAC, GBCBB, GBCD, & Employee Handbook
LEGAL REFERENCE: §115.31, §120.12(2), Chapters 940, 944, 947, 948, 961

FILE: GBC

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: March 18, 1980
DATE REVISED: December 21, 1995
DATE REVISED: October 21, 1999
DATE REVISED: January 19, 2004
DATE REVISED: August 18, 2005
DATE REVIEWED: September 20, 2012
DATE REVISED: September 24, 2018

FILE SECTOR: PERSONNEL
POLICY TITLE: STAFF ETHICS

An effective educational program requires the services of people with integrity, high ideals and human understanding. To maintain and promote these essentials, all employees of Medford Area Public School District are expected to maintain high standards in their school relationships. These standards include to:

- Maintain just and courteous professional relationships with students, parents, staff members and others.
- Maintain efficiency and knowledge of the developments in their fields of work.
- Transact all official business with properly designated authorities of the district.
- Establish friendly, intelligent cooperation between the community and the district.
- Place welfare of students as the first concern of the district.
- Prohibit using school contracts and privileges to promote partisan politics, sectarian religious views or selfish propaganda and ideology of any kind.
- Direct criticism of other staff members or departments toward improvement of the district. Constructive criticism is to be made directly to the particular administrator who has the responsibility for improving the situation and then to the district administrator if necessary.

Employees shall comply with Wisconsin Statutes, including the Code of Ethics for Local Government Employees. Employees shall not:

- Use their position for financial gain or to obtain anything of substantial value for the private benefit of their self, immediate family or an organization to which they belong.
- Solicit or accept from any person, directly or indirectly, anything of value if it could be reasonably expected to influence their official action, independent judgment or be considered a reward for any action or inaction.

- Take any action that substantially affects a matter in which the employee, a member of their immediate family, or an organization with which the employee is associated has a substantial financial interest.
- Use their office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the employee, members of their immediate family or an organization with which the employee is associated.

CROSS REFERENCE:

LEGAL REFERENCE: §19.42(7u), §19.59(1)(a)(b), §19.59 (1)(c)1, §19.59 (1)(c)2, §19.59(1m), §118.12(2), §946.12(3), 946.13, Wis. Stats.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: July 15, 1980	FILE SECTOR: SCHOOL-COMMUNITY
DATE REVISED: April 18, 1991	RELATIONS
DATE REVISED: February 16, 1995	POLICY TITLE: PUBLIC COMPLAINTS
DATE REVISED: March 21, 2002	ABOUT SCHOOL PERSONNEL
DATE REVISED: January 25, 2007	
DATE REVISED: September 18, 2014	
DATE REVISED: August 24, 2020	

Constructive criticism of Medford Area Public School District (MAPSD) is welcome when it is motivated by a sincere desire to improve the quality of the educational program and/or to assist the school district in performing its tasks more effectively.

Whenever a community member, parent or guardian is aggrieved at the action of any school employee, and a more specific complaint procedure does not apply to the situation (e.g., a student bullying complaint or a discrimination or harassment complaint) such community member, parent or guardian may give information thereof to the building principal. If the matter is not resolved at that time, the complainant may appeal to the district administrator. If the complainant feels uncomfortable reporting the issue to either the principal or the district administrator, then the complaint should be delivered in writing and signed by the complainant to the board of education (BOE) president or BOE clerk, who will deliver the complaint to the district administrator. The written complaint should include a specific statement of the alleged behavior, including additional background details such as time, date, location and circumstances of alleged incident; the name, address and telephone number of the complainant; and any third party witnesses' name, address and phone number. Appeals shall not be heard, and charges against any school employee shall not be investigated or acted upon by a BOE member or the BOE. Once the district administrator has completed his/her investigation, the results will be brought before the BOE.

The BOE places trust in its employees and desires to support their actions in such a manner that the district responds appropriately when its employees are subject to unlawful or inappropriate/unreasonable conduct by others. Employees may bring any concerns regarding such conduct to the attention of the appropriate building principal or the district administrator. Where any person engages in conduct toward a school official or employee that is related to the official's or employee's school district role and that the district administrator or BOE determines is unlawful or inappropriate/unreasonably (1) threatening, (2) harassing, (3) disruptive and lacking a legitimate purpose, (4) abusive of a district process, or (5) interfering with an official's or employee's health, safety or ability to perform their district role, the district administrator or BOE may, after an appropriate investigation, take appropriate responsive action. Possible consequences, depending on the circumstances, might include actions such as contacting law enforcement, restricting the responsible party's access to school property or school activities, or restricting the time, place, or manner of the responsible party's contact with certain school employees in connection with the employee's role. Nothing in this paragraph is intended to restrict the district's ability to otherwise take appropriate and lawful action to ensure proper school district operations or to protect the health, safety, or property of any person who is present on school property or who is engaged in, or otherwise associated with, school-related operations and activities.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: April 18, 1991	FILE SECTOR: SCHOOL-COMMUNITY
DATE REVISED: March 21, 2002	RELATIONS
DATE REVISED: January 25, 2007	POLICY TITLE: PROCEDURES FOR THE
DATE REVISED: June 19, 2014	INVESTIGATION OF COMPLAINTS
DATE REVISED: September 18, 2014	AGAINST DISTRICT EMPLOYEES
DATE REVISED: August 24, 2020	

Careful investigation and consideration of complaints regarding MASPD employees, and due regard for the rights of the persons involved, requires a procedure that balances the various interests of community members, parent(s)/guardian(s), students and employees.

Upon receipt of a complaint regarding alleged job-related inappropriate conduct of (or by) a MAPSD employee(s), the district will proceed consistent with the following procedures:

- The building principal or designee, with assistance as needed, will investigate the complaint.
- Public authorities/agencies will be informed if required by law or otherwise appropriate.
- The employee(s) complained against will be informed of the general nature of the complaint.
- The employee will be accorded an opportunity to discuss the complaint with the principal or designee, or submit a written response.
- The employee under investigation may be accompanied by a representative, if desired, in any discussion of the matter with the principal or designee.
- Where the complaint involves alleged employee conduct toward or witnessed by students, the principal or designee will secure the student(s)' recollections. Interviewing district students by or on behalf of the employee(s) under investigation or suspicion is not permitted without school district and parental written consent.
- Modifications to these procedures may be required in all staff handbooks or BOE policies. In case of conflict with these guidelines, the provisions in the staff handbook prevail.
- The district administrator shall be informed of complaints investigated under this procedure.
- Exceptions to these procedures can only be granted by the district administrator.

Whenever a serious complaint is made directly to the BOE as a whole, or to a BOE member as an individual, it shall be referred to the district administrator for study and recommendation.

If the community member, parent/guardian or employee is not satisfied with the result of these procedures, either may appeal to the district administrator, and if satisfaction is not reached there, to the BOE in accordance with applicable policy. The decision of the BOE shall be final in all cases.

BOE members or administrators sued as a consequence of performing their duties shall be provided full legal services.

CROSS REFERENCE: KL & KLD-R

LEGAL REFERENCE: Section 813.125, 120.13(35), 947.01, 947.0125 & 947.013, Wis. Stats.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: July 19, 2001 **FILE SECTOR:** PERSONNEL
DATE REVISED: October 20, 2005 **POLICY TITLE:** NETWORK USE – STAFF
DATE REVISED: October 29, 2012
DATE REVISED: October 29, 2018

Medford Area Public School District (MAPSD) provides network access. These resources will be integrated where appropriate in the PreK-12 curriculum. As users of MAPSD network resources, it is essential that each user recognize their responsibility in having access to vast services, sites and people. The user is ultimately responsible for their actions in accessing network services and for adhering to district use policies, procedures and guidelines.

For this policy, network is defined as the district's servers and internet.

In the environment of a network, it is impossible to control all material. MAPSD believes that the valuable information and interaction available on this network far outweigh the possibility that staff may procure material that is not consistent with the educational goals of the district. Focus is in providing individual students with the understanding and skills needed to use the network in ways appropriate to their educational needs.

Through network access, staff may:

- Access resources.
- Enter into partnerships to enhance their learning options.
- Broaden their problem-solving and decision-making abilities.
- Broaden their research capabilities by using primary materials.
- Develop their higher-level thinking skills.
- Gain an employability skill needed for the 21st century.
- Utilize a personalized, motivational learning opportunity.
- Differentiate and assess available resources.

Policy Statements

Access to the network and resources within MAPSD is a privilege, not a right. This privilege will be revoked at any time. Furthermore, unacceptable use may result in suspension or revocation of network privileges and possibly other disciplinary action up to and including discharge from employment.

Users shall not access or use email or other computerized communication systems to relay threatening, intimidating, abusive or harassing messages. Such use may result in criminal sanctions consistent with state law.

Users shall not impose their choices on others, access private files, attempt to break security systems, copy software illegally, or use computer supplies that are not for school-related activities.

Users accessing district network systems may not corrupt network integrity by deliberately allowing inappropriate and/or dangerous files (i.e. viruses) to enter the system.

Any use of the network to facilitate illegal activity is prohibited and will be reported to the appropriate authorities.

Copyrighted material may not be placed on the network without the copyright owner's permission.

Users are responsible for the ethical and educational use of their own accounts. These accounts are to be used only by the authorized owner of the account for the authorized purposes. Users shall not intentionally obtain copies of and/or modify files or passwords belonging to other users.

The district is not responsible for the accuracy or quality of information obtained through its network service. The district is also not responsible for any damages the user suffers, including loss of data resulting from delays, non-deliveries, mis-deliveries, hardware system problems or service interruptions. Use of any information obtained via district technology is at the user's risk.

Principals may establish additional rules and procedures that they deem necessary to insure proper use of the network in their buildings.

Staff has the responsibility of making the educational goal clearly understood to the student. In addition, it is the responsibility of staff to inform students of their responsibilities when accessing the networks and the proper etiquette for their use.

Responsibility and Consent

Though the district does employ some types of filtering software it does not have complete control of information on the network. Therefore, information which users have access to may include material that is illegal, defamatory, inaccurate or potentially objectionable to some people.

The user is responsible for their actions using the network. Unacceptable uses may result in disciplinary action. Typical types of unacceptable use may be, but are not limited to, accessing for personal monetary gain, pornography, endangering the health/safety of others, gambling, union activity and/or use in any manner so as to cause damage or disruption to the system (but shall not pre-empt non-profit personal use such as accessing personal email.) MAPSD administration will determine what is "unacceptable use" and such decisions are final.

CROSS REFERENCE: IIBGAA, IIBGB, IIBGC, KGA, & Employee Handbooks
LEGAL REFERENCE: §118.13, §120.18, §121.02(1)(H), §947.0125, §948.12 Wis. Stats., PI 8.01(2)(h), PI 9.03 of the Wisconsin Administrative Code, COPPA 16 CFR §312.6, 312.7, ACT 7 (18 U.S.C. §2252), 17 U.S.C. §512, CIPPA (47 U.S.C. §254 (h), (l)).

Alternate Notice: Failure of the district to provide notice of its drug testing policy by the methods outlined above shall not preclude drug testing of applicants if applicants for covered positions are provided prior written notice by alternate means.

Posted Vacancies/Emergency Hires: Applicants filling posted vacancies or covered positions pursuant to the district's emergency hiring procedures shall be required, before being permitted to begin work, to execute a consent form acknowledging the positions are subject to the district's drug testing policy and agreeing to submit to a drug test. Applicants for posted vacancies and emergency hires may be asked to begin work before drug test results are available, but offers of employment for such positions shall remain conditioned on receipt of satisfactory test results.

Conditional Offers: All offers of employment to applicants for covered positions shall be conditioned on agreement to submit to a drug test and receipt of satisfactory test results. Any applicant for a covered position who does not agree to submit to a drug test shall be disqualified from further consideration for the position.

III. DRUG TESTING PROCEDURES

Schedule for Test: The district will schedule the drug test. Applicants shall provide the specimen within 48 hours after such direction.

Cooperation Required: Applicants who receive a conditional offer of employment for a covered position and refuse to cooperate in drug testing shall be disqualified from further consideration for the position. Failure to appear when scheduled for oral fluid specimen or substituting or tampering with a oral fluid specimen shall be deemed a refusal to cooperate in drug testing.

Medication: Applicants directed to provide a oral fluid specimen shall be granted 48 hours to supply information concerning their use of medication or other substances that might affect the drug test results. Such applicant information and/or documentation by a physician of an applicant's lawful possession or use of any drug must be submitted to and will be reviewed exclusively by the district's medical advisor.

Oral Fluid Collection: Oral fluid specimens will be analyzed by the Omega Laboratory in Mogadore, OH. The 10 Panel test may include: amphetamines, barbiturates, benzodiazepines, cocaine, methadone, methamphetamine, opiates, oxycodone, phencyclidine, THC and such other controlled substances as determined by the BOE.

Test Facilities: The district's collection and laboratory facilities shall adhere to the mandatory guidelines for Federal Workplace Drug Testing Programs with respect to professionally trained collection personnel, quality assurance for oral fluid collection, chain of custody standards, and confidentiality requirements.

IV. TEST RESULTS AND REPORTING

Reporting Test Results: The laboratory shall report test results to Human Resources. Only specimens that test positive on an initial and confirmatory test shall be reported the district's medical advisor and reported as positive for a specific drug.

Medical Advisor Verification: The district's medical advisor shall review all positive test results and shall consider any medical information/documentation provided by an applicant to justify positive test results. Applicants are not entitled to a hearing before the medical advisor. Evidence to justify positive test results may include, but is not limited to, a valid prescription or a physician's certification of the existence of a valid prescription. Hemp product consumption is not an acceptable medical explanation for a positive test for marijuana. If the medical advisor determines there is no justification for positive test results, such results shall be reported to the district as verified positive results.

Satisfactory Test Results: All negative test results and those positive test results determined to be justified by the district's medical advisor shall be reported to the district as satisfactory test results.

Consequences: An applicant for a covered position who fails to receive satisfactory test results shall be disqualified from further consideration for the position and shall not be permitted to apply for another covered position for a period of one year. If the applicant has begun work pursuant to a conditional offer of employment under the district's emergency hiring procedures, such failure shall constitute good and sufficient reason for rescission of the conditional offer of employment, and the applicant's work shall be terminated immediately.

V. CONFIDENTIALITY

Confidentiality: All drug test results and medical information/documentation provided by applicants for covered positions pursuant to the district's drug testing policy shall be maintained as confidential medical records consistent with applicable state and federal law.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED:	August 20, 1998	FILE SECTOR:	PERSONNEL
DATE REVISED:	December 17, 1998	POLICY TITLE:	NETWORK USE / DISTRICT
DATE REVISED:	July 19, 2001		WEBSITE – STAFF
DATE REVISED:	August 18, 2005		
DATE REVISED:	October 29, 2012		
DATE REVISED:	June 20, 2013		
DATE REVISED:	October 29, 2018		

Medford Area Public School District (MAPSD) may develop, display and maintain a website on the network. For this policy, network is defined as the district’s servers and internet.

- MAPSD district website shall be developed and controlled under the supervision of staff designated by the district administrator or his/her designee or building principals. No one else is authorized to add, change or alter district web pages.
- School employees and/or their designees who create web pages representing the district that are not housed on district resources (i.e. Social Media, Weebly, Google sites) are still subject to all policies.
- When identifying students on district web pages:
 - District websites may include a student’s full name, grade or class
 - Group pictures may be used without identification of individual students.
 - Photos of individual students may be used, but only with permission of the student if 18 or older or the parent(s)/guardian(s). However, due to the public nature of the activities, participation in extracurricular activities or clubs provides inherent permission to identify students while participating.
- District web pages may not include any information that indicates the physical location of specific students at specific times, other than attendance at a particular school, or participation in activities.
- District web pages shall meet the criteria established under district policy. District web pages shall not be linked to sites that do not meet the same criteria.
- As specified in board policy, no unlawful copies of copyrighted material may be knowingly produced or transmitted via school equipment. This includes all material published on the web page, including any graphics, audio or video.
- Staff may use district web pages to provide information to the public on school programs and events, curriculum, policies, staff and student accomplishments, and so on. However, district web pages are not to be used as “personal web space” as these pages are official publications of the district.
- District web pages shall be maintained and updated on a regular basis.

Any deliberate tampering with or misuse of the MAPSD network services or equipment will be considered vandalism and subject to appropriate disciplinary measures.

CROSS REFERENCE: GBCAB, IIBGA, IIBGB, IIBGC & KGA
LEGAL REFERENCE: 118.125, 118.13, 120.13(1), 120.18, 121.02(1)(H), 943.70, 947.0125, 948.12 Wis. Stats., PI 8.01(2)(h), PI 9.03 of the Wisconsin Administrative Code, COPPA 16 CFR 312.6, 312.7, ACT 7 (18 U.S.C. 2252), 17 U.S.C. 512, CIPPA (47 U.S.C. 254 (h), (l)) & Employee Handbooks.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: August 16, 1990 **FILE SECTOR:** SCHOOL-COMMUNITY
DATE REVISED: February 21, 1994 **RELATIONS**
DATE REVISED: May 16, 2002 **POLICY TITLE:** USE OF TOBACCO/NICOTINE
DATE REVISED: January 25, 2007 **AND RELATED DEVICES ON**
DATE REVISED: September 20, 2012 **DISTRICT PREMISES**
DATE REVISED: September 28, 2020

Rationale

It is the intent of MAPSD to maintain the best possible school environment for its students and to recognize that the use of tobacco and nicotine products, and related devices adversely affects the environment and constitutes a direct threat to the health and safety of others.

Action Plan – Policy Violations

In the event staff, students and/or public use tobacco and nicotine products, and related devices they will be in violation of the state law, and the following steps will be implemented (per school placement--K-4, 5-8, 9-12 for students).

Students:

1st & 2nd violation – parents will be notified, referral to authorities and possible suspension
3rd violation – parents will be notified, referral to authorities and possible suspension or expulsion

Staff:

All MAPSD staff shall be informed of the board of education (BOE) policy KGC-Use of Tobacco/Nicotine and Related Devices on District Premises. New employees shall be informed at the time of hire. Cessation assistance shall be made available if requested.
1st violation – verbal warning, referral to authorities
2nd violation – written warning, referral to authorities
3rd violation – continued violations will result in further disciplinary action, including discharge

Public:

1st violation – verbal warning
2nd violation – verbal notification and referral to authorities

**These procedures apply only to incidents occurring in accordance with BOE policy. Incidents at other school districts will be dealt with by that school district and by MAPSD officials.