

# 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  
GBJ Staff Grievances  
GBCBC Pre-Employment Drug Testing Policy  
GCDA Crime Information Records Check  
GBE Staff Health and Safety Policy  
GBCB Staff Conduct  
GBC Staff Ethics  
KLD Public Complaints about School Personnel  
GBCAB Internet Safety / Telecommunications - Staff  
GBCAC Internet Safety / District Web Site - Staff  
GBCBB Employee Possession, Use Sale or Distribution of Alcohol & Other Drugs  
KGC Use of Tobacco on School 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**

The Medford Area Public School District does not tolerate harassment in any form and will take all necessary and appropriate action to eliminate it, up to and including discipline of offenders. It is the policy of the Medford Area Public School District to maintain and ensure a working environment free of any form of harassment or intimidation toward employees, board of education members, volunteers, staff in training, and applicants.

All board of education members, employees, and volunteers who work in the Medford Area Public School District on a regular basis are required to be familiar with, and comply with, the policy of the Medford Area Public School District prohibiting harassment.

Harassment is an individual act and/or a pattern of abusive and 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 or verbal or physical conduct of a sexual nature when:

- a. submission to or acquiescence in such conduct is made either explicitly or implicitly a term or condition of an individual's employment status;
- b. 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;
- c. 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; or
- d. 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 or graphic or written materials or verbal or physical conduct of a sexual nature, whether repeated or not, that is sufficiently severe to create a hostile environment.

No board of education member, employee, student, applicant, staff in training, or volunteer shall threaten or insinuate, either explicitly or implicitly, that an employee's, applicant's, board member's, staff in

training, or volunteer'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 board member, employee, student, staff in training, applicant, or volunteer 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 employee, board of education member, staff in training, volunteer, or applicant who believes they are victims of harassment should report their concerns to the building principal or the designated harassment officer as identified in the complaint procedure. Complaints under this policy shall be filed in a timely manner.

It is the intent of the Medford Area Public School District to create an atmosphere where complaints will be treated fairly and quickly. If an individual is not comfortable with making a complaint to the designated harassment officer, the complaint may be filed with any other administrator. The administrator will report the complaint to the designated harassment officer unless the designated harassment officer is allegedly involved as a party to or the focus of the complaint, in which case it shall be reported to the district administrator or board of education president.

The right to confidentiality, of both the complainant and of 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 when this conduct has occurred.

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

#### Policy Dissemination

1. This policy and procedure will be made available to all employees on not less than an annual basis.
2. New employees will attend an inservice in which an understanding of harassment, the board of education policy and complaint procedures and importance of vigilance will be emphasized.
3. Information will be posted at each building advising employees, students and volunteers of the 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

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

The building principal is generally responsible for compliance with state and federal regulations concerning harassment in his/her building. 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 board of education 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 board of education member instead of following the steps prescribed in this policy, the board of education member will immediately refer the matter to the board of education president, or, if the board of education president is allegedly involved as a party to or the focus of the complaint, to the district administrator or other administrator.

**Step 1**

Any complaint shall be presented in writing or orally to the building principal, or in the case of district office personnel, to designated harassment officer. Oral complaints will be handled informally. If the complaint is submitted in writing, it should include the specific nature of the harassment and corresponding dates and also include the name, address, and phone number of the complainant. The building principal or other administrator shall notify the designated harassment officer. 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 board of education president.

**Step 2**

The building principal 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 within twenty (20) days after receipt of the written complaint to discuss the complaint with all concerned parties. The building principal or other administrator will file a copy of the complaint and response with the designated harassment officer within twenty (20) days after receipt of the written complaint.

**Step 3**

If the complainant is not satisfied with the answer of the building principal or other administrator, he or she may submit a written appeal to the designated harassment officer, indicating the areas of disagreement with the response and reason underlying such disagreement. Such appeal must be filed within twenty (20) days after receipt of the building principal's or other administrator's response. The designated harassment officer 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 designated harassment officer shall give a written response to the complainant's appeal within thirty

(30) days after receipt of the notice of appeal. The designated harassment officer may exercise authority to discipline the employee, volunteer, staff in training, or applicant involved if he/she feels satisfied that the evidence as presented warrants the discipline. If the party involved is a board member, findings and recommendations shall be made to the full board of education.

#### **Step 4**

If the complainant or the designated harassment officer is not satisfied with the results of Step 3, he/she may file an appeal requesting a hearing with the district administrator within twenty (20) days after the decision in Step 3 has been rendered. If the district administrator is allegedly involved, party to, or the focus of the complaint, the appeal in Step 4 shall be filed with the president of the board of education or his/her designee.

#### **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 board of education within twenty (20) days after the decision in Step 4 has been rendered. The board of education 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/**  
**DATE REVISED: March 21, 2006**      **BULLYING**  
**DATE REVISED: March 20, 2008**  
**DATE REVISED: September 16, 2010**  
**DATE REVISED: May 17, 2012**  
**DATE REVISED: September 18, 2014**

The Medford Area Public School District Board of Education does not tolerate student harassment including sexual harassment and bullying, in any form and will take all necessary and appropriate action to eliminate it, up to and including suspension or expulsion. It is the policy of the District to maintain and ensure a learning environment free of any form of harassment/bullying or intimidation toward and between students. The District consistently and vigorously addresses harassment and bullying so that there is no disruption to the learning environment and learning process.

Student harassment is behavior towards students based in whole or in part, on sex, race, national origin, ancestry, creed, religion, 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 can be by a person, of the same or opposite gender, and is defined as 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.

Bullying is deliberate or intentional behavior using words or actions, intended to cause fear, intimidation or harm. Bullying may be 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:

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

Cyber bullying involves the use of information and communication technologies such as email, cell phone and pager text messages, instant messaging, defamatory personal web sites, and defamatory online personal polling web sites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others. Usage and employment of network systems (data, video, or voice) to harass, intimidate, or bully is described as cyber bullying, and is unacceptable and punishable.

Bullying behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the school district. 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.

Students who believe they have been subjected to harassment/bullying or any parents/guardians who believe their child has been subjected to harassment/bullying should report the incident(s) to the building principal/designee.

If a student with a disability, who has an IEP, is being harassed or bullied, the 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 educational benefit.

It is the intent of the Medford Area Public School District to create an atmosphere where complaints will be treated fairly and promptly. If a student or parent/guardian is not comfortable with making a complaint to the principal/designee, the complaint may be made to a guidance counselor, psychologist, teacher or other administrator, with the understanding that incidents must be reported to administration for review and action. The employee receiving the complaint shall report the complaint to the principal or other administrator. The designated harassment/bullying officer shall be informed of any complaints.

Third party witnesses are strongly encouraged to report observed incidents of harassment/bullying to the administration.

Any employee who has reasonable cause to suspect that a child has been harassed/bullied by an adult, or another student, shall immediately report such suspicion to the building principal. Any employee who observes student to student harassment/bullying of any form shall take reasonable action to stop the harassment/bullying and shall report the incident to the building principal.

The right to confidentiality, of both the complainant and of 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 when this conduct has occurred.

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 is substantiated. Encouraging others to retaliate also violates the policy.

The administration and staff will inform students that the Medford Area Public School District does not tolerate harassment/bullying in any form and will take all necessary and appropriate action to eliminate it, up to and including suspension or expulsion. Students and staff will be informed of this policy annually and complaint procedures will be made available to any students or parent/guardian wishing to file a complaint.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

<b>DATE ADOPTED:</b> February 18, 1999	<b>FILE SECTOR:</b> STUDENTS
<b>DATE REVISED:</b> April 17, 2003	<b>POLICY TITLE:</b> STUDENT HARASSMENT/ BULLYING COMPLAINT PROCEDURES
<b>DATE REVISED:</b> March 21, 2006	
<b>DATE REVISED:</b> March 20, 2008	
<b>DATE REVISED:</b> September 16, 2010	
<b>DATE REVISED:</b> May 17, 2012	
<b>DATE REVISED:</b> September 18, 2014	

Students who believe they are the victims of harassment/bullying or parents/guardians who believe their child is a victim of harassment/bullying, should immediately report their concerns to the building principal. If an individual is not comfortable making a complaint to the building principal, the complaint may be made to a guidance counselor, psychologist, teacher, or other administrator. If an adult employee, other than the principal, receives the complaint the employee shall forward the complaint to the building principal or other administrator as soon as possible for review and action as necessary.

A complaint may be presented, in writing or orally. All complaints will be investigated.

Oral Complaints

Oral complaints will be handled by the principal or his/her designee and a record of the complaint, investigation, findings and action will be prepared and maintained by the building principal.

If any party is not satisfied with this procedure, a written complaint should be submitted.

Written Complaints

Written complaints shall be presented to the building principal.

1. The written complaint should include a specific statement of the alleged behavior, including (if possible) additional background details such as time, date, location, and circumstances of each alleged incident and the name, address, and telephone number of the complainant.
2. The principal shall make an initial determination of the complaint which shall include:
  - a. investigating the complaint, within one school day;
  - b. notifying the person who has been accused of harassment/bullying;
  - c. permitting a response to the allegation;
  - d. responding to the complaint.

Since the Medford Area Public School District takes these complaints seriously, they will be subject to immediate review and investigation. The one day investigation standard does not pertain to processing bullying information as a result of a survey. The designated harassment/bullying officer will be notified when a complaint has been filed. The building principal shall provide written acknowledgment of a student harassment/bullying complaint within 45 days of receipt of the written complaint and a determination of the complaint within 90 days of receipt of the written complaint unless the parents agree to an extension of time.

3. If any party is not satisfied with the report of the principal, a written appeal may be submitted to the designated harassment officer indicating the nature of the disagreement. The appeal must be filed within ten (10) working days after receipt of the principal's answer. The designated harassment/bullying officer shall schedule a meeting of all parties to the complaint to review the issues presented in the appeal.

The designated harassment/bullying officer shall provide a written response outlining the findings and disposition of the appeal within twenty (20) working days of the date the appeal is filed or twenty (20) working days after the meeting, whichever is later.

4. If the complainant or the designated harassment/bullying officer is not satisfied with the results of Step 3, he/she may file an appeal requesting a hearing with the district administrator within ten (10) working days after the decision in Step 3 has been rendered.
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 board of education within ten (10) working days after the decision in Step 4 has been rendered. The board of education will conduct a hearing about the matter and may take appropriate action in order to resolve any misconduct and/or the complaint.
6. The complainant shall be notified of the right to appeal a negative determination by the board of a complaint of harassment/bullying that would constitute student discrimination within 30 days to the Wisconsin Department of Public Instruction.

#### Policy Dissemination

1. This policy and procedure will be made available to all employees, students or student's parents at least once a year.
2. Discussion of harassment/bullying will be included at an age appropriate level and in the proper context as part of the curriculum.
3. New employees will be provided with the board of education policy and complaint procedures.
4. Information will be posted at each building advising employees, students and volunteers of the policy and the procedures for filing a complaint.

#### Disciplinary Procedures

Students who engage in student harassment/bullying shall be subject to disciplinary action. Discipline may include, but is not limited to, one or more of the following actions: notification of law enforcement officials, letter of correction, suspension or expulsion.

If a student with a disability, who has an IEP, is engaging in the harassment / bullying behavior, the LEA should convene the IEP team to determine if additional supports or services are needed to address the inappropriate behavior.

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.

**CROSS REFERENCE: JB-R, & JBA-R, & JOB**

**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

## Harassment/ Bullying Report Form

Instructions: It is designed to assist any staff member at a school site who may receive a complaint 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 site and central office personnel who are designated to receive complaints regarding harassment/bullying. Use the appropriate category(ies) below to record the information volunteered by the student.

**Student Harassment:** is behavior towards students based in whole or in part, on sex, race, national origin, ancestry, creed, religion, 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.

(Detailed definitions on page 1)

**Sexual Harassment:** can be by a person, of the same or opposite gender, and is defined as 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 materials, overt or implicit threats or bribes and subtle or express pressure for sexual activity.

**Bullying:** is deliberate or intentional behavior using words or actions, intended to cause fear, intimidation or harm. Bullying may be 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.

Date:	Time:
Name of Victim:	Grade:
Name of Perpetrator:	Grade:

DESCRIBE EXACTLY WHAT WAS SAID BY		
STUDENT HARASSMENT (based in whole or in part)	Staff	Student
<input type="checkbox"/> Sex <input type="checkbox"/> Race <input type="checkbox"/> National Origin <input type="checkbox"/> Ancestry <input type="checkbox"/> Religion / Creed <input type="checkbox"/> Marital / Parental Status <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Disability		

DESCRIBE EXACTLY WHAT WAS SAID BY		
SEXUAL HARASSMENT	Staff	Student
<input type="checkbox"/> Staff Member to Student <input type="checkbox"/> Student to Student		

DESCRIBE EXACTLY WHAT WAS SAID BY		
BULLYING	Staff	Student
<input type="checkbox"/> Physical <input type="checkbox"/> Verbal <input type="checkbox"/> Indirect		

How this came to my attention: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Completed By

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Position

Copies to: District Office  
 Site File  
 Student File

Medford Area Public School District

Harassment/ Bullying Report Form

School: MASH MAMS MAES SES

Name of victim(s): \_\_\_\_\_

Name of perpetrator(s): \_\_\_\_\_

I was notified of this incident by: \_\_\_\_\_ on \_\_\_\_\_

I spoke with the alleged perpetrator(s) on \_\_\_\_\_

Witnesses to the behavior were: \_\_\_\_\_

\_\_\_\_\_ YES \_\_\_\_\_ NO The perpetrator(s) admitted the behavior.

\_\_\_\_\_ YES \_\_\_\_\_ NO The perpetrator(s) agreed to stop the behavior.

I informed the perpetrator(s) of the following:

\_\_\_\_\_ Behavior violates school rules.

\_\_\_\_\_ Behavior is illegal.

\_\_\_\_\_ Behavior must stop immediately.

\_\_\_\_\_ Future incidents may result in disciplinary consequences.

\_\_\_\_\_ Future incidents may be reported to law enforcement.

\_\_\_\_\_ YES \_\_\_ NO Contacted the parent of the victim(s).

\_\_\_\_\_ YES \_\_\_ NO Contacted the parent of the perpetrator(s).

\_\_\_\_\_ I told the victim(s) to report to me immediately any future incidents of harassment.

Completed By \_\_\_\_\_

Date \_\_\_\_\_

## Medford Area Public School District

### Student Harassment:

**Sex:** either the female or the male division of a species, especially as differentiated by reproductive function, the structural and functional differences by which the female and male are distinguished.

**Race:** a group of people related by common descent, a classification of human beings based on physical characteristics or genetic markers.

**National Origin:** of or belonging to a nation; the source from which anything arises or is derived.

**Ancestry:** ancestral descent; lineage, a series of ancestors.

**Creed:** means a system of religious beliefs, including moral or ethical beliefs about right and wrong, that are sincerely held with the strength of traditional religious views. (§111.32 (3m))

**Religion:** means an organization, whether or not organized under ch.187, which operates under a creed. (§111.32 (12m))

**Pregnancy:** having a child developing in the body.

**Marital Status:** means that status of being married, single, divorced, separated, or widowed. (§111.32 (12))

**Parental Status:** means the status of being a father or mother.

**Sexual Orientation:** means having a preference for heterosexuality, homosexuality or bisexuality, having a history of such a preference or being identified with such a preference. (§111.32 (13m))

**Disability – Physical, Mental, Emotional, or Learning:** means an individual who: a) has a physical or mental impairment which makes achievement unusually difficult or limits the capacity to work; b) has a record of such an impairment; or c) is perceived as having such an impairment. (§111.32 (8))

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: August 18, 2011  
DATE REVISED:

FILE SECTOR: PERSONNEL  
POLICY TITLE: STAFF GRIEVANCES

**Informal Resolution:**

An employee<sup>1</sup> with a complaint related to employee discipline (except employee termination) or workplace safety should first seek to resolve the issue(s) with his/her immediate supervisor through informal discussion. Informal resolution of discipline complaints shall be initiated within seven (7) 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 (7) 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 his/her immediate supervisor, the employee may seek informal resolution by the District Administrator or his/her designee within seven (7) days after bringing it to the attention of his/her 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 President. In cases of such employee discipline, the informal resolution process shall be commenced within seven (7) 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 (7) 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.

---

<sup>1</sup>This Employee Grievance Policy and Procedure is intended to apply to all school district employees.

## **Time Limits for Filing a Grievance**

If the informal resolution process does not resolve the complaint, and the employee believes that his/her 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 twenty-one (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 twenty-one (21) days after the employee first attempts to resolve his/her 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 Board. 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:**

- A. **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 Board 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 Board approved non-renewal following the procedures set forth in Wis. Stat. §§ 118.22 or 118.24.

B. **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 Board 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.

1. **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:

- a. Layoffs;
- b. Workforce reduction activities;
- c. Voluntary termination including, without limitation, quitting and resignation;
- d. Job abandonment;
- e. End of employment due to disability;
- f. Retirement;
- g. Death;
- h. End of employment and/or completion of assignment of limited-term, temporary, seasonal, substitute, or part-time employees; or

2. **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:

- a. 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;
- b. Adverse employment actions other than a suspension without pay, or a demotion or reduction in rank, pay or other benefits, imposed upon the employer for disciplinary reasons;
- c. Lateral transfers or reassignments;
- d. Plans of correction or performance improvement;
- e. Performance evaluations or reviews;
- f. Documentation of employee acts and/or omissions in an employment file;
- g. Oral or written reprimands or warnings;
- h. Administrative suspension with or without pay pending investigation of misconduct or nonperformance; or
- i. Non-disciplinary wage, benefit, or salary adjustments, or reductions in assigned hours.

3. **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 Board 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.

C. **Days:** “Days” mean calendar days.

### **General Considerations**

- A. **Impartial Hearing Officer:** The Board shall adopt, prior to the beginning of each school year, or as the need arises, a resolution authorizing an Impartial Hearing Officer appointed by the Board to hold a grievance hearing and make a decision regarding the grievance. The Impartial Hearing Officer shall not be an officer, agent or employee of the Board at the time of appointment. The Board may approve a list of Impartial Hearing Officers, prior to the beginning of each school year (or as the need arises), to be called upon under this procedure.
- B. **Standard of Review:** The standard of review to be applied by the Impartial Hearing Officer 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:
  1. 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.
  2. 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.
  3. 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.

C. **Termination of an Employee with a Contract for a Definite Term:**<sup>2</sup> 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:

1. The District Administrator or his/her designee (or in the case of the termination of the District Administrator, an individual designated by the Board President) shall notify the employee, in writing, that he/she intends to recommend that the Board terminate the employee at the next regularly scheduled Board meeting or a Special Board meeting within forty-five (45) days of the date of the written notice.
2. At the Board meeting to hear the termination recommendation, the Board shall hold an informal hearing, which means that the District Administrator or his/her designee (or in the case of the termination of the District Administrator, an individual designated by the Board 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 his/her 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.
3. The Board shall issue its decision, in writing, within seven (7) days of the informal hearing. If the Board accepts the recommendation to terminate the employee, the Board shall inform the employee, in writing, that the Board 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 Board President within twenty-one (21) days of receiving written notice of termination. If no appeal is filed, the Board’s decision shall become final.

D. **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 Board 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 Board President within twenty-one (21) days of receiving final, written notice of non-renewal from the Board. If no appeal is filed, the Board’s decision shall be final.

---

<sup>2</sup> 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.

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: August 18, 2011

FILE SECTOR: PERSONNEL

DATE REVISED:

POLICY TITLE: STAFF GRIEVANCES

Level One

- A. The grievant may initiate a formal grievance by obtaining a grievance form from his/her immediate supervisor or designee or from the human resources manager or department, filling out the form, and providing a copy to his/her 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.
- B. The District Administrator or his/her designee shall act on the grievance within seven (7) days of the filing of the grievance. If the District Administrator or his/her designee denies the grievance, he/she shall inform the grievant who shall have seven (7) days to appeal the denial to the Board by filing a letter of appeal with the Board President.

Level Two

- A. Within ten (10) days after receipt of an appeal from a grievant, the Board President shall appoint an Impartial Hearing Officer as authorized by resolution of the school board. The Impartial Hearing Officer shall do the following:
  - 1. 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.
  - 2. Notify the parties of the time and location for the hearing at least two (2) weeks before the hearing.
  - 3. Subpoena witnesses, as necessary to ensure their testimony, when requested by either party.
  - 4. 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 Impartial Hearing Officer 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 Impartial Hearing Officer may exclude or limit irrelevant, repetitive, or redundant evidence or any evidence lacking probative value. The Impartial Hearing Officer, in the conduct of the proceeding, shall be mindful of the desire for a speedy and inexpensive resolution of any appeal brought before him/her.

5. 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, that the Impartial Hearing Officer may not award attorneys fees or litigation expenses against the District at any time.
  6. The Impartial Hearing Officer 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.
  7. The Impartial Hearing Officer will be without authority to make any decision which requires the commission of an act prohibited by law.
- B. 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 Impartial Hearing Officer shall consider whether to engage a court reporter in lieu of recording the hearing.
- C. The Impartial Hearing Officer shall issue a written decision no more than thirty (30) days after the hearing is concluded, unless the Impartial Hearing Officer notifies the parties that more time is needed and the reasons therefore. The need for post-hearing briefs, as determined by the Impartial Hearing Officer, shall be sufficient reason to extend the deadline.
- D. The Impartial Hearing Officer shall inform the parties that an appeal of his/her decision may be taken to the Board if filed within ten (10) days of the receipt of the decision of the Impartial Hearing Officer, after which the decision of the Impartial Hearing Officer shall become final.

### **Level Three**

- A. If either party is aggrieved by the decision rendered by the Impartial Hearing Officer, either party has the right to file a written appeal with the Board within ten (10) days of receiving the Impartial Hearing Officer's decision, after which the decision of the Impartial Hearing Officer shall become final.

- B. 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 Board may, at its sole discretion, assign an appeal panel of at least three members of the Board, for the purpose of considering appeals under the grievance procedure.
- C. The Board or appeal panel shall make every reasonable effort to meet, consider and decide the appeal within sixty (60) days after receipt of the appeal.
- D. The Board President shall give ten (10) days notice to the parties of an appeal hearing before the Board or appeal panel, if such a hearing is necessary.
- E. The Board or appeal panel shall review the grievance on the record established by the Impartial Hearing Officer unless it determines that additional information is needed. Each party may make a brief oral presentation to the Board or appeal panel to summarize his/her 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.
- F. The Board or appeal panel may affirm, reverse, or modify the decision of the Impartial Hearing Officer. The Impartial Hearing Officer's decision will be reversed if the decision was:
  - 1. In violation of constitutional provisions;
  - 2. In excess of the statutory authority or jurisdiction of the school district;
  - 3. Made upon unlawful procedure or in contravention of this Grievance Policy and Procedure;
  - 4. Affected by other error of law;
  - 5. Based upon improper application or interpretation of Board policy;
  - 6. 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;
  - 7. Arbitrary and capricious;
  - 8. Affected by the inappropriate application of the standard of review by the Impartial Hearing Officer; or
  - 9. In contravention of public policy considerations.
- G. Procedural errors, which do not have a substantial affect on the rights of the parties, shall not be grounds for reversal of any decision.

- H. The decision of the Board or appeal panel shall be final. The Board 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 Board or by an employee of the District against any party in interest or other employee on account of his/her filing a grievance or participating in a filed grievance.

### **Request for Reconsideration of School Board 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 Board itself, other than a termination or contract non-renewal decision by the Board. Nonetheless, an employee may file, in writing to the Board President, a request that the Board reconsider one of its own decisions. The request shall be filed within fifteen (15) days of the Board's decision and shall state the reasons why the Board should reconsider its decision. The Board may exercise its discretion whether to grant the requested reconsideration.

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

#### **CROSS REFERENCE:**

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

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**

<b>DATE ADOPTED: June 16, 1994</b>	<b>FILE SECTOR: PERSONNEL</b>
<b>DATE REVISED: September 16, 1999</b>	<b>POLICY TITLE: PRE-EMPLOYMENT DRUG</b>
<b>DATE REVISED: January 17, 2000</b>	<b>TESTING</b>
<b>DATE REVISED: November 20, 2003</b>	
<b>DATE REVISED: September 15, 2005</b>	
<b>DATE REVISED: October 29, 2012</b>	

It is the policy of the Medford Area Public School District, 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                      FILE SECTOR: PERSONNEL  
DATE REVISED: September 16, 1999            POLICY TITLE: PRE-EMPLOYMENT DRUG  
DATE REVISED: January 17, 2000                TESTING  
DATE REVISED: September 15, 2005  
DATE REVISED: October 29, 2012

I. COVERAGE

- A. 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.
- B. Covered Positions. Unless expressly excluded, all professional and nonprofessional regular full-time and regular part-time positions, including summer school teacher and paid nonteacher coach/advisor positions, are covered positions.
- C. Excluded Positions. Board of education, 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.
- D. 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

- A. 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.
- B. Advertising and Job Descriptions. Advertisements, job descriptions, and postings for all covered positions shall include notice as outlined in §II.A.
- C. Application Form. The district's employment application form for all covered positions shall include notice as outlined in §II.A. and shall require the applicant to agree to submit to a drug test.
- D. 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.

- E. 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.
  
- F. Emergency Hires. Applicants filling 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. 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.  
  
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.
  
- G. 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

- A. Schedule for Test. The district's Drug Testing Coordinator shall schedule drug tests and shall direct applicants who have received a conditional offer of employment for a covered position to report to the Memorial Health Center Clinic or, with the consent of the coordinator, to an alternate facility for production of a urine specimen. Applicants shall provide the specimen within 48 hours after such direction.
  
- B. 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 production of a urine specimen or substituting or tampering with a urine specimen shall be deemed a refusal to cooperate in drug testing.
  
- C. Medication. Applicants directed to provide a urine 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.
  
- D. Urinalysis. Urine specimens will be analyzed by the Medtox Laboratory in Eau Claire for the following drugs: amphetamine, cocaine, marijuana, opiates, phencyclidine, and such other controlled substances as determined by the board of education.

- E. 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 urinalysis, chain of custody standards, and confidentiality requirements.

#### IV. TEST RESULTS AND REPORTING

- A. Reporting Test Results. The laboratory shall report test results to the district's medical advisor. Only specimens that test positive on an initial and confirmatory test shall be reported as positive for a specific drug.
- B. 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, but 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.
- C. 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.
- D. 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.

Consequences. Applicants for covered positions who fail to receive satisfactory test results shall be subject to the following consequences:

1. Initial application for employment by district. The applicant 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, and the applicant's work shall be terminated immediately.

#### V. CONFIDENTIALITY

- A. 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.

**FILE: GCDA**

**MEDFORD AREA PUBLIC SCHOOL DISTRICT**

**DATE ADOPTED: August 19, 1993**  
**DATE REVISED: June 15, 2000**  
**DATE REVISED: November 18, 2004**  
**DATE REVISED: December 15, 2005**  
**DATE REVIEWED: November 15, 2012**

**FILE SECTOR: PERSONNEL**  
**POLICY TITLE: CRIME INFORMATION**  
**RECORDS CHECK**

Prior to the appointment of any person to a paid or volunteer position with the Medford Area Public School District, the district administrator or his/her designee will conduct a crime information records check through the Wisconsin Department of Justice.

If a crime records check reveals a conviction or pending charge which the candidate failed to disclose as required on the district application form, his/her application for employment will 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 or not to reject the application based upon a 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**

In accordance with state law, a physical examination and 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 his/her initial employment. This physical exam must include a chest x-ray or two-step tuberculin test. Freedom from tuberculosis in a communicable form is a condition of employment. If the reaction to the tuberculin test is positive, a chest X-ray shall be required. Additional physical examinations shall be required thereafter at intervals determined by the school medical advisor.

Upon initial district employment, individuals will be given a two-step tuberculin skin test. If reaction at second test is negative (0 mm), no further testing will be necessary at that time. 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 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, x-ray, or test.

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 Aspirus Medford Clinic for these services.

If an employee is absent from work because of illness, the board of education 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.**

**FILE: GBCB**

**MEDFORD AREA PUBLIC SCHOOL DISTRICT**

**DATE ADOPTED: March 18, 1980**  
**DATE REVISED: January 24, 1995**  
**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**

**FILE SECTOR: PERSONNEL**  
**POLICY TITLE: STAFF CONDUCT**

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

The realization of the Medford Area Public School District mission is dependent upon the professional behavior of all staff. The following list is intended to provide concrete examples of types of unacceptable conduct which may lead to discipline. It is not intended to include all types of activity which could lead to discipline. The following are specifically prohibited:

1. Refusal to follow the board approved district curriculum.
2. Violation of an established board policy or administrative procedure.
3. Theft.
4. Falsification of any school record or employment application.
5. Deliberate destruction of school property or the property of another school employee.
6. Fighting or causing physical harm to others during working hours or on school property.
7. Gambling and/or games of chance during working hours or on school property.
8. Volatile discussion of professional or personal differences with other staff members in the presence of students.
9. Unauthorized absence.
10. Refusal to obey a supervisor's work related instructions or the use of threatening language or actions directed toward supervisors in connection with those instructions.
11. Sexual exploitation, sexual assault and all sexual conduct defined in Chapters 944 and 948 of the Wisconsin Statutes.

12. Sleeping during working hours or taking breaks in excess of determined break time.
13. Leaving assigned work site without permission.
14. Divulging confidential information in violation of any state or federal law which guarantees the confidentiality of said information.
15. Inappropriate or threatening language directed toward others, including such acts as prohibited by Chapter 947 of the Wisconsin Statutes.
16. Failure to demonstrate concern and attention for their own and the school system'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.
17. Failure to provide careful attention to all professional duties, including student registration, attendance keeping 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:** 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**

**FILE SECTOR: PERSONNEL**  
**POLICY TITLE: STAFF ETHICS**

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

- The maintenance of just and courteous professional relationships with students, parents, staff members, and others.
- The maintenance of their own efficiency and knowledge of the developments in their fields of work.
- The transaction of all official business with the properly designated authorities of the school system.
- The establishment of friendly and intelligent cooperation between the community and the school system.
- The placement of the welfare of children as the first concern of the school system, thus appointments to positions and promotion must be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
- Restraint from using school contracts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- Directing any criticism of other staff members or of any department of the school system toward the improvement of the school system. Such constructive criticism is to be made directly to the particular school administrator who has the administrative 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. Specifically, employees shall not:

- Use their position for financial gain or to obtain anything of substantial value for the private benefit of his/her self, his/her immediate family or an organization to which s/he belongs.

- Solicit or accept from any person, directly or indirectly, anything of value if it could be reasonably expected to influence his or her official actions or independent judgment or it could be considered a reward for any action or inaction.
- Take any action that substantially affects a matter in which the employee, a member of his or her immediate family, or an organization with which the employee is associated has a substantial financial interest.
- Use his or her 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 his/her 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**

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

Constructive criticism of the school district 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 school board president or board 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 board member or the board of education. Once the district administrator has completed his/her investigation, the results will be brought before the board of education.

The Board of Education 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 board of education 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 his/her school district role, the district administrator or school board 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 school 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**

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

Careful investigation and consideration of complaints regarding district 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 district employee(s), the district will proceed consistent with the following procedures:

1. The building principal or designee, with assistance as needed, will investigate the complaint.
2. Public authorities/agencies will be informed if required by law or otherwise appropriate.
3. The employee(s) complained against will be informed of the general nature of the complaint if the complaint is considered serious by administration.
4. The employee will be accorded an opportunity to discuss the complaint with the principal or designee, or submit a written response.
5. The employee under investigation may be accompanied by a representative, if desired, in any discussion of the matter with the principal or designee.
6. 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.
7. Modifications to these procedures may be required in all staff handbooks or board of education policy(ies). In case of conflict with these guidelines, the provisions in the staff handbook prevail.
8. The district administrator shall be informed of complaints investigated under this procedure.
9. Exceptions to these procedures can only be granted by the district administrator.

Whenever a serious complaint is made directly to the board of education as a whole, or to a board of education 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 board of education in accordance with applicable policy. The decision of the board of education shall be final in all cases.

Board of education 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: INTERNET SAFETY /**  
**DATE REVISED: October 29, 2012      TELECOMMUNICATIONS - STAFF**

The power of electronic networks and resources continues to transform the educational culture from one of isolation to one of connectivity. The Medford Area Public School District provides telecommunication access for its users. These resources will be integrated where appropriate in the PreK-12 curriculum. When possible, the community will be partners with the district in telecommunications efforts. As users of the Medford Area Public School District telecommunications resources, it is essential that each user recognize his/her responsibility in having access to vast services, sites, and people. The user is ultimately responsible for his/her actions in accessing telecommunication services, and for adhering to district use policies, procedures and guidelines.

In the environment of a global network, it is impossible to control all materials. The Medford Area Public School District believes that the valuable information and interaction available on this worldwide network far outweigh the possibility that students/staff may procure materials that are not consistent with the educational goals of the district. Our focus is in providing individual students with the understanding and skills needed to use the Internet or other telecommunications in ways appropriate to their educational needs.

Through telecommunication access, students/staff may

- access global 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**

1. Access to the electronic network and resources within the Medford Area Public School District is a privilege, not a right. This privilege will be revoked at any time for deliberate use not consistent with the "Telecommunication Code of Conduct" (GBCAB-R) of the district. Furthermore, unacceptable use may result in suspension or revocation of network privileges and possibly other disciplinary action up to and including discharge from employment.
2. Users shall not access or use electronic mail or other computerized communication systems to relay threatening, intimidating, abusive or harassing messages. Such use may result in criminal sanctions consistent with state law.
3. Users shall not impose their choices on others, access private files, attempt to break the security systems, copy software illegally, or use computer supplies that are not for school-related activities.

4. Users accessing district telecommunications systems may not corrupt network integrity by deliberately allowing inappropriate and/or dangerous files (i.e. viruses) to enter the system.
5. Any use of the network to facilitate illegal activity is prohibited and will be reported to the appropriate authorities.
6. Copyrighted material may not be placed on the network without the copyright owner's permission.
7. 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 the files or passwords belonging to other users.
8. The district is not responsible for the accuracy or quality of information obtained through its telecommunications services. 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.
9. Principals may establish additional rules and procedures that they deem necessary to insure proper use of the telecommunications in their buildings.
10. The staff has the responsibility of making the educational goal clearly understood to the student. In addition, it is the responsibility of the staff to inform students of his/her 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 Internet or other telecommunication services. Therefore, the information which users have access to may include material that is illegal, defamatory, inaccurate, or potentially objectionable to some people. While it is the intent of the Medford Area Public School District to make Internet access or other telecommunication services available to further educational goals, users may have the ability to access unintended materials as well.

**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)).

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: July 19, 2001      FILE SECTOR: INSTRUCTION  
DATE REVISED: October 20, 2005    POLICY TITLE: INTERNET SAFETY /  
DATE REVISED: October 29, 2012      TELECOMMUNICATIONS - STAFF

**TELECOMMUNICATIONS CODE OF CONDUCT**

The following Code of Conduct applies to **all** users of telecommunications:  
The user is responsible for his/her actions using the Internet or other telecommunications. Unacceptable uses will result in the suspension or revocation of network privileges and possibly other 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 of the system (but shall not pre-empt non-profit personal use such as accessing personal email.) Medford Area Public School District administration will determine what is "unacceptable use" and such decisions are final.

**RULES FOR TELECOMMUNICATIONS USE**

All users of district resources are expected to use good judgment and communicate in a responsible and appropriate manner and to understand that telecommunications use is a privilege and not a right.

**Acceptable Use - Responsible users:**

- will understand that files are public and not private and will be monitored by proper authorities
- may use telecommunications in response to clear educational goals
- will follow proper forms of etiquette for network/technology use
- may use telecommunications to send education-related electronic mail to other users
- will understand that all technology software, hardware, communication, electronic and wiring components are property of the school district and as such are governed by all applicable school policies
- will respect and uphold copyright laws and all other applicable laws or regulations (i.e. not pirating software)
- will respect the rights and privacy of others by not accessing or modifying private files.
- will use technology supplies in a prudent manner (i.e. printer supplies, file space)
- will follow the directions of the person(s) in charge of rooms where computers are used
- will be monitored on a regular basis at least twice a month

**Unacceptable Use - Responsible users:**

- shall NOT use the Internet for any illegal purpose. Violators will be reported to proper authorities
- shall NOT use impolite or abusive language
- shall NOT use the system for commercial purposes
- shall NOT use an account other than their own without authorized permission
- shall NOT create and/or distribute a computer virus over the network
- shall NOT respond to electronic mail that is threatening or obscene
- shall NOT disrupt the use of the network by others
- shall NOT deliberately or willfully cause damage to hardware or assist others in doing the same
- shall NOT deliberately access materials that are inconsistent with the district's educational goals or show others how to do the same
- shall NOT use the network to violate behavior standards or school policies including but not limited to policies regarding sexual harassment or discrimination
- shall NOT assist others in violating the Standards of Conduct

**MEDFORD AREA PUBLIC SCHOOL DISTRICT**

**DATE ADOPTED: August 20, 1998**  
**DATE REVISED: December 17, 1998**  
**DATE REVISED: July 19, 2001**  
**DATE REVISED: August 18, 2005**  
**DATE REVISED: October 29, 2012**  
**DATE REVISED: June 20, 2013**

**FILE SECTOR: PERSONNEL**  
**POLICY TITLE: INTERNET SAFETY /**  
**DISTRICT WEB SITE -**  
**STAFF**

The Medford Area Public School System may develop, display and maintain a district web site on the Internet.

1. The district web site 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.
2. When school employees and/or their designees have created web pages representing the district but are not housed on district resources (i.e. Facebook, Weebly, Google sites), they are still subject to all telecommunication policies.
3. Identifying students on district web pages
  - District web sites 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/guardian. However, due to the public nature of the activities, participation in extracurricular activities or clubs provides inherent permission to identify students while participating.
4. 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.
5. District web pages shall meet the criteria established under the district's Internet acceptable use policies for content. District web pages shall not be linked to sites that do not meet the same criteria.
6. As specified in board policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the school's equipment, including its web server. This includes all materials published on the web page, including any graphics, audio or video.
7. The 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 seen as official publications of the district.
8. District web pages shall be maintained and updated on a regular basis.

Any deliberate tampering with or misuse of the Medford Area Public School District network services or equipment will be considered vandalism subject to appropriate disciplinary measures.

**CROSS REFERENCE: 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: IMPLEMENTATION PLAN FOR  
DATE REVISED: January 25, 2007      NON-TOBACCO POLICY  
DATE REVISED: September 20, 2012

**Rationale**

It is the intent of the Medford Area Public School District to maintain the best possible school environment for its students and to recognize that the use of tobacco products 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 decide to use tobacco products 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:**

- 1<sup>st</sup> violation – parents will be notified, referral to authorities and possible suspension
- 2<sup>nd</sup> violation – parents will be notified, referral to authorities and possible suspension
- 3<sup>rd</sup> violation – parents will be notified, referral to authorities and possible suspension or expulsion

**Staff:**

All staff shall be informed of the District's tobacco-free schools policy. New employees shall be informed at the time of hire. Cessation assistance shall be made available if requested.

- 1<sup>st</sup> violation – verbal warning, referral to authorities
- 2<sup>nd</sup> violation – written warning, referral to authorities
- 3<sup>rd</sup> violation – continued violations will result in further disciplinary action, including discharge

**Public:**

- 1<sup>st</sup> violation – verbal warning
- 2<sup>nd</sup> violation – verbal notification and referral to authorities

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