

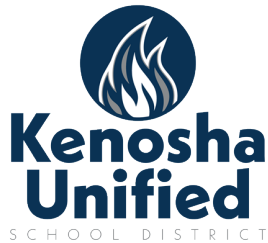
**REGULAR SCHOOL BOARD MEETING**

**September 27, 2022**

**7:00 PM**

**Educational Support Center  
Board Meeting Room  
3600-52<sup>nd</sup> Street  
Kenosha, Wisconsin**

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Regular School Board Meeting  
 September 27, 2022  
 Educational Support Center  
 3600 52nd St.  
 Kenosha, WI 53144  
 7:00 PM

I. Pledge of Allegiance	
II. Roll Call of Members	
III. Introduction, Welcome and Comments by Student Ambassador	
IV. Awards/Recognition	
V. Administrative and Supervisory Appointments	
VI. Superintendent's Report	
VII. Legislative Report	
VIII. Views and Comments by the Public	
IX. Remarks by the President	
X. Consent Agenda	
A. Consent/Approve	4
Recommendations Concerning Appointments, Leaves of Absence, Retirements, Resignations and Separations	
B. Consent/Approve	8
Minutes of 8/18/22 Special Meeting and Executive Session, 8/23/22 Special Meeting and Executive Session, 8/23/22 Regular Meeting, 9/6/22 Special Meeting and Executive Session, 9/12/22 Special Meeting and Executive Session, and 9/12/22 Special Meeting	
C. Consent/Approve	24
Summary of Receipts, Wire Transfers and Check Registers	
D. Consent/Approve	31
Policy 5280 - Education for Homeless Children and Youth (EHCY) - Second Reading	
XI. Old Business	
A. Discussion/Action	36
Title IX Update - Second Reading	
XII. New Business	
A. Discussion/Action	
Appointment of Superintendent of Schools	

B. Discussion	81
Head Start Semi Annual Report	
C. Discussion/Action	87
2022-2023 Elementary School Multiage Waivers Request	
D. Discussion/Action	90
Proposed Changes to KUSD Policy 5210 Entrance Age - First Reading	
E. Discussion/Action	93
KUSD Policy and Related Waiver Items for School Year 2022-23	
F. Discussion/Action	94
Resolution 399 - National Bullying Prevention Month - October 2022	
G. Discussion/Action	95
Resolution 400 - Italian Heritage Month - October 2022	
H. Discussion/Action	96
Resolution 401 - Polish Heritage Month - October 2022	
I. Discussion/Action	97
Resolution 402 - Wisconsin School Board Appreciation Week - October 2-8, 2022	
J. Discussion/Action	98
Donations to the District	
XIII. Other Business as Permitted by Law	99
Tentative Schedule of Reports, Events, and Legal Deadlines for School Board (September-October)	
XIV. Predetermined Time and Date of Adjourned Meeting, if Necessary	
XV. Adjournment	

**Kenosha Unified School District**

**Kenosha, WI**

**September 27, 2022**

**The Office of Human Resources recommends the following actions:**

<b>ACTION</b>	<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>SCHOOL/DEPT</b>	<b>POSITION</b>	<b>STAFF</b>	<b>DATE</b>	<b>FTE</b>
Appointment	Adamowicz-Kless	Lisa	Title III/Bilingual	ESL Other Language	Instructional	08/26/2022	1
Appointment	Arnold	Agata	KTEC East	Administrative Support (12 MO)	ASP	09/04/2022	1
Appointment	Barrett	Amy	Lance Middle School	C.D.S.	Instructional	08/26/2022	1
Appointment	Bevry	Corbin	Mahone Middle School	Social Studies	Instructional	08/26/2022	1
Appointment	Bhadrachalam	Lakshmi	Indian Trail HS & Academy	Cross Categorical	Instructional	08/26/2022	1
Appointment	Brulport	Amber	Southport Elementary School	Head Start	ESP	08/29/2022	1
Appointment	Burries	Brandon	Bullen Middle School	Business	Instructional	09/12/2022	1
Appointment	Chapman	Grant	Tremper High School	Social Worker	Instructional	08/26/2022	1
Appointment	Clinkingbeard	Carissa	Roosevelt Elementary School	Head Start	ESP	08/29/2022	1
Appointment	Coccoran	Jennifer	Mahone Middle School	Grade 6	Instructional	08/26/2022	1
Appointment	Cox	Aaron	Bradford High School	ESL Other Language	Instructional	08/26/2022	1
Appointment	Dannis	Michael	Bradford High School	Biology/Life Science	Instructional	08/26/2022	1
Appointment	Debbink	Jennifer	Indian Trail HS & Academy	Administrative Support (12 MO)	ASP	08/29/2022	1
Appointment	Diaz	Adrian	Bullen Middle School	Math	Instructional	08/26/2022	1
Appointment	Dill	Kimberly	Indian Trail HS & Academy	Security	ESP	08/29/2022	1
Appointment	Dreifke	Amanda	Forest Park Elementary School	Intervention Specialist	Instructional	09/19/2022	0.49
Appointment	Dunn	Sharelle	EBSOLA CA	Special Education	ESP	09/07/2022	1
Appointment	Esposito	Daniel	EBSOLA CA	Library Media Specialist	Instructional	08/26/2022	1
Appointment	Ferrell	Therese	Prairie Lane Elementary School	Information/Health Services	ESP	08/30/2022	1
Appointment	Flesch	Raquel	Southport Elementary School	Grade 1	Instructional	08/26/2022	1
Appointment	Fuentes	Brenda	Harvey Elementary School	Information/Health Services	ESP	08/29/2022	1
Appointment	Gideon	Gabriella	Harvey Elementary School	Grade 3	Instructional	08/26/2022	1
Appointment	Glewen	Daniel	Bullen Middle School	Dean of Students	Instructional	09/20/2022	1
Appointment	Glidden	Timothy	Indian Trail HS & Academy	Art	Instructional	08/26/2022	1
Appointment	Guizar	Melissa	Mahone Middle School	Special Education	ESP	09/07/2022	1
Appointment	Gustafson	Jennifer	Prairie Lane Elementary School	Head Start	ESP	08/29/2022	1
Appointment	Haigh	Melissa	KTEC West	Science	Instructional	08/26/2022	1
Appointment	Hampton	Marshelle	Lance Middle School	Special Education	ESP	08/29/2022	1
Appointment	Hanson	Amanda	KTEC West	Pre-School Certified Teacher	Instructional	08/26/2022	1
Appointment	Hardy	Karen	Southport Elementary School	Grade 5	Instructional	08/26/2022	1
Appointment	Harris	Jonathan	EBSOLA CA	4 Grade 4	Instructional	08/26/2022	1
Appointment	Hart	Jennifer	Nash Elementary School	Information/Health Services	ESP	08/29/2022	1

**Kenosha Unified School District**

**Kenosha, WI**

**September 27, 2022**

**The Office of Human Resources recommends the following actions:**

Appointment	Hayse	Bonnie	Forest Park Elementary School	Kindergarten	Instructional	08/26/2022	1
Appointment	Higginbottom	Catherine	Harvey Elementary School	Special Education	ESP	09/02/2022	1
Appointment	Holeva	Michelle	Forest Park Elementary School	Grade 1	Instructional	08/26/2022	1
Appointment	Hornik	Rebecca	Indian Trail HS & Academy	Marketing/Business	Instructional	08/26/2022	0.5
Appointment	Howze	Jeman	Reuther Central High School	Community and Student Support	ASP	09/12/2022	1
Appointment	Hughes	David	Information Services	Technology Support Technician	AST	09/08/2022	1
Appointment	Inciardi	Christopher	Bradford High School	History	Instructional	08/26/2022	1
Appointment	Johnson	Alyssa	Forest Park Elementary School	Special Education	ESP	09/01/2022	1
Appointment	June	Rachel	Lance Middle School	Special Education	ESP	09/13/2022	1
Appointment	King	Juliet	Head Start	Guidance	Instructional	08/26/2022	1
Appointment	King	Hollie	Curtis Strange Elementary School	Kindergarten	Instructional	08/26/2022	1
Appointment	Konitzer	Hayley	Lance Middle School	English	Instructional	08/26/2022	1
Appointment	Krohn	Kimberly	Grant Elementary School	Instructional Coach	Instructional	08/26/2022	1
Appointment	Ledesma	Amanda	Grant Elementary School	Information/Health Services	ESP	08/29/2022	1
Appointment	Leonard	Christina	EBSOLA CA	Grade 2	Instructional	08/29/2022	1
Appointment	Lofton	Rachel	Bullen Middle School	Classroom	ESP	09/01/2022	1
Appointment	Mainland	Heather	KTEC West	Classroom	ESP	08/29/2022	1
Appointment	Marcy	Caroline	Somers Elementary School	Grade 2	Instructional	08/26/2022	1
Appointment	Marquez	Amanda	Teaching and Learning	Administrative Specialist (12 MO)	ASP	08/16/2022	1
Appointment	Maya	Edith	Grant Elementary School	Head Start	ESP	09/01/2022	1
Appointment	McCarthy	Veronica	EBSOLA CA	Grade 2	Instructional	08/26/2022	1
Appointment	Mildenberg	Alexander	Bradford High School	Cross Categorical	Instructional	08/26/2022	1
Appointment	Moore	Ryan	Indian Trail HS & Academy	History/Political Science	Instructional	08/29/2022	1
Appointment	Muscia	Bryanna	Dimensions of Learning	Grade 3	Instructional	08/26/2022	1
Appointment	Nelsen	Emily	Frank Elementary School	Special Education	ESP	08/16/2022	1
Appointment	Ochs	Lane	Indian Trail HS & Academy	Cross Categorical	Instructional	08/26/2022	1
Appointment	O'Connell	Barry	Information Services	Regional Tech Support Technician	AST	08/05/2022	1
Appointment	Ottmann	Eric	Bullen Middle School	Science	Instructional	08/29/2022	1
Appointment	Padilla	Victoria	McKinley Elementary School	Grade 2	Instructional	08/26/2022	1
Appointment	Pascucci	James	Facilities	Electronics Technician	Facilities	09/19/2022	1
Appointment	Pederson	Kelly	Brompton/Dimensions of Learning	Cross Categorical	Instructional	08/26/2022	1
Appointment	Perez	Maria	Somers Elementary School	Administrative Specialist (10 MO)	ASP	09/06/2022	1
Appointment	Preiss	Sarah	Southport Elementary School	Administrative Specialist (10 MO)	ASP	08/12/2022	1
Appointment	Raduechel	Kelly	Somers Elementary School	Grade 1	Instructional	08/26/2022	1

**Kenosha Unified School District**

**Kenosha, WI**

**September 27, 2022**

**The Office of Human Resources recommends the following actions:**

Appointment	Ramos	Joselyn	Washington Middle School	Math	Instructional	08/26/2022	1
Appointment	Rasmussen	Samuel	Tremper High School	Security	ESP	09/13/2022	1
Appointment	Retzlaff	Lisa	Lincoln Middle School	Social Worker	Instructional	09/15/2022	1
Appointment	Riedlinger	Emma	Pleasant Prairie Elementary School	Special Education	ESP	08/29/2022	1
Appointment	Robleski	Amy	Grant Elementary School	Grade 2	Instructional	08/26/2022	1
Appointment	Ruhland	Sarah	Reuther Central High School	Math	Instructional	08/26/2022	1
Appointment	Sanderson	Ashley	Jefferson Elementary School	Special Education	ESP	09/01/2022	1
Appointment	Schultz	Marcella	Stocker Elementary School	Head Start	ESP	08/29/2022	1
Appointment	Schultz	Calan	Tremper High School	Security	ESP	09/15/2022	1
Appointment	Shaffer	Judy	Stocker Elementary School	Instructional Coach	Instructional	08/26/2022	1
Appointment	Sielaff Johnson	Kristine	Washington Middle School	Grade 6	Instructional	08/26/2022	1
Appointment	Simpson	Amber	EBSOLA CA	Classroom	ESP	08/29/2022	1
Appointment	Sizemore	Deanna	Somers Elementary School	Special Education	ESP	08/29/2022	1
Appointment	Solomon	Cinesha	Washington Middle School	Special Education	ESP	09/09/2022	1
Appointment	Spencer	Sonia	Washington Middle School	Administrative Support (10 MO)	ASP	08/22/2022	1
Appointment	Stokes	Calla	EBSOLA CA	Cross Categorical	Instructional	08/26/2022	1
Appointment	Thomas-Webb	Alexandria	Lance Middle School	Special Education	ESP	08/29/2022	1
Appointment	Tibor	Samantha	Grewenow Elementary School	SEL Intervention Specialist	Instructional	08/26/2022	1
Appointment	Van Blarcom	Jared	Forest Park Elementary School	Grade 5	Instructional	08/26/2022	1
Appointment	Van Hoof	Lauren	Indian Trail HS & Academy	Chemistry	Instructional	08/30/2022	1
Appointment	Ware	Debra	Frank Elementary School	Special Education	ESP	08/15/2022	1
Appointment	Warne	Christopher	EBSOLA CA	Cross Categorical	Instructional	08/26/2022	1
Appointment	Westover	Jennifer	Indian Trail HS & Academy	Family and Consumer Ed	Instructional	09/12/2022	1
Appointment	White	Jennifer	Harvey Elementary School	Special Education	ESP	09/01/2022	1
Appointment	Wiley	Kelly	Department of Special Education	E.C.	Instructional	08/26/2022	1
Appointment	Williams	Vickie	Lance Middle School	Special Education	ESP	08/29/2022	1
Resignation	Ambrose	Mialee	Student Support/Guidance	Speech Therapist	Instructional	08/26/2022	1
Resignation	Bell	David	Tremper High School	Cross Categorical	Instructional	08/25/2022	1
Resignation	Cabal	Odin	McKinley Elementary School	Special Education	ESP	08/19/2022	1
Resignation	Canterbury	Barbara	EBSOLA CA	Art	Instructional	08/15/2022	1
Resignation	Ehlert	Amanda	Indian Trail HS & Academy	Biology/Life Science/Chemistry	Instructional	08/17/2022	1
Resignation	Gerlach	Lisa	Jefferson Elementary School	Guidance	Instructional	08/30/2022	1
Resignation	Howard	Sheena	Reuther Central High School	6 Night Custodian Second Shift	Facilities	09/08/2022	1
Resignation	Jankowski	Deborah	KTEC West	Guidance	Instructional	08/16/2022	1

**Kenosha Unified School District  
Kenosha, WI  
September 27, 2022**

**The Office of Human Resources recommends the following actions:**

Resignation	Martinez	Carmen	Tremper High School	Security	ESP	09/26/2022	1
Resignation	Michna	Rachel	Lance Middle School	Special Education	ESP	08/11/2022	1
Resignation	Montgomery	Scoletta	Washington Middle School	Administrative Support (10 MO)	ASP	08/19/2022	1
Resignation	Muratore	Joyce	Head Start	Head Start	ESP	09/15/2022	1
Resignation	Olson	Christina	Lance Middle School	Special Education	ESP	08/29/2022	1
Resignation	Poppy	Tahnee	Student Support/Guidance	Psychologist	Instructional	09/02/2022	1
Resignation	Retzlaff	Lisa	Lincoln Middle School	Social Worker	Instructional	09/15/2022	1
Resignation	Spencer	Wendy	Indian Trail HS & Academy	English	Instructional	09/30/2022	1
Resignation	Swegle	Laurie	Whittier Elementary School	Library Media Specialist	Instructional	08/23/2022	1
Resignation	Wabalickis	Robin	Lincoln Middle School	ESL Other Language	Instructional	08/22/2022	1
Resignation	Wenberg	Karisa	Bullen Middle School	Dean of Students	Instructional	08/19/2022	1
Retirement	Cibrario	Pamela	Lance Middle School	Physical Education	Instructional	01/20/2023	1
Retirement	Maier	Cynthia	Somers Elementary School	Information/Health Services	ESP	09/09/2022	1
Retirement	Navarro	Valerie	Stocker Elementary School	Kindergarten	Instructional	09/30/2022	1
Retirement	Salani	Mary	Instructional Media Center	Teacher Consultant Instructional Tech	Instructional	09/02/2022	1
Retirement	Tolefree	Brenda	Southport Elementary School	Special Education	ESP	08/17/2022	1
Separation	Anderson	Ceanna	Lincoln Middle School	Security	ESP	06/08/2022	1
Separation	Celebre	Sabrina	Bose Elementary School	Head Start	ESP	08/29/2022	1
Separation	Ramczyk	Daniel	Lance Middle School	Head Custodian	Facilities	07/12/2022	1



SPECIAL MEETING & EXECUTIVE SESSION  
OF THE KENOSHA UNIFIED SCHOOL BOARD  
HELD AUGUST 18, 2022

A special meeting of the Kenosha Unified School Board was held on Thursday, August 18, 2022, in the Board Room at the Educational Support Center. The purpose of this meeting was to vote on holding an executive session to follow immediately

The meeting was called to order at 5:00 P.M. with the following members present: Mrs. Schmaling, Mr. Price, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, and Ms. Adams. Dr. Ormseth, Dr. Daniel Nerad from Wisconsin Association of School Boards, Ms. DeLabio, Mrs. Doyle-Rudin, Mrs. Ruder, Mr. Keckler, Mr. Hamdan, Mr. Haithcock, and Mr. Neir were also present.

Ms. Adams, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Ms. Adams announced that the executive session had been scheduled to follow this special meeting for the purpose of conducting initial interviews with three of the six superintendent of schools applicants selected for first round interviews.

Ms. Stevens moved that the executive session be held. Mr. Meadows seconded the motion.

Roll call vote. Ayes: Mrs. Schmaling, Mr. Price, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, and Ms. Adams. Noes: None. Unanimously approved.

1. Initial Interviews with Three of the Six Superintendent of Schools Applicants Selected for First Round Interviews

Candidate one (virtual) arrived at 5:01 P.M. and answered questions from board members.

Candidate one departed at 5:53 P.M.

Candidate two (virtual) arrived at 6:13 P.M. and answered questions from board members.

Candidate two departed at 7:00 P.M.

Candidate three (virtual) arrived at 7:16 P.M. and answered questions from board members.

Candidate three departed at 8:12 P.M.

Board members discussed the candidate interviews and selected two final candidates.

Meeting adjourned at 9:00 P.M.

Stacy Stephens  
School Board Secretary

SPECIAL MEETING & EXECUTIVE SESSION  
OF THE KENOSHA UNIFIED SCHOOL BOARD  
HELD AUGUST 23, 2022

A special meeting of the Kenosha Unified School Board was held on Tuesday, August 23, 2022, in Room 153 at the Educational Support Center. The purpose of this meeting was to vote on holding an executive session to follow immediately.

The meeting was called to order at 6:07 P.M. with the following members present: Mr. Price, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, Mrs. Schmaling, and Ms. Adams. Dr. Ormseth, Attorney Chrissy Hamiel, and Attorney Kylie Owens from Atolles Law, s.c. were also present.

Ms. Adams, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Ms. Adams announced that an executive session had been scheduled to follow this special meeting for the purpose of Personnel: Compensation and/or contracts.

Mr. Battle moved that the executive session be held. Ms. Stevens seconded the motion.

Roll call vote. Ayes: Mr. Price, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, Mrs. Schmaling, and Ms. Adams. Noes: None. Unanimously approved.

1. Personnel: Compensation and/or contracts

Attorney Hamiel reviewed the draft Superintendent's contract with board members and answered questions.

Meeting adjourned at 7:06 P.M.

Jessica Doyle-Rudin  
Executive Assistant

REGULAR MEETING OF  
THE KENOSHA UNIFIED SCHOOL BOARD  
HELD AUGUST 23, 2022

A regular meeting of the Kenosha Unified School Board was held on Tuesday, August 23, 2022, at 7:00 P.M. in the Board Room of the Educational Support Center. Ms. Adams, President, presided.

The meeting was called to order at 7:06 P.M. with the following Board members present: Mrs. Schmaling, Mr. Price, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, and Ms. Adams. Dr. Ormseth was also present.

Ms. Adams, President, opened the meeting by announcing that this was a regular meeting of the School Board of Kenosha Unified School District. Notice of this regular meeting was given to the public by forwarding the complete agenda to all requesting radio stations and newspapers. Copies of the complete agenda are available for inspection at all public schools and the Superintendent's office. Anyone desiring information as to forthcoming meetings should contact the Superintendent's office.

There was not a student ambassador present.

There were no Administrative and Supervisory Appointments.

Superintendent's report was delivered by Mrs. Julie Housaman, Chief Academic Officer, regarding Summer School. A summer school video was also shown.

Mrs. Modder gave the legislative report.

Views and comments were made by the public.

Remarks by the President were made by Ms. Adams.

Board members considered the following Consent-Approve items:

Consent-Approve item X-A – Revised Recommendations Concerning Appointments, Leaves of Absence, Retirements, Resignations, and, Separations. Ms. Adams noted that a revised report was provided to board members.

Consent-Approve item X-B – Minutes of the 7/26/22 Special Meeting and Executive Session and 7/26/22 Regular Meeting, 8/8/22 Special Meeting and Executive Session, and 8/17/22 Special Meeting and Executive Session.

Consent-Approve item X-C – Summary of Receipts, Wire Transfers, and Check Registers submitted by Mrs. Lisa Salo, Accounting Manager; Mr. Tarik Hamdan, Chief Financial Officer; and Dr. Ormseth, excerpts follow:

“It is recommended that the July 2022 cash receipt deposits totaling \$192,056.40, and cash receipt wire transfers-in totaling \$928,694.61, be approved.

Check numbers 614328 through 615186 (net of voided batches) totaling \$7,241,890.36 and general operating wire transfers-out totaling \$4,058,632.33 are recommended for approval as the payments made are within budgeted allocations for the respective programs and projects.

It is recommended that the July 2022 net payroll and benefit EFT batches totaling \$14,584,474.08 and net payroll check batches totaling \$809.41 be approved.”

Mrs. Modder moved to approve the consent agenda, which included Revised Recommendations Concerning Appointments, Leaves of Absence, Retirements, Resignations, and Separations. Mrs. Schmaling seconded the motion. Unanimously approved.

Mr. Hamdan and Mr. Erik Kass from PMA Securities, LLC presented the Debt Service Review submitted by Mr. Hamdan, excerpts follow:

“During the last joint standing committee meeting held on June 14, 2022, a request was made for the administration to provide the Board of Education with a review of the outstanding debt service for the Kenosha Unified School District (KUSD).

The administration has invited our financial advisors from PMA Securities to directly engage the Board with a presentation addressing:

- The existing debt profile of the District;
- Debt Defeasance (Pre-Payment) Options; and
- Debt Refinancing Opportunities.

Mr. Erik Kass is the Director of Public Finance for PMA Securities and will lead tonight’s presentation and discussion on this informational item.”

Mr. William Haithcock, Chief of School Leadership, and Ms. Tara Panasewicz, Chief Executive Officer for the Boys & Girls Club of Kenosha, presented the Gang Prevention Education Program 2021-2022 Year End Report; excerpts follow:

“The Boys & Girls Club of Kenosha (BGCK) and the Kenosha Unified School District (KUSD) have enjoyed a partnership for more than 20 years, working collaboratively to address the issue of gang involvement and delinquency issues in our community. The District provides financial support to the BGCK to help monitor, supervise and mentor youth in gang prevention groups. This mentoring also addresses teambuilding, job skills development, anger management, gang resistance, social skills, and delinquency issues.

The Boys & Girls Club of Kenosha has supervised and mentored 50 case managed youths in gang prevention programs at our middle and high school levels. In addition, there are approximately 115 students that participate in weekly youth empowerment group sessions known as prevention group facilitation at Lincoln MS, Bullen MS, and Frank Elementary School. In these sessions, we use a BGCK approved curriculum that covers such things as anger management, good decision-making, coping mechanisms, role modeling, goal setting, as well as financial literacy. The Year End Report (Attachment A) is included in this report. The goals and results from the past year are also included.

A description of the program and goals for the Gang Prevention Education Program are included. (Attachment B). The partnership with KUSD, the Juvenile Justice Office, and the BGCK is invaluable.

The third document in this report is the proposed Memorandum of Understanding (Attachment C) between the Boys and Girls Club of Kenosha and the Kenosha Unified School District.

The final document (Attachment D) is additional data charts showing results of the 21-22 program.

Administration recommends that the School Board approve entering into a Memorandum of Understanding with the Boys & Girls Club of Kenosha for a Gang Prevention Education Program in the 2022-2023 school year.”

Mr. Price moved to approve the entering into a Memorandum of Understanding with the Boys & Girls Club of Kenosha for a Gang Prevention Education Program in the 2022-2023 school year. Ms. Stevens seconded the motion. Unanimously approved.

Dr. Ormseth and Attorney Christine Hamiel from Attolles Law, s.c. presented the Title IX Update submitted by Dr. Ormseth; Mr. Haithcock, Chief of School Leadership; Mrs. Housaman, Chief Academic Officer; and Mr. Neir, Interim Chief Human Resource Officer; excerpts follow:

“On August 14, 2020, amended federal Title IX regulations took effect. The U.S. Department of Education regulations covers sexual harassment, sex discrimination, and sexual assault in education programs and activities. Every school district was required to review and modify various policies and procedures in connection with implementing the new Title IX regulations specifically with regard to sexual harassment. The regulations also involved a significant training and staff development component. In June of 2022, the U.S. Department of Education released updated proposed expectations. KUSD was already in the process of updating these policies and procedures.

These proposed revisions to the Title IX regulations were released in June of 2022, but there is a lengthy period for revisions and comments. The final rule changes are not expected for quite some time. Therefore, the 2020 version of the Title IX regulations will remain in effect for at least the start of the 2022-23 school year. Amended regulations will likely not take effect until the beginning of the 2023-24 school year. Updates to multiple policies were necessary to ensure KUSD’s compliance with the current federal Title IX regulations. In addition, updates to the complaint procedures and staff training requirements were completed to ensure KUSD aligned with the federal regulations. Below is a table of attachments and a summary of changes:

Board Policy 4110: Updated to direct employees who believe they have been subjected to sexual harassment to the newly created Title IX Board Policy. (Attachment 6)

Board Policy 4111: This policy previously incorporated a process for general harassment and Title IX sexual harassment. All connections to Title IX have been pulled out of this policy and a stand-alone Title IX policy created. Policy 4111 has been modified to address harassment outside the Title IX rules.

Board Policy 5110.1: Updated to include anti-harassment language and cross-references updated. A student complaint procedure was created, similar to the employee complaint procedure.

Board Policy 5110.2: Policy modified to incorporate reference to Title IX policy, legal references, and cross-references.

Board Policy 4111.1 (Newly Created): Outlines the employee discrimination and non-Title IX harassment complaint procedure. These procedures would follow standards set in Board Policies 4110 and 4111. Note: These procedures do not apply to claims of Title IX sexual harassment as those claims will be handled through Board Policy 1710.

Board Policy 1710 (Newly Created): The newly created board policy includes legal requirements, definitions, complaint procedures, appeal procedures, and District procedural requirements for Title IX.

Administration recommends that the Board of Education approve as a first reading the revisions to policies 4110, 4111, 5110.1, 5110.2 and approve the creation of Board Policy 4111.1 and Board Policy 1710 at the August 23, 2022 board meeting.”

Mrs. Modder moved to approve Policies 4110, 4111, 5110.1, 5110.2, 4111.1 and 1710 as a first reading. Mr. Price seconded the motion.

Roll Call: Ayes: Mr. Price, Ms. Stevens, Mrs. Modder, Mr. Battle, and Ms. Adams. Noes: Mr. Meadows and Mrs. Schmaling. Motion passed.

Mr. Patrick Finnemore, Director of Facilities, presented the Provisions Governing the Transportation of Students Attending Public and Private Schools for the 2022-2023 Year, submitted by himself and Mr. Jeff Marx, Transportation Supervisor, excerpts follow:

“Administration recommends school board approval of the Provisions Governing the Transportation of Students Attending Public and Private Schools for the 2022-2023 Year. (These provisions relate to Board Policies 3511 and 3514).”

Ms. Stevens moved to approve the Provisions Governing the Transportation of Students Attending Public and Private Schools for the 2022-2023 Year. Mr. Battle seconded the motion. Unanimously approved.

Mr. Haithcock presented Policy 5280 – Education for Homeless Children and Youth (EHCY) submitted by himself and Dr. Ormseth, excerpts follow:

“The Education for Homeless Children and Youth (EHCY) program is authorized under the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act (ESSA) of December 2015. The Wisconsin EHCY program addresses the

needs of students experiencing homelessness in LEAs throughout the state by supporting homeless liaisons and by distributing funds from the U.S. Department of Education. The Wisconsin Department of Public Instruction (DPI) designates two statewide EHCY Coordinators to provide training and technical assistance, review and create policies and procedures, and monitor LEAs for program compliance to ensure that children and youth experiencing homelessness are able to attend and fully participate in school. Funding is distributed to LEAs through a competitive grant process.

The Wisconsin Department of Public Instruction currently requires updates to the existing KUSD policy. The proposed changes include more specific language on page one, including a clear definition of “homelessness”. Additional pages in the policy include an established definition of “student rights” and clarification of the dispute process. The adaptations to this policy will bring us into compliance with current regulations.

Administration recommends that the School Board approve the attached updates to Policy 5280 - Education for Homeless Children and Youth as a first reading.”

Mr. Battle moved to approve Policy 5280 as a first reading. Mr. Meadows seconded the motion. Unanimously approved.

Dr. Ormseth presented the NEA Local President Release Grant – Addendum to Teacher Contract submitted by Dr. Ormseth and Mr. Neir; excerpts follow:

“December 2019 – 2020: Tanya Kitts-Lewinsky, then President of the Kenosha Education Association (KEA), informed the District that the KEA had been invited to apply for a three-year part-time release grant for the union president through the National Education Association (NEA). This grant allowed the President to reduce their teaching contract to 0.5 FTE and allowed them to engage in KEA activities during the 0.5 release time. The intended benefits of those activities include improved communication, educator morale, collaboration and problem-solving, teacher retention and public relations.

Ms. Kitts-Lewinsky has since resigned from her role as KEA president and the District was informed by Ms. Katherine Andrysiak-Montemurro in July of 2022 that she will be assuming the role of KEA president for the remainder of the grant.

The NEA grant allows the President to reduce their teaching contract to 0.5 FTE for the 2022-2023 school year and allows Ms. Andrysiak-Montemurro to engage in KEA activity during the 0.5 release time.

The attached Appendix A is the proposed Addendum to Teacher Contract.

It is recommended that the Board of Education approve the proposed Addendum to the Teacher Contract between the Kenosha Unified School District and Katherine Andrysiak-Montemurro for the 2022-2023 school year.”

Ms. Stevens moved to approve the NEA Local President Release Grant – Addendum to Teacher Contract. Mrs. Modder seconded.



Roll Call: Ayes: Ms. Stevens, Mr. Price, Mrs. Modder, and Ms. Adams. Noes: Mr. Meadows, Mrs. Schmaling, and Mr. Battle. Motion passed.

Mr. Haithcock presented the Expulsion Independent Hearing Officers and Resolution 395 - Resolution to Authorize Independent Hearing Officers to Determine Pupil Expulsions for the 2022-2023 School Year, excerpt follows:

“Administration brings forth a recommendation concerning the appointment of Hearing Officers to assist the District with any expulsion hearings for the upcoming 2022-2023 school year. Hearing Officers are part time employees that are called upon when needed for expulsion hearings and are paid \$100 for the first hour and \$25 for every 15 additional minutes after the first hour not to exceed \$300 for each hearing.

Christopher Hauser handled the majority of the expulsion hearings from the 2021-2022 school year and will continue to serve as our main hearing officer. Mrs. Titus and Mr. Rupnow, who were added as KUSD hearing officers in April of 2022, will continue to serve as backup/secondary hearing officers for the 2022-2023 school year and thereafter.

Administration recommends that the Board of Education re-authorize the appointment of Christopher Hauser, Gayle Titus, and Michael Rupnow as Hearing Officers for the purpose of expulsion hearings for the 2022-2023 school year at the rate of \$100 for the first hour and \$25 for every 15 additional minutes after the first hour not to exceed \$300 per hearing. It is also recommended that the Board approve Resolution 395 – Resolution to Authorize Independent Hearing Officers to Determine Pupil Expulsions for the Remainder of the 2022-2023 School Year.”

Mr. Price presented the Resolution to Authorize Independent Hearing Officers to Determine Pupil Expulsions for the 2022-2023 School Year, which read as follows:

“WHEREAS, pursuant to Section 120.13(1)(e) of the Wisconsin Statutes, a school board may adopt a resolution authorizing independent hearing officers appointed by the school board to determine pupil expulsions from school under Wis. Stat. §§ 120.13(1)(e)2. through 120.13(1)(e)4.; and

WHEREAS, such a resolution authorizing the use of an independent hearing officer to determine pupil expulsion is effective only during the school year in which it is adopted; and

WHEREAS, the Board of Education of the Kenosha Unified School District desires to authorize the use of independent hearing officer to determine pupil expulsions for the 2022-2023 school year;

NOW THEREFORE, BE IT RESOLVED by the Board of Education of the Kenosha Unified School District that, pursuant to Wis. Stat. § 120.13(1)(e), the Board of Education authorizes independent hearing officers appointed by the Board of Education to determine pupil expulsion matters for the 2022-2023 school year; and

BE IT FURTHER RESOLVED that the Board of Education shall, by motion, appoint one or more individuals who, in the judgment of the Board, are qualified to serve in the

capacity of an independent hearing officer under Section 120.13(1)(e) of the Wisconsin Statutes; and, thereafter, the Superintendent or any administrative designee of the Superintendent may select any individual who has been so appointed to hear and determine, subject to the Board of Education's review of any expulsion order, any pupil expulsion matter that arises in the school year in which this Resolution is effective.

BE IT FURTHER RESOLVED that the officers, employees, and agents of the Kenosha Unified School District are authorized and directed, to the extent consistent with applicable law and Board of Education policy, to do any and all things reasonably necessary to accomplish the purposes of this Resolution.

BE IT FURTHER RESOLVED that the Kenosha Unified School District Board of Education approve Christopher Hauser, Michael Rupnow, and Gayle Titus as Expulsion Independent Hearing Officers for the 2022-2023 school year as filed with the secretary to the Board of Education."

Mr. Battle moved to approve the appointment of Christopher Hauser, Gayle Titus, and Michael Rupnow as Hearing Officers for the purpose of expulsion hearings for the 2022-2023 school year at the rate of \$100 for the first hour and \$25 for every 15 additional minutes after the first hour not to exceed \$300 per hearing and also approve Resolution 395 – Resolution to Authorize Independent Hearing Officers to Determine Pupil Expulsions for the Remainder of the 2022-2023 School Year. Mr. Price seconded the motion. Unanimously approved.

Ms. Adams presented Resolution 396 – Resolution in Recognition Hispanic Heritage Month 2022, which read as follows:

*“WHEREAS*, in 1968 President Lyndon B. Johnson first proclaimed National Hispanic Heritage Week to pay tribute to the contributions of Latinos and Latinas in American culture and the work of early Spanish explorers and settlers; and

*WHEREAS*, this timeframe included the anniversaries of independence for the Latin American countries of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua on September 15, as well as Mexico's independence on September 16; and

*WHEREAS*, the recognized contributions grew and as such Hispanic Heritage Week was expanded to National Hispanic Heritage Month, which has been celebrated from September 15 through October 15 since 1989; and

*WHEREAS*, Kenosha Unified takes great pride in its diverse student population, with Hispanic students playing a vital role and representing nearly 29.6% of the total student population (per 2021-22 Third Friday report); and

*WHEREAS*, by observing National Hispanic Heritage Month, we raise awareness of and celebrate the culture and traditions of people whose ancestry can be traced to Spain, Mexico, Central America, and the Caribbean islands; and

*WHEREAS*, corresponding school activities held in September and October, as well as throughout the school year, will educate students about Hispanic cultures,

traditions and contributions that have impacted business, law, education, politics, science, the arts and more.

*NOW, THEREFORE, BE IT RESOLVED* that Kenosha Unified School District's Board of Education does hereby adopt this resolution to proclaim September 15 to October 15 as National Hispanic Heritage Month.

*BE IT FURTHER RESOLVED*, that a true copy of this resolution be spread upon the official minutes of the Board of Education.”

Mrs. Modder moved to approve Resolution 396 - Resolution in Recognition Hispanic Heritage Month 2022. Mrs. Stevens seconded the motion. Unanimously approved.

Mr. Battle presented Resolution 397 - Resolution in Recognition of National Suicide Prevention Awareness Month 2022, which read as follows:

*“WHEREAS*, the week of September 4-10, 2022, is National Suicide Prevention Week, and September is National Suicide Prevention Awareness Month, which is intended to help raise awareness that prevention is possible; treatment is effective; and people do recover; and

*WHEREAS*, suicide is the 2<sup>nd</sup> leading cause of death among people ages 10–34 and the 10<sup>th</sup> leading cause of death overall in the U.S.; and

*WHEREAS*, in these challenging times messages of hope and healing are more needed than ever; and

*WHEREAS*, Kenosha Unified students, staff and families should be able to access high quality prevention, support, rehabilitation, and treatment services that lead to recovery and a healthy lifestyle; and

*WHEREAS*, the Kenosha Unified Board of Education publicly places our full support behind educators, coaches, advisors, parents/guardians, mental health professionals, health care professionals, police officers, and others as partners in supporting our community; and

*WHEREAS*, the benefits of preventing and overcoming mental health challenges, suicide attempts and loss, and substance abuse are significant and valuable to individuals, families, and our community at large; and

*WHEREAS*, we must encourage relatives, friends, co-workers, and providers to take the time to check on the wellbeing of family, friends and neighbors, recognize the signs of a problem, and guide those in need to appropriate services and supports; and

*NOW, THEREFORE, BE IT RESOLVED* that Kenosha Unified School District's Board of Education does hereby adopt this resolution to proclaim September 4-10 as National Suicide Prevention Week and September as National Suicide Prevention Awareness Month.

*BE IT FURTHER RESOLVED*, that a true copy of this resolution be spread upon the official minutes of the Board of Education.”

Mrs. Stevens moved to approve Resolution 397 - Resolution in Recognition of National Suicide Prevention Awareness Month 2022. Mr. Meadows seconded the motion. Unanimously approved.

Mrs. Price moved to adjourn the meeting. Ms. Stevens seconded the motion. Unanimously approved.

Meeting adjourned at 9:24 P.M.

Jessica Doyle-Rudin  
Executive Assistant

SPECIAL MEETING & EXECUTIVE SESSION  
OF THE KENOSHA UNIFIED SCHOOL BOARD  
HELD SEPTEMBER 6, 2022

A special meeting of the Kenosha Unified School Board was held on Tuesday, September 6, 2022, in Room 125 at the Educational Support Center. The purpose of this meeting was to vote on holding an executive session to follow immediately

The meeting was called to order at 5:00 P.M. with the following members present: Mrs. Schmaling, Mr. Price, Mr. Meadows, Mr. Battle, Mrs. Modder, and Ms. Adams. Dr. Ormseth and Dr. Daniel Nerad from Wisconsin Association of School Boards (WASB) were also present. Ms. Stevens arrived later.

Ms. Adams, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Ms. Adams announced that the executive session had been scheduled to follow this special meeting for the purpose of conducting interviews with two superintendent of schools finalists and deliberating upon completion of the interviews.

Mr. Meadows moved that the executive session be held. Mr. Price seconded the motion.

Roll call vote. Ayes: Mrs. Schmaling, Mr. Price, Mr. Meadows, Mr. Battle, Mrs. Modder, and Ms. Adams. Noes: None. Unanimously approved.

1. Interviews with Two Superintendent of Schools Finalists and Deliberating Upon Completion of the Interviews

Dr. Jeffrey Weiss arrived at 5:11 P.M. and answered questions from board members.

Ms. Stevens arrived at 5:19 P.M.

Dr. Weiss was excused from the meeting at 6:08 P.M.

Dr. Jason Nault arrived at 6:16 P.M. and answered questions from board members.

Dr. Nault was excused from the meeting at 7:15 P.M.

Mrs. DeLabio, Mrs. Doyle-Rudin, Mrs. Ruder, Mr. Keckler, Mr. Hamdan, Mr. Haithcock, Mrs. Housaman, and Mr. Neir arrived at 7:25 P.M. and discussed the two finalists with board members.

Mrs. DeLabio, Mrs. Doyle-Rudin, Mrs. Ruder, Mr. Keckler, Mr. Hamdan, Mr. Haithcock, Mrs. Housaman, and Mr. Neir were excused from the meeting at 7:34 P.M.

Board members discussed the two finalists and came to consensus on the finalist to offer the position of Superintendent of Schools and to commence contract negotiations.

Meeting adjourned at 8:54 P.M.

Stacy Stephens  
Board Secretary

SPECIAL MEETING & EXECUTIVE SESSION  
OF THE KENOSHA UNIFIED SCHOOL BOARD  
HELD SEPTEMBER 12, 2022

A special meeting of the Kenosha Unified School Board was held on Monday, September 12, 2022, in the Small Board Room at the Educational Support Center. The purpose of this meeting was to vote on holding an executive session to follow immediately.

The meeting was called to order at 5:05 P.M. with the following members present: Mrs. Schmaling, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, and Ms. Adams. Attorney Chrissy Hamiel and Attorney Kylie Owens from Atolles Law, s.c. were also present. Mr. Price arrived later.

Ms. Adams, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Ms. Adams announced that an executive session had been scheduled to follow this special meeting for the purpose of Personnel: Compensation and/or Contracts.

Mrs. Modder moved that the executive session be held. Mr. Meadows seconded the motion.

Roll call vote. Ayes: Mrs. Schmaling, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, and Ms. Adams. Noes: None. Unanimously approved.

1. Personnel: Compensation and/or contracts  
Attorney Hamiel reviewed the draft Superintendent's contract with board members and answered questions.

Mr. Price arrived at 5:21 P.M.

Meeting adjourned at 5:37 P.M.

Stacy Stephens  
School Board Secretary

A SPECIAL MEETING OF  
THE KENOSHA UNIFIED SCHOOL BOARD  
HELD SEPTEMBER 12, 2022

A special meeting of the Kenosha Unified School Board was held on Monday, September 12, 2022, at 5:30 P.M. in the Board Meeting Room at the Educational Support Center. The purpose of this meeting was for Views and Comments by the Public and the 2023/2024 Budget Workshop.

The meeting was called to order at 5:40 P.M. with the following members present: Mrs. Schmaling, Mr. Price, Mr. Meadows, Mr. Battle, Ms. Stevens, Mrs. Modder, and Ms. Adams. Dr. Ormseth was also present.

Ms. Adams, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District No. 1. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Views and comments were made by the public.

Dr. Ormseth welcomed the following participants of the district's Budget Focus Group: Ms. Maria Kotz, Principal at Reuther High School; Mrs. Amy Riedlinger, Principal at Pleasant Prairie Elementary School; Ms. Anisa Diaz, Principal at Somers Elementary; Mr. Andy Baumgart, Principal at Bullen Middle School; Ms. Lauren Johnson, Assistant Principal at Tremper High School; Ms. Susan Mozinski, Principal at Bose Elementary School; Mr. Chad Dahlk, Principal at Lance Middle School; Ms. Wendy Tindall, Regional Coordinator for Elementary School Leadership; Mr. Che Kearby, Coordinator of Social Studies/Educator Effectiveness; along with Mr. Tarik Hamdan, Chief Financial Officer; Mrs. Julie Housaman, Chief Academic Officer; Mr. Kevin Neir, Interim Chief Human Resources Officer; Mr. Kristopher Keckler, Chief Information Officer; and Mrs. Tanya Ruder, Chief Communications Officer.

Dr. Ormseth explained that board members and attendees would be working in small groups and participate in a budget exercise where groups would be presented with three hypothetical situations (a \$6 million dollar budget deficit, a \$9 million dollar budget deficit, and then \$12 million dollar deficit) for a factitious school district. The attendees would then be tasked with determining what budget items they would cut in order to balance the budget.

Dr. Ormseth, Mrs. Housaman, and Mr. Hamdan answered questions of attendees during each scenario.

After each scenario, groups reported their decisions and shared their thoughts.

Meeting adjourned at 7:12 P.M.

Stacy Stephens  
School Board Secretary



Kenosha Unified School District  
Kenosha, Wisconsin  
Summary of Cash Receipts and Disbursements  
September 27, 2022

CASH RECEIPTS	reference	total
<b>August 2022 Wire Transfers-In, to Johnson Bank from:</b>		
WI Department of Public Instruction	<i>state aids register receipts</i>	\$ 13,120,995.04
District Municipalities	<i>tax settlement - August payment</i>	18,073,699.44
Johnson Bank	<i>account interest</i>	398.88
Bankcard Services (MyLunchMoney.com)	<i>food services credit card receipts (net of fees)</i>	12,486.12
Bank (Infinite Campus)	<i>district web store receipts (net of fees)</i>	175,224.57
Retired & Active Leave Benefit Participants	<i>premium reimbursements</i>	46,184.86
HHS	<i>head start grant</i>	319,088.53
Various Sources	<i>small miscellaneous grants / refunds / rebates</i>	141,610.10
Total Incoming Wire Transfers		<u>31,889,687.54</u>
<b>August 2022 Deposits to Johnson Bank - All Funds:</b>		
General operating and food services receipts	<i>(excluding credit cards)</i>	<u>164,596.25</u>
<b>TOTAL AUGUST CASH RECEIPTS</b>		<b>\$ 32,054,283.79</b>

CASH DISBURSEMENTS	reference	total
<b>August 2022 Wire Transfers-Out, from Johnson Bank to:</b>		
<i>Payroll &amp; Benefit wires</i>		
Individual Employee Bank Accounts	<i>net payrolls by EFT (net of reversals)</i>	\$ 7,493,618.49
WI Department of Revenue	<i>state payroll taxes</i>	140,567.39
WI Department of Revenue	<i>state wage attachments</i>	1,420.40
IRS	<i>federal payroll taxes</i>	733,110.98
Delta Dental	<i>dental insurance premiums</i>	216,616.14
Diversified Benefits Services	<i>flexible spending account claims</i>	8,615.86
Employee Trust Funds	<i>wisconsin retirement system</i>	335,563.38
Optum	<i>HSA</i>	320,383.73
Various	<i>TSA payments</i>	<u>88,889.75</u>
<i>Subtotal</i>		<u>9,338,786.12</u>
<i>General Operating Wires</i>		
US Bank	<i>purchasing card payment-individuals</i>	182,509.63 *
Kenosha Area Business Alliance	<i>LakeView lease payment</i>	17,664.63
Johnson Bank	<i>banking fees</i>	75.83
United Healthcare	<i>health insurance premiums</i>	3,785,348.98
USPS	<i>Postage</i>	3,085.63
Various	<i>returned checks</i>	<u>5.00</u>
<i>Subtotal</i>		<u>3,988,689.70</u>
Total Outgoing Wire Transfers		<u>\$ 13,327,475.82</u>

<b>August 2022 Check Registers - All Funds:</b>		
Net payrolls by paper check	<i>Register# 01016DP, 01017 DP</i>	\$ 983.48
General operating and food services	<i>Check# 615187 thru Check# 615720 (net of void batches)</i>	<u>7,752,097.60</u>
Total Check Registers		<u>\$ 7,753,081.08</u>
<b>TOTAL AUGUST CASH DISBURSEMENTS</b>		<b>\$ 21,080,556.90</b>

\*See attached supplemental report for purchasing card transaction information

**KUSD Purchasing Card Program - Individual Cardholders**

## Transaction Summary by Merchant

Billing Cycle Ending August 15, 2022

Merchant Name	Total
MENARDS KENOSHA WI	\$ 7,762.41
3654 INTERSTATE	\$ 7,345.08
IN *GROHS ELECTRIC LLC	\$ 7,273.58
HOTEL	\$ 6,773.10
SQ *SPIRIT FX	\$ 6,600.00
RAYNER AND RINN SCOTT	\$ 6,050.00
HAJOCA KENOSHA PC354	\$ 5,516.52
JOHNSTONE SUPPLY - RACINE	\$ 5,222.09
HALLMAN LINDSAY PAINTS -	\$ 5,119.03
MARK'S PLUMBING PARTS	\$ 4,340.60
CONVERGINT	\$ 4,239.26
REINDERS BRISTOL	\$ 4,234.76
LOWES #02560*	\$ 3,839.77
VEHICLE MAINT. & FUEL	\$ 3,760.92
EVERWHITE CORPORATION	\$ 3,695.45
TRANE SUPPLY-116407	\$ 3,226.62
ULINE *SHIP SUPPLIES	\$ 3,073.94
PLAYITAGAINSP #11726	\$ 2,967.31
FOUNDATION BLDG 045	\$ 2,959.36
HARRINGTON IND PLASTICS	\$ 2,836.52
IN *ECONO HOLDING COMPANY	\$ 2,750.10
4IMPRINT, INC	\$ 2,676.71
FIRST SUPPLY KENOSHA	\$ 2,631.16
NOAH'S ARK WEB	\$ 2,590.88
SUPER SPORTS FOOTWEAR ETC	\$ 2,450.00
IN *LIVESCHOOL, INC.	\$ 2,079.00
DRAMATISTS PLAY SERV	\$ 2,013.53
INDUSTRIAL CONTROLS	\$ 1,812.86
MID STATE EQUIP SALEM 010	\$ 1,780.76
TRUGREEN *LOCKBOX	\$ 1,719.90
CONCRETE SOLUTIONS AND SU	\$ 1,608.98
SAN-A-CARE	\$ 1,514.45
SHERWIN WILLIAMS 703180	\$ 1,351.85
GRAINGER	\$ 1,290.03
IN *A BEEP, LLC	\$ 1,218.00
IKEA OAK CREEK	\$ 1,217.74
IN *ELITE TUMBLING LLC	\$ 1,200.00
RESTAURANTS & CATERING	\$ 1,159.77
SIGNARAMA	\$ 1,040.83
AMAZON.COM*RE1Y88GA3 AMZN	\$ 1,039.88
MILWAUKEE BREWERS BOX OFF	\$ 1,000.50
US MATH RECOVERY	\$ 995.00
CUSTOMINK LLC	\$ 959.37
JC LICHT - 1290 - KENOSHA	\$ 956.23
KIMBALL MIDWEST PAYEEZY	\$ 946.28
HUDL	\$ 849.00
DROPBOX*2VSDT42VKS21	\$ 840.00

**KUSD Purchasing Card Program - Individual Cardholders**

## Transaction Summary by Merchant

Billing Cycle Ending August 15, 2022

Merchant Name	Total
WALMART.COM AA	\$ 829.22
CHRISTOPHER R GREEN SR	\$ 820.50
SP WIPEBOOK CORP.	\$ 808.40
PTI* BR8KOUTESCAPERO	\$ 787.50
V BELT GLOBAL SUPPLY	\$ 767.17
IKEA 416976952	\$ 742.64
HEAT & POWER PRODUCTS INC	\$ 740.89
BESTBUYCOM806665577899	\$ 729.99
DECKER EQUIPMENT	\$ 718.20
HEGGERTY LITERACY RES	\$ 701.00
EB ONLINE TEACHING FO	\$ 691.20
USPS PO 5642800260	\$ 687.75
UNOCLEAN	\$ 684.80
STERICYCLE	\$ 669.13
ECONOLIGHT	\$ 657.73
IN *SQUARE SCRUB LLC	\$ 635.44
TOWN & COUNTRY GLASS	\$ 619.30
FOUNDATION BLDG 270	\$ 616.50
THE TRANE COMPANY	\$ 616.12
VIKING ELECTRIC-MILWAUKEE	\$ 615.28
WOLF RINKE ASSOCIATES	\$ 604.75
LAKESHORE LEARNING MATER	\$ 603.09
VISTAPRINT	\$ 599.60
LOWES #00907*	\$ 577.57
THE WEBSTAURANT STORE INC	\$ 575.95
TEMPTATTOOSICREDITCAR	\$ 574.65
NASSP PRODUCT & SERVICE	\$ 564.00
REVELS TURF & TRACTOR	\$ 559.93
BSN SPORTS LLC	\$ 537.84
AMZN MKTP US*C67F278R3	\$ 531.65
STICKER MULE	\$ 525.00
COMMITTEE FOR CHILDREN	\$ 511.68
SAMS CLUB #6331	\$ 497.20
IN *KAIN ENERGY CORPORATI	\$ 481.53
MEIJER # 284	\$ 467.52
FACEBK XDY7LDT882	\$ 453.97
WISCONSIN SCHOOL MUSIC A	\$ 435.00
SHERWIN WILLIAMS 703481	\$ 428.49
THE LITTLE SIGN CO INC	\$ 425.00
WAL-MART #1394	\$ 424.70
THE HOME DEPOT 4926	\$ 398.00
DICKOW CYZAK TILE CARPET	\$ 393.63
CHESTER ELECTRONIC SUPPLY	\$ 390.56
SMK*WUFOO.COM CHARGE	\$ 388.00
AED SUPERSTORE	\$ 382.27
HIGHWAY C SERVICE INC	\$ 380.19
ADOBE *800-833-6687	\$ 379.67

**KUSD Purchasing Card Program - Individual Cardholders**

## Transaction Summary by Merchant

Billing Cycle Ending August 15, 2022

Merchant Name	Total
BEACON ATHLETICS, LLC	\$ 370.00
MONSTER JANITORIAL LLC	\$ 367.72
KEURIG GREEN MOUNTAIN	\$ 367.09
COLUMBIA PIPE & SUPPLY	\$ 333.44
HARBOR FREIGHT TOOLS 358	\$ 303.96
THE HITTING VAULT	\$ 299.00
TOTALLY PROMOTIONAL	\$ 292.00
HALO BRANDED SOLUTIONS	\$ 291.61
THE HOME DEPOT 4902	\$ 291.18
VACLAND	\$ 276.20
AMAZON.COM*2U8RI6CJ3	\$ 275.74
SOUTHEASTERN EQUIPMENT &	\$ 273.75
SP GREEN GRIDIRON	\$ 269.10
WM SUPERCENTER #1167	\$ 267.35
WASBO FOUNDATION	\$ 260.00
FASTENAL COMPANY 01WIKEN	\$ 256.20
YMCA CHICAGO METRO	\$ 250.00
SPORTS UNLIMITED, INC.	\$ 249.90
SP TEACHERGEEK	\$ 247.40
MENARDS WEST MILWAUKEE WI	\$ 237.15
RESTROOM DIRECT HAND DRYE	\$ 232.77
KENOSHA AREA BUSINESS	\$ 230.00
ID WHOLESALER	\$ 230.00
GLOBAL LEADERSHIP NETW	\$ 229.00
AMZN MKTP US*RJ0WO2UH3	\$ 222.49
AMZN MKTP US*RB0Y85FH3 AM	\$ 219.36
BATH AND BODY WORKS 4879	\$ 211.65
IN *GOOD ARMSTRONG TRAINI	\$ 210.00
HILTI INC	\$ 205.18
OHIO POWER TOOLS	\$ 204.18
A AND R DOOR SERVICE	\$ 200.00
COSTCO WHSE #1198	\$ 192.08
S & S SALES CORP	\$ 190.72
ZOOM.US 888-799-9666	\$ 188.95
WAL-MART #1167	\$ 183.54
MAGNETS.COM	\$ 179.91
AMERICAN RED CROSS	\$ 175.00
WI DHFS LEAD AND ASBESTOS	\$ 175.00
IN *CALIBER EQUIPMENT INC	\$ 170.00
THE BANDMANS COMPANY SOUT	\$ 163.30
SPECTRUM	\$ 161.46
SP SCHOOLGIRL STYLE,	\$ 160.00
SMORE.COM - EDUCATOR	\$ 158.00
SOUTPORT BIKES & BOARD	\$ 151.80
SMORE.COM	\$ 149.00
TARGET 00022517	\$ 140.86
WIRIS.COM	\$ 137.82

**KUSD Purchasing Card Program - Individual Cardholders**

Transaction Summary by Merchant

Billing Cycle Ending August 15, 2022

Merchant Name	Total
GFS STORE #1919	\$ 136.38
PASCO SCIENTIFIC	\$ 134.00
SAMSClub.COM	\$ 133.44
AMZN MKTP US*YS38679N3	\$ 131.90
WISC ASSOC FOR LANGUAGE	\$ 130.00
NATIONAL COUNCIL OF SUPER	\$ 129.95
WIKKI STIX CORP	\$ 128.43
AMZN MKTP US*NZ3T414B3	\$ 127.98
USA CLEAN BY JON-DON	\$ 127.37
KENOSHA PUB MUSEUM	\$ 125.00
SP IFIXIT	\$ 124.96
AMZN MKTP US*U49W76PJ3	\$ 123.28
CLASSCRAFT STUDIOS INC	\$ 120.00
FIELDPRINT INC	\$ 117.00
IKEA 418404525	\$ 116.04
JOANN STORES #2046	\$ 112.77
AMZN MKTP US*C72FZ17P3	\$ 109.99
MENARDS ANTIGO WI	\$ 109.20
AMZN MKTP US*HF59Q7TP3	\$ 108.82
OFFICEMAX/DEPOT 6358	\$ 106.65
SP FERRY-MORSE GARDN	\$ 100.80
BATTERIES PLUS #0561	\$ 100.38
ACE HARDWARE CORPORATION	\$ 100.24
ARO LOCK & DOOR	\$ 100.00
SP THESIMPLESTENCIL	\$ 99.44
GOOSECHASE.COM	\$ 99.00
MAILCHIMP	\$ 97.99
HALOGEN SUPPLY COMPANY IN	\$ 97.30
PLAYMEO	\$ 97.00
CAREERSAFE ONLINE	\$ 96.00
HOBBY-LOBBY #858	\$ 94.18
MENARDS ANTIOCH IL	\$ 92.52
GILLPORTER.COM	\$ 92.00
RACINE ZOO OFFICE	\$ 90.50
SHOW ME CABLES	\$ 88.55
THE COUNCIL FOR PROFESSI	\$ 88.00
HOBBY LOBBY #350	\$ 87.44
AIRGAS USA, LLC	\$ 85.72
TARGET 00002238	\$ 84.69
HOMEDEPOT.COM	\$ 84.37
STAPLES DIRECT	\$ 83.35
COSTCO WHSE #1212	\$ 81.43
EDUCAUSE	\$ 77.00
AMZN MKTP US*Z57H55AJ3	\$ 72.98
LYNCH TRUCK CENTER	\$ 72.32
HOMEGOODS # 0739	\$ 64.33
ROCKLER	\$ 61.99

**KUSD Purchasing Card Program - Individual Cardholders**

Transaction Summary by Merchant

Billing Cycle Ending August 15, 2022

Merchant Name	Total
LEES RENT IT	\$ 61.60
AMAZON.COM*5L42M1H63 AMZN	\$ 61.19
AMAZON.COM*XA9EE20L3 AMZN	\$ 60.80
WISCONSIN ASSOCIATION OF	\$ 60.00
HOMEGOODS #0846	\$ 59.05
PRAIRIE SIDE ACE HDWR	\$ 59.04
VOLLEYBALLUSA.COM	\$ 58.05
TARGET 00018952	\$ 58.00
T J MAXX #1143	\$ 56.70
WAL-MART #0910	\$ 51.50
UNITED WAY OF KENOSHA	\$ 50.00
AMZN MKTP US*G97YT2CW3	\$ 49.15
WALGREENS #3153	\$ 48.59
AMZN MKTP US*PR3AJ7XV3	\$ 46.18
AMZN MKTP US*V54D24H33	\$ 45.94
FESTIVAL FOODS	\$ 44.12
LINCOLN CONTRACTORS SUPPL	\$ 41.99
TJMAXX #0484	\$ 37.97
DDPYOGA	\$ 36.91
EDPUZZLE PRO TEACHER	\$ 36.50
VAUGHN STORAGE SYSTEMS	\$ 35.00
AMZN MKTP US*FN9OK1CY3	\$ 34.99
ADOBE STOCK	\$ 31.64
AMAZON.COM*E71NA6RF3 AMZN	\$ 30.60
USA*PBS PUB BRD SVC	\$ 29.98
AMZN MKTP US*LD7AG2YX3	\$ 29.88
AMZN MKTP US*AN2FG1NY3	\$ 25.28
AMZN MKTP US*523EV4VE3	\$ 24.25
AMZN MKTP US*PK56F0CY3	\$ 24.25
BARNES & NOBLE #2037	\$ 21.80
JEWEL OSCO 1424	\$ 20.15
SCREENCAST-O-MATIC	\$ 19.80
AMZN MKTP US*NY7Z181Y3 AM	\$ 18.98
IVES GROVE GOLF LINKS	\$ 17.49
THE HOME DEPOT #4926	\$ 16.85
DOLLARTREE	\$ 14.51
R-K NEWS INC	\$ 14.17
WEBCONNEX LLC	\$ 13.86
SPOTIFY USA	\$ 10.54
WALMART.COM AW	\$ 10.00
RANGE TIME	\$ 9.00
USPS PO 5666100158	\$ 7.85
WALMART.COM AZ	\$ 5.00
AMAZON.COM AMZN.COM/BILL	\$ (11.49)
MARSHALLS #0738	\$ (12.64)
AMZN MKTP US	\$ (408.26)
<b>US Bank Purchasing Card Payment - Individuals</b>	<b>\$ 182,509.63</b>

KENOSHA UNIFIED SCHOOL DISTRICT  
Kenosha, Wisconsin

September 27, 2022

**Administrative Recommendation**

It is recommended that the August 2022 cash receipt deposits totaling \$164,596.25, and cash receipt wire transfers-in totaling \$31,889,687.54, be approved.

Check numbers 615187 through 615720 (net of voided batches) totaling \$7,752,097.60, and general operating wire transfers-out totaling \$3,988,689.70, are recommended for approval as the payments made are within budgeted allocations for the respective programs and projects.

It is recommended that the August 2022 net payroll and benefit EFT batches totaling \$9,338,786.12, and net payroll check batches totaling \$983.48, be approved.

Bethany Ormseth, Ed.D.  
Interim Superintendent of Schools

Tarik Hamdan  
Chief Financial Officer

Lisa M. Salo, CPA  
Accounting Manager

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**Kenosha Unified School District  
Kenosha, Wisconsin**

**September 27, 2022**

**Policy 5280 - Education for Homeless Children and Youth (EHCY)**

**Background:**

The Education for Homeless Children and Youth (EHCY) program is authorized under the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act (ESSA) of December, 2015. The Wisconsin EHCY program addresses the needs of students experiencing homelessness in LEAs throughout the state by supporting homeless liaisons and by distributing funds from the U.S. Department of Education. The Wisconsin Department of Public Instruction (DPI) designates two statewide EHCY Coordinators to provide training and technical assistance, review and create policies and procedures, and monitor LEAs for program compliance to ensure that children and youth experiencing homelessness are able to attend and fully participate in school. Funding is distributed to LEAs through a competitive grant process.

The Wisconsin Department of Public Instruction currently requires updates to the existing KUSD policy. The proposed changes include more specific language on page one including a clear definition of “homelessness”. Additional pages in the policy include an established definition of “student rights” and clarification of the dispute process. The adaptations to this policy will bring us into compliance with current regulations.

**Recommendation**

Administration recommends that the School Board approve the attached updates to Policy 5280 - Education for Homeless Children and Youth as a second reading at the September 27, 2022 school board meeting.

Bethany Ormseth, Ed.D  
Interim Superintendent of Schools

William Haithcock  
Chief of School Leadership

EDUCATION FOR HOMELESS CHILDREN AND YOUTH (EHCY)

The Kenosha Unified School District will implement the *McKinney-Vento Homeless Education Assistance Act* (42 U.S.C., ss. 11431-11436, sec. 25) to ensure that homeless individuals and unaccompanied youth (youth not in the physical custody of a parent/guardian) initially residing in the District are provided with equal access to the same ~~free appropriate public education~~ **educational programs provided to other students, have an opportunity to meet state and district academic achievement standards to which all students are held and are not segregated or discriminated against on the basis of their homeless status. This commitment to the educational rights of homeless children and youth applies to all services, programs and activities provided or made available to other students and youth who reside in the district.** ~~— This includes comparable service provided to other students and youth who reside in the district. Homeless children and youth shall have equal opportunities to meet state and district academic achievement standards and are free from discrimination, segregation, stigmatization and harassment.~~

~~Students qualifying under the *McKinney-Vento Homeless Education Assistance Act* shall be placed in District schools in accordance with the legal requirements of the Act. The District's assignment of students to schools policy shall not be applied as long as the children or youth qualifies under the *McKinney-Vento Act*.~~

**The McKinney-Vento Homeless Assistance Act defines homeless children and youths as those who lack a fixed, regular, and adequate nighttime residence. The law provides several examples of situations that meet the definition. This includes children and youths:**

- **sharing housing due to a loss of housing, economic hardship, or a similar reason;**
- **living in hotels, motels, trailer parks, or camping grounds due to a lack of alternative adequate housing;**
- **living in emergency or transitional shelters;**
- **abandoned in hospitals;**
- **living in a public or private place not designated for, or normally used as, a regular sleeping accommodation for human beings;**
- **living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar places; and/or**
- **living in one of the above circumstances and who are migratory.**

LEGAL REF.: Wisconsin Statutes  
Section 118.13 [Student nondiscrimination]  
McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et. seq.) [School placement options for homeless children and youth]  
Section 504, Rehabilitation Act of 1973  
Individuals with Disabilities Education Act (20 U.S.C. ss1 400 et. seq.)  
Title I, Part A of the Elementary and Secondary Education Act (20 U.S.C. ss6311-64515)  
Title IX, Education Amendment of 1972  
Title VI, Civil Rights Act of 1964  
Civil Rights Act of 1991

CROSS REF.: 3280 Student Fees  
3511 Transportation  
3520 School Nutrition Programs  
~~5110 Equal Educational Opportunities/Discrimination Complaint~~  
**5110.1 Student Equal Opportunity and Non-Discrimination in Education**  
5200 School Admissions  
5250 Emancipated Minors  
5310 Student Attendance  
5320 School Attendance Areas  
5330 Assignment of Students to Schools  
5532 Immunizations

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: May 25, 2004

REVISED: **October 22, 2013**

**September 27, 2022**

**RULE 5280**

**EDUCATION FOR HOMELESS CHILDREN AND YOUTH (EHCY)**

**RIGHTS AND SERVICES PROVIDED TO HOMELESS STUDENTS**

**All homeless students have a right to:**

- A. Immediate public school enrollment. A public school must immediately enroll students even if they lack health, immunization, or school records, proof of guardianship, or proof of residency;**
  - 1. enrollment in:**
    - a. the school they attended when permanently housed (school of origin);**
    - b. the school in which he/she was last enrolled (school of origin);**
    - c. any public school that non-homeless students living in the same attendance area are eligible to attend.**
- B. Continued enrollment under the McKinney-Vento Act, in the chosen school, even if the student becomes permanently housed or until the end of the academic year;**
- C. Priority enrollment in certain preschools and other school programs;**
- D. Transportation to and from the public school of origin for the duration of homelessness, including preschool children who attend programs that provide transportation to non-homeless children;**
- E. Removal of barriers to accessing academic and extracurricular activities such as:**
  - 1. Free breakfast and lunch;**
  - 2. School supplies provided if needed;**
  - 3. Participation in all school-related activities such as, tutoring/instructional support, athletics, etc;**
  - 4. School fee waivers, free uniforms;**
  - 5. Referrals to low-cost or free medical and mental health services;**

6. Rights and protections specifically for unaccompanied youth (youth who are not in the physical custody of a parent or guardian) who are experiencing homelessness, including allowing them to be immediately enrolled without proof of guardianship.
- F. Assistance with the dispute-resolution process if a dispute arises over eligibility, school selection or enrollment in a school. The district liaison will provide the forms for an appeal. The student has the right to attend the school of choice until the dispute is resolved.

#### **KUSD MCKINNEY-VENTO DISPUTE PROCESS**

**Dispute Process:** A homeless child or youth has the right to remain at his or her school of origin (public school that the child or youth attended when permanently housed or to attend the public school that other students who live in the attendance area of where the student is temporarily living.

When a dispute arises over school placement, the McKinney-Vento Liaison will provide the parent or guardian with a dispute form. The dispute form can also be requested from the McKinney-Vento Liaison at any time. Once the dispute form has been completed by the parent or guardian, the Liaison will submit the dispute form to the Director of Title Programs for review. Within three days, the Director of Title Programs, along with School Leadership, will review the form and make the final determination and send the disputant a copy of the Written Notification of Dispute Resolution form.

If necessary, a Best Interest Determination (BID) will be conducted to assist in determining placement of the student. The BID is to be conducted as quickly as possible (within 3 days). The District utilizes a form provided by the Wisconsin Department of Public Education (DPI) which considers all factors, including the appropriateness of the current educational setting and proximity to the students' residence.

The following can be invited to participate in the Best Interest Determination:

- Student
- Parent or guardian
- School representative from school of origin
- Principals, teachers, counselors
- Other members of the students team (IEP, etc)

Once the BID is completed, all parties discuss the determination and choose the placement that's in the best interests of the student. The student has the right to attend the school of choice until the dispute is resolved.

The parent/guardian will be informed of their right to appeal the district's decision to the Office of Coordinator for Education of Homeless Children and Youths in the Wisconsin Department of Public Instruction.

~~RULE 5280~~  
~~EDUCATION FOR HOMELESS CHILDREN AND YOUTH (EHCY)~~

The Wisconsin Department of Public Instruction provides current information on each of the federal requirements under the McKinney Vento Homeless Education Act (EHCY). The link to the EHCY homepage is <https://dpi.wi.gov/homeless>.

~~Information specific to procedural guidance is found at <https://dpi.wi.gov/homeless/guidance>.~~

~~Topics include, but are not limited to, the following items:~~

- ~~1. Identification for information on Definition and Identification~~
- ~~2. McKinney Vento at a Glance for the Topic of Enrollment~~
  - ~~————— Dispute Resolution~~
  - ~~————— Academic Achievement — Programs and Services~~
- ~~3. School Selection for School Placement~~
- ~~4. Transportation~~

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**Kenosha Unified School District  
Kenosha, Wisconsin**

**September 27, 2022**

**TITLE IX UPDATE  
Second Reading**

On August 14, 2020, amended federal Title IX regulations took effect. The U.S. Department of Education regulations cover sexual harassment, sex discrimination, and sexual assault in education programs and activities. Every school district was required to review and modify various policies and procedures in connection with implementing the 2020 Title IX regulations specifically with regard to sexual harassment. The regulations also require a significant training and staff development component. Over the past several months, KUSD has been in the process of updating these policies and procedures.

In June of 2022, the U.S. Department of Education released updated proposed regulations. While these proposed revisions to the Title IX regulations were released in June of 2022, there is a lengthy period for revisions and comments. The final rule changes are not expected for quite some time. Therefore, the 2020 version of the Title IX regulations remain in effect for at least the start of the 2022-23 school year. Amended regulations will likely not take effect until the beginning of the 2023-24 school year. Updates to multiple policies were necessary to ensure KUSD's compliance with the current 2020 federal Title IX regulations. In addition, updates to the complaint procedures and staff training requirements were completed to ensure KUSD aligned with the federal regulations.

One policy was not brought back for a second reading. At the August 23, 2022, board meeting, there was confusion about the inclusion of Policy 5110.2 – Nondiscrimination Guidelines Related to Students Who are Transgender and Students Nonconforming to Gender Role Stereotypes. The noticed topic is Title IX Update and the proposed edits to Policy 5110.2 are not necessary to become compliant with the 2020 Title IX regulations. To avoid further confusion on the topic, we have pulled Policy 5110.2 from the noticed agenda item of Title IX.

Below is a table of attachments and a summary of changes proposed for the second reading.

Attachment	Title of Attachment	Summary of Changes
1	Board Policy 4110	Updated to direct employees who believe they have been subjected to sexual harassment to the newly created Title IX Board Policy. (Attachment 6)
2	Board Policy 4111	This policy previously incorporated a process for general harassment and Title IX sexual harassment. All connections to Title IX have been pulled out of this policy and a stand-alone Title IX policy created.

		Policy 4111 has been modified to address harassment outside the Title IX rules.
3	Board Policy 5110.1	Updated to include anti-harassment language and cross-references updated. A student complaint procedure was created, similar to the employee complaint procedure.
4	Board Policy 4111.1 (Newly Created)	Outlines the employee discrimination and non-Title IX harassment complaint procedure. These procedures would follow standards set in Board Policies 4110 and 4111. Note: These procedures do not apply to claims of Title IX sexual harassment, as those claims will be handled through Board Policy 1710.
5	Board Policy 1710 (Newly Created)	The newly created board policy includes legal requirements, definitions, complaint procedures, appeal procedures, and District procedural requirements for Title IX.

**Recommendation**

The administration recommends that the Board of Education approve as a second reading, the revisions to policies 4110, 4111, 5110.1 and approve the creation of Board Policy 4111.1 and Board Policy 1710 at the September 27, 2022, board meeting.

Bethany Ormseth, Ed.D.  
Interim Superintendent of Schools

Julie Housaman  
Chief Academic Officer

William Haithcock  
Chief of School Leadership

Kevin Neir  
Interim Chief Human Resource Officer



POLICY 4110  
EQUAL EMPLOYMENT OPPORTUNITY  
AND AFFIRMATIVE ACTION

The District is an equal opportunity employer. Personnel administration in the District shall be conducted so as not to discriminate on the basis of age, race, creed, religion, color, sex (**including sexual orientation or gender identity**), pregnancy, ~~sexual orientation~~, national origin, disability, marital status, ancestry, citizenship, arrest or conviction record, membership in the national guard, state defense force, or any other reserve component of the military forces of the United States or Wisconsin, use or non-use of lawful products off school premises during non-working hours, or any other reason prohibited by state or federal law. This policy shall apply to hiring, placement, assignment, formal and informal training, seniority, transfer, promotion, lay-off, recall and termination. Similarly, all salaries, wages, benefit programs and personnel policies shall be administered in conformity with this policy.

Reasonable accommodations shall be made for qualified individuals with a disability, unless such accommodations would impose an undue hardship to the District.

~~Any applicant or employee who believes he/she has been discriminated against in violation of this policy may file a complaint.~~ Responsibility for overseeing the District's equal employment opportunity and affirmative action programs and investigating discrimination complaints is assigned to the Office of Human Resources.

All employees will receive information and training regarding rights and responsibilities regarding discrimination considerations as they relate to employment.

**Any applicant or District employee who believes they have been discriminated against in violation of this Policy should file a complaint pursuant to Board Policy 4111.1. Any applicant or District employee who believes that they have been subject to sexual harassment in violation of Title IX should refer to Board Policy 1710, which sets forth the District's grievance procedure associated with violations of Title IX relative to sexual harassment.**

LEGAL REF.: Wisconsin Statutes  
Sections 111.31-111.395 (Fair employment standards - employment discrimination)  
118.195 (Handicapped teacher discrimination)  
118.20 (Teacher discrimination, including sexual harassment)  
Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 (Race, color, national origin discrimination; general employment discrimination)  
Title IX, Education Amendments of 1972 (Sex discrimination) Section 504, Rehabilitation Act of 1973 (Handicap discrimination) Age Discrimination Act of 1975 (Age discrimination)  
Age Discrimination in Employment Act of 1967 (Age discrimination)  
Pregnancy Discrimination Act (Pregnancy, childbirth, or related medical conditions discrimination)  
Immigration Control and Reform Act of 1986 (Citizenship discrimination) Americans with Disabilities Act of 1990, as amended by the ADAAA (Disability discrimination)  
Civil Rights Act of 1991 (Penalties for discrimination law violations)

CROSS REF.: Policy 4111, Employee Harassment Employee Handbook  
**Policy 4111.1, Employee Discrimination and Harassment Complaint Procedure**  
**Policy 1710, Nondiscrimination on the Basis of Sex in Education Programs or Activities**

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: April 22, 1991

REVISED: January 26, 1993  
March 22, 1994  
March 9, 1999  
June 27, 2000  
September 23, 2014  
October 28, 2014  
March 28, 2017  
August 28, 2018  
**September 27, 2022**

RULE 4110

EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE

The Chief Human Resource Officer or his/ her designee is responsible for coordinating compliance with state and federal nondiscrimination laws and the District's equal employment opportunity and affirmative action policy.

Any employee or applicant for employment who believes he/she has been discriminated against in violation of state and federal nondiscrimination laws or the District's equal employment opportunity policy may file a complaint as outlined below. If it is determined that a violation has occurred, appropriate steps shall be taken to ensure compliance with state and federal nondiscrimination laws and District policy.

INFORMAL PROCEDURE

The district promotes the voluntary resolution of problems at the level of government closest to their source and, as such, encourages informal resolution of employment discrimination complaints. If a complaint cannot be solved informally, the complainant may initiate a formal complaint as outlined below. An informal resolution of a complaint does not prohibit the filing of a formal complaint at any time.

FORMAL COMPLAINT PROCEDURE

The timelines governing the resolution of the formal complaint do not go into effect until the written complaint is received.

The complaint shall be presented in writing to the Chief Human Resource Officer and shall include the specific nature of the alleged discrimination, the facts (including specific details and corresponding dates), and the name, address, and phone number of the complainant. The complaint may be dictated to the complaint officer and signed by the complainant upon review of the written complaint.

The Chief Human Resource Officer or his/ her designee shall acknowledge receipt in writing of the complaint. The Chief Human Resource Officer or his/ her designee, within a reasonable period of time, shall thoroughly investigate the complaint and take all reasonable steps necessary to ensure that any allegations of discrimination are promptly remedied and that no District employees are subject to discrimination in violation of this policy. The complainant will be advised of the outcome in writing. Any remedial action should be aimed at stopping the discrimination and may include discipline of the accused individual up to and including termination of his/ her employment.

RULE 4110

EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE

Page 2

Nothing in these procedures shall preclude persons from filing a complaint directly, or on appeal with designated agencies as authorized by state and federal law (e.g., U.S. Office of Civil Rights, State Superintendent of Public Instruction, Equal Rights Division of the Department of Workforce Development) and/or with courts having proper jurisdiction.

MAINTENANCE OF COMPLAINT RECORDS

Records shall be kept of all employment discrimination complaints for the purpose of documenting compliance and past practices. The records shall include information on all levels of the complaint and any appeals. The records should include:

1. The name of the complainant and his/her title or status.
2. The date the complaint was filed.
3. The specific allegation made and any corrective action requested by the complainant.
4. The name(s) of the respondents.
5. The levels of processing followed, and the resolution, date and decision-making authority at each level.
6. A summary of facts and evidence presented by each party involved.
7. A statement of the final resolution and the nature and date(s) of any corrective or remedial action taken.

POLICY 4111  
EMPLOYEE ANTI-HARASSMENT

The Kenosha Unified School District seeks to provide fair and equal employment opportunities and to maintain a professional work and academic environment comprised of people who respect one another and who believe in the District's high ideals. Harassment is a form of misconduct that undermines the integrity of the District's employment and academic relationships. All employees and students must be allowed to work and learn in an environment that is free from intimidation and harassment.

All new staff members will receive a copy of the employee anti-harassment policy and other anti-harassment educational information as a part of the initial employment process and at other times as appropriate and necessary.

Harassment or similar unacceptable activities based on a person's membership in a protected class that could become a condition of employment or a basis for personnel decisions, or which create a hostile, intimidating or offensive environment are specifically prohibited by the District. The District will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin or undocumented/immigration status (including limited English proficiency), marital or parental status, sexual orientation, transgender status, gender expression, gender identity and gender nonconformity (~~see, Policy 5110.2~~), physical, mental, emotional or learning disability and social, economic or family status, pregnancy, creed or religion, age, sex, genetic information or disability.

Intimidation and harassment can arise from a broad range of physical, or verbal or non-verbal behaviors for the purpose of creating an intimidating, hostile or offensive work or educational environment. This may occur staff to staff, student to staff, or staff to student, regardless of the individuals' **genders protected class**. This may also include non-employees, such as school board members, outside contractors or members of the community (e.g., speakers/presenters, participants on opposing athletic teams, parents/guardians, etc.).

**“Harassment” means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against an employee based on one or more of the employee's protected characteristics that:**

- A. Places a person in reasonable fear of harm to their person or damage to their property;**
- B. Has the effect of substantially interfering with a person's performance, opportunities, or benefits; or**
- C. Has the effect of substantially disrupting the orderly operation of a school.**

Behaviors **that constitute harassment** may include, but are not limited to, the following:

- physical, sexual or mental abuse;
- offensive, threatening or derogatory comments to any person, either directly or indirectly, based on the person's membership in any protected class;
- **name-calling**, insults or slurs based upon a person's real or perceived legally protected

characteristics including age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, transgender status, gender expression, gender identity and gender nonconformity, or any other basis protected by law;

- **hate speech, including the use of language, behavior, imagery and/or symbols to express prejudice against a particular group or groups based on any protected characteristic;**
- unwelcome sexual advances, propositions, invitations, solicitations and flirtations;
- ~~kissing, patting, pinching, touching, or other unwelcome physical contact;~~
- harassing behavior toward a subordinate staff member, regardless of whether such conduct creates a hostile work environment;
- ~~demands for sexual favors, accompanied by implied or overt promises of preferential treatment and/or threats that concerning an individual's employment or academic status may be adversely affected;~~
- consensual sexual relationships that lead to favoritism of a subordinate staff member with whom the superior is sexually involved and where such favoritism results in an adverse employment action for another staff member or otherwise creates a hostile work environment;
- **sexual** comments about a person's body/dress/appearance, jokes or, innuendos, **sexually** degrading language, unwelcome suggestive or insulting sounds or whistles;
- display of offensive materials, objects, literature, audio recordings or videos in the work or educational environment that are not curriculum related;
- ~~sex-oriented name-calling or bullying;~~
- ~~inappropriate staring at another individual or touching of their clothing, hair, or body;~~
- ~~asking personal questions about another individual's sex life or sharing remarks about one's own sexual activities or sexual history;~~
- ~~repeatedly asking out any person who has stated that they are not interested;~~
- obscene telephone calls, text messages, or social media postings;
- communicating with students and/or parents/guardians via email, text message, websites, social media, or visiting their home for non-educational purposes;
- giving gifts, money, or showing preferential treatment to students for no legitimate educational purpose; **and**
- ~~showing or watching pornography in the work or educational environment;~~
- inappropriate boundary invasions of personal space or personal life.; **and**
- ~~non-sexual questions or comments about a person's body, genitals or anatomy.~~

~~Romantic or sexual relationships between staff members and students are prohibited. Any staff member who engages in sexual conduct with a student may also be guilty of a crime and any information regarding such instances will be reported to law enforcement.~~

Sexual relationships between ~~staff members~~ District employees, where one has supervisory responsibilities over the other, are firmly discouraged as they are suspect. Such relationships have an inherent possibility of being construed as sexual harassment because the consensual aspect of the relationship may be the result of implicit or explicit duress caused by uncertainty regarding consequences of non-compliance.

These activities are offensive and are inappropriate in a school atmosphere and in the workplace. This is a serious issue not just for the District but also for each individual in the District. It is the responsibility of the administration and all staff members to ensure that these prohibited activities do not occur. A staff member or supervisor may be held individually liable as a harasser and subject to the same penalties that may be imposed upon employers under state or federal law.

Any ~~staff member~~ **District employee** who engages in harassment or similar unacceptable behavior or retaliates against another individual because the individual made a report of such behavior or participated in an investigation of a claim of harassment or similar unacceptable behavior, is subject to immediate discipline, up to and including termination. Any ~~staff member~~ **District employee** who witnesses or otherwise becomes aware of harassment or similar unacceptable behavior has an affirmative duty to report said conduct to their supervisor, or to the administration.

Any person who believes that he or she has been the subject of prohibited harassment or similar unacceptable behavior or retaliation should report the matter immediately to the Office of Human Resources, **Title IX Coordinators**, or the Superintendent or their designee. All such reports will be investigated promptly and will be kept confidential within the bounds of the investigation and the law. ~~Individuals Staff members~~ are prohibited from knowingly making false statements or knowingly submitting false information to any report, complaint, investigation, or informal or formal resolution process undertaken in relation to acts of harassment. **See Policy 4111.1[XXXX] for detailed information about the discrimination and harassment procedures associated with District employee discrimination and/or harassment.**

LEGAL REF: Wisconsin Statutes Sections 111.31-111.395 (Fair employment standards – employment discrimination)  
 118.195 (Handicapped teacher discrimination)  
 118.20 (teacher discrimination, including sexual harassment).  
 Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 (Race, color, national origin discrimination; general employment discrimination)  
 Title IX, Education Amendments of 1972 (Sex discrimination)  
 Section 504, Rehabilitation Act of 1973 (Handicap discrimination)  
 Age Discrimination Act of 1975 (Age discrimination)  
 Age Discrimination in Employment Act of 1967 (Age discrimination)  
 Pregnancy Discrimination Act (Pregnancy, childbirth or related medical conditions discrimination)  
 Immigration Control and Reform Act of 1986 (Citizenship discrimination)  
 Americans with Disabilities Act of 1990, as amended by the ADAAA (Disability discrimination)  
 Civil Rights Act of 1991 (Penalties for discrimination law violations)  
 Equal Employment Opportunities Commission Guidelines (29 C.F.R. – Part 1604.11) (Employee sexual harassment)

CROSS REF.: Policy 4110 - Equal Employment Opportunity and Affirmative Action Employee Handbook

**Policy 4271 – Employee Complaint (Grievance)**

**Policy 1710[XXXX] – Nondiscrimination on the Basis of Sex in Education**

**Programs or**

**Activities**

**Policy 4111.1~~[XXXX]~~ – Employee Discrimination and Harassment Complaint  
-Procedure.**

**ADMINISTRATIVE REGULATIONS: 34 C.F.R Part 106**

**AFFIRMED:** April 22, 1991

**REVISED:** March 11, 1997

March 9, 1999

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August 28, 2018

November 17, 2020

**September 27~~[XXXXXXXX]~~, 2022**



**RULE 4111**  
**EMPLOYEE ANTI HARASSMENT**

The following shall apply to all procedures contained in this Rule.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, or harassment based on one or more of the other protected characteristics.

“Complaint officer” shall be responsible for organizing any informal resolution process, facilitating any investigation, and/or following the formal grievance process needed in response to a harassment complaint, including designating the investigator(s), if different from the complaint officer.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, or harassment based on one or more of the other protected characteristics.

“Title IX Coordinator” means the designated individual who shall be responsible for implementing and facilitating compliance with the Title VII and Title IX sexual harassment laws and guidelines and shall also be the designated recipient of reports concerning sexual harassment. The Title IX Coordinator shall designate the complaint officer for sexual harassment complaints.

The Chief Human Resource Officer (CHRO) shall be designated as the Title IX Coordinator. Contact information for the Title IX Coordinator shall be provided in staff and student handbooks as well as on the District’s website. The District shall also provide students, parents/legal guardians, staff members, unions, and the District’s vendors with notice of the Title IX Coordinator’s contact information.

**Other Available Remedies:**

Nothing in these procedures shall preclude persons from filing a complaint directly, or on appeal, with designated agencies as authorized by state and federal laws (e.g., U.S. Office of Civil Rights, Equal Rights Division of the Department of Workforce Development, or the U.S. Equal Employment Opportunity Commission) and/or with courts having proper jurisdiction.

**Maintenance of Records:**

Staff members shall be informed of the District’s employee anti-harassment policy annually. The policy will be posted on the District’s website. The District’s Title IX Coordinator shall be responsible for ensuring that the District maintains adequate records of complaints filed under the District’s employee anti-harassment and sexual harassment complaint procedures and for directing the timely preparation of annual or other reports and evaluations regarding nondiscrimination initiatives and compliance that the District is required to conduct and/or provide to the Department of Public Instruction.

HARASSMENT – General

“Harassment” means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against an employee based on one or more of the student’s protected characteristics that:

- A. Places a person in reasonable fear of harm to their person or damage to their property;
- B. Has the effect of substantially interfering with a person’s performance, opportunities, or benefits; or
- C. Has the effect of substantially disrupting the orderly operation of a school.

“Protected Characteristics” means a person’s age, race, color, national origin or undocumented/immigration status (including limited English proficiency), ancestry, religion, creed, pregnancy, marital status, parental status, sexual orientation, transgender status, physical, mental, emotional or learning disability, genetic information, and social, economic or family status.

Harassment on the basis of sex is governed by Title VII and Title IX and requires additional procedures set forth in the Sexual Harassment section of this Rule.

Complaint:

All incidents of harassment should be reported to the Chief Human Resources Officer (CHRO), verbally or in writing. Any person may report such incidents to the CHRO in person, by mail, electronic mail, electronic submission or by using the contact information provided. All staff members and school officials who observe incidents of harassment shall report such incidents. If the incident involves the CHRO, the report should be made to the District Superintendent.

Due to the sensitivity surrounding a complaint of harassment, timelines are flexible; however, every effort should be made to file the complaint within thirty (30) calendar days of the conduct occurring.

To begin the formal complaint process, the complainant shall present in writing the specific nature of the alleged harassment and corresponding date; names of those who may have witnessed the alleged harassment; and, the name, address and phone number of the complainant. Upon receipt of a harassment complaint, the CHRO or their designee shall be the complaint officer. If the report involves the CHRO, the Superintendent or their designee shall be the complaint officer. The complaint may be dictated to the complaint officer and signed by the complainant upon review of the written complaint. The complaint officer shall acknowledge in writing the receipt of the complaint. The complainant’s wishes with respect to whether the District investigates reported conduct will be respected subject to applicable law.

RULE 4111  
EMPLOYEE ANTI HARASSMENT  
Page 3

Informal Resolution Process:

The District will allow the parties to attempt a resolution of a complaint on an informal basis that does not involve a full investigation or determination of responsibility. Both parties must provide voluntary, informed, written consent to attempt informal resolution. Prior to agreeing to a resolution, either party may withdraw from the informal resolution process and resume the formal grievance process with respect to the complaint.

If the parties provide written consent to the informal resolution process, the complaint officer or their designee will facilitate a meeting between the parties. If the parties resolve the matter, the complaint officer or their designee shall prepare a written statement outlining the resolution. If no resolution is reached, the complaint officer will proceed with an investigation of the allegations contained in the complaint.

Investigation:

The complaint officer or their designee shall thoroughly and impartially investigate the harassment complaint. Investigators may be staff members or independent contractors.

The complaint officer shall notify the respondent that a complaint has been received. The respondent will be informed about the nature of the allegations and a copy of the employee anti-harassment policy and this rule shall be provided to the respondent at that time. The respondent will also be notified of the opportunity to submit a written statement.

Although certain cases may require additional time, the complaint officer will attempt to complete an investigation into the allegations of harassment within a reasonably prompt time frame, not to exceed 30 days. The investigation will include:

- 
- A. interviews with the complainant;
- B. interviews with the respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations, as determined by the complaint officer; and,
- D. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations, as determined by the complaint officer.
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At the conclusion of the investigation, the complaint officer shall prepare and deliver a written report to the Superintendent that summarizes the relevant evidence gathered during the investigation and provides recommendations based on the evidence and the definition of harassment as provided in this policy and State and Federal law as to whether the complainant has been subjected to harassment. The complaint officer may consult with the school board attorney before finalizing the report to the Superintendent.

RULE 4111  
EMPLOYEE ANTI HARASSMENT  
Page 4

If a complainant believes that there is undue delay, they may notify the CHRO or designee and ask for clarification as to when the investigation will be completed.

Dismissal:

If, after notice and an investigation, the complaint officer uncovers information that could or must result in dismissal of the formal complaint, the complaint officer shall provide that information to the Superintendent. The Superintendent must dismiss any formal complaint or allegation therein if:

- the alleged conduct does not constitute harassment, or
- the alleged conduct did not occur against a person in the United States.

The Superintendent may also dismiss a complaint or allegation therein if:

- the complainant informs the CHRO or designee in writing that the complainant desires to withdraw the formal complaint or allegation therein, or
- specific circumstances prevent the District from gathering evidence to reach a determination.

The Superintendent shall provide notice to both parties of any dismissal and the reasons for the dismissal. Notwithstanding the dismissal of a complaint, the District may take any action in response to alleged misconduct under the District's code of conduct policy or other applicable policy.

Supportive measures:

The complaint officer shall consider whether any action should be taken in the investigatory phase to protect the complainant from further harassment or retaliation, including a change of work assignment or schedule for the complainant and/or respondent.

Interim Measures:

If, upon an analysis of the allegations, the safety issues, and other risks involved, the complaint officer determines that the allegations raise an immediate threat to the physical health or safety of any individual, the District may take emergency action during the investigation period, including removal of the respondent from an education program or activity, or the placement of the respondent on administrative leave if the respondent is a staff member. Such emergency action may not be made without prior notice to the respondent and an opportunity to challenge the decision immediately following the action.

Decisions:

Upon receipt and review of the investigative report, the Superintendent shall make a written determination as to whether the harassment allegations are substantiated by the facts and evidence.

RULE 4111  
EMPLOYEE ANTI HARASSMENT  
Page 5

~~A copy of the written decision shall be provided to both parties. The decision of the Superintendent shall be final, subject to the appeal process set forth below.~~

~~Sanctions:~~

~~Any remedial action shall be aimed at stopping the alleged harassment and may include discipline of the respondent, up to and including termination of their employment.~~

~~Confidentiality:~~

~~The District will respect a complainant's request for confidentiality or request not to pursue an investigation, subject to applicable law, and will otherwise make efforts to maintain confidentiality where non-disclosure does not interfere with the district's ability to appropriately process and respond to the report or complaint. Any non-party interviewed as part of the investigation is expected to maintain confidentiality and is expected not to disclose any information they learn during the course of the investigation.~~

~~Retaliation:~~

~~There shall be no retaliation against any person targeted by harassment or any person who reports an alleged act of harassment, nor against any person who participates in the investigation. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. The District will take appropriate action against any staff member who engages in retaliatory behavior.~~

~~Appeal:~~

~~If the investigation results in disciplinary action, the staff member subject to discipline is entitled to file a grievance pursuant to Board Policy 4271.~~

~~If the complainant is unsatisfied with the disposition of the complaint, the complainant may take further action with the Office of Civil Rights, the U.S. Equal Employment Opportunity Commission, the ERD or the Department of Public Instruction, as appropriate.~~

SEXUAL HARASSMENT

Definitions

~~“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.~~

~~“Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:~~

- ~~(1) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;~~
- ~~(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it adversely affects one's employment or effectively denies a person equal access to the District's education program or activity; or~~
- ~~(3) "Sexual assault", "dating violence", "domestic violence", or "stalking" as defined by relevant federal law.~~

~~"Supportive measures" means individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to protect safety or deter sexual harassment.~~

### Complaints

~~Staff who believe they have been sexually harassed by another District staff member or a non-employee are entitled to use the informal and/or formal complaint processes outlined below. Initiating a complaint will not adversely affect employment unless the complainant does so maliciously or with knowledge that it is false. The Title IX Coordinator or their designee shall be the complaint officer and is responsible for responding to harassment complaints. If a complaint involves the Title IX Coordinator, the Superintendent or their designee shall be the complaint officer for that complaint and will be responsible for responding to the harassment claim. The complaint officer or their designee shall be responsible for investigating formal complaints. Investigator(s) may be District staff members or independent contractors. Due to the sensitivity surrounding a complaint of sexual harassment, timelines are flexible; however, every effort should be made to file the complaint within thirty (30) calendar days of the conduct occurring.~~

~~Sexual harassment may be reported to the Title IX Coordinator by the complainant or by any third party with knowledge of the alleged conduct that constitutes sexual harassment. Upon receiving a report of sexual harassment, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without filing a formal complaint, and explain to the complainant the process for filing a formal complaint.~~

~~A formal complaint may be filed with the Title IX Coordinator in person, by mail, electronic mail, electronic submission, or by using the provided contact information. The complainant shall state the specific nature of the harassment and corresponding date; names of those who may have witnessed the alleged harassment; and the name, address and phone number of the complainant. An oral complaint may be dictated to the Title IX Coordinator and signed by the complainant upon review of the written complaint, or signed by the Title IX Coordinator.~~

~~The District will allow a complainant the opportunity to resolve discrimination or harassment complaint on an informal basis, if the complainant asks to do so. Upon such request by the~~

RULE 4111  
EMPLOYEE ANTI HARASSMENT  
Page 7

~~complainant, the supervisor (or person designated by the Superintendent if no supervisor is available) will facilitate a meeting between the complainant and the alleged harasser/discriminator. If the parties resolve the matter, the supervisor shall prepare a written statement outlining the resolution. If the complainant is not satisfied with the outcome of the meeting, the supervisor must notify the Title IX Coordinator of the informal review so the Title IX Coordinator may formally investigate the complaint.~~

~~To begin the formal complaint process, the complainant shall present in writing the specific nature of the harassment and corresponding date; names of those who may have witnessed the alleged harassment, and the name, address and phone number of the complainant. The complaint may be dictated to the complaint officer and signed by the complainant upon review of the written complaint. The complaint officer shall acknowledge in writing the receipt of the complaint.~~

Supportive Measures:

~~The Title IX Coordinator shall coordinate and implement supportive measures for the complainant and the respondent designed to ensure equal access to the District's education programs and activities, protect the safety of all parties, protect the district's educational environment, and/or deter sexual harassment. Such measures may include, but are not limited to, counseling the parties involved, modifying schedules, providing escort services on campus, mutually restricting contact between the parties, changing work locations, providing leaves of absence, increasing security or monitoring of appropriate campus locations, and similar measures. Any supportive measures provided shall be confidential except where such confidentiality would impair the District's ability to provide such measures.~~

~~The complaint officer shall consider whether any action should be taken in the investigatory phase to protect the complainant from further harassment or retaliation, including a change of work assignment or schedule for the complainant and/or harasser. Such supportive measures may be taken on a temporary basis at any point after a report of harassment has been made. No temporary changes shall be disciplinary to either the complainant or the respondent. No disciplinary sanctions may be taken against the respondent of a formal complaint before concluding an informal resolution process or the formal grievance process, except that interim measures may be taken as allowed by this Rule.~~

Interim Measures:

~~If, upon an analysis of the allegations, the safety issues, and other risks involved, the complaint officer determines that the allegations raise an immediate threat to the physical health or safety of any individual, the District may take emergency action during the investigation period, including removal of the respondent from an education program or activity, or the placement of the respondent on administrative leave if the respondent is a staff member. Such emergency action may not be made without prior notice to the respondent and an opportunity to challenge the decision immediately following the action.~~

Notice:

Upon the filing of a complaint, the complaint officer shall provide written notice of the complaint to the complainant and the respondent that provides the respondent sufficient time to prepare a response and includes a description of the allegations including, to the extent known, the identity of the parties involved, the alleged conduct, and the date and location of the alleged incident.

The following shall apply during the investigation and shall be included in the written notice to the parties:

- the respondent is presumed not responsible for the alleged conduct and a determination of responsibility is made at the conclusion of the grievance process;
- each party may have an advisor of their choice, who may but is not required to be an attorney;
- the District shall provide each party, and their advisors, if applicable, with any evidence directly related to the allegations, in electronic format or hard copy, and provide at least ten (10) days for the parties to inspect, review, and respond to the evidence; and
- every person is prohibited from knowingly making false statements or knowingly submitting false information during the grievance process.

The complaint officer, within a reasonable period of time, shall thoroughly investigate the complaint and take all reasonable steps necessary to ensure that any allegations of sexual harassment are promptly remedied and that no district staff members are subject to workplace harassment in violation of this policy. This will include an interview with the complainant, respondent, any witnesses who may reasonably be expected to have relevant information, and consideration of documentation or other evidence presented by the complainant, respondent or witnesses. Notices shall be provided to both parties prior to holding any interviews, meetings or hearings during the investigation. The burden of gathering evidence and the burden of proving the allegations in the complaint rests at all times with the District. Both parties shall have an equal opportunity to present facts, expert and lay witnesses, and other evidence. During the investigation, no restrictions may be placed on either party regarding discussing the formal complaint, the allegations, or the investigation with others. However, no person may intimidate, coerce or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in an investigation or proceeding under this Rule. The District will respect the privacy of all involved in a manner consistent with legal obligations under state and federal law but cannot guarantee confidentiality. The Title IX Coordinator, complaint officer, investigators, and decision makers shall all be free from bias or conflicts of interest in responding to, investigating, dismissing and making determinations regarding the allegations contained in formal complaints.

All complaints shall be investigated within 30 days. This deadline may be extended for good cause, but it will always be completed in a timely manner without any undue delay. If a complainant believes that there is undue delay, they may notify the Title IX Coordinator and ask for clarification as to when the investigation will be completed.



**RULE 4111**  
**EMPLOYEE ANTI HARASSMENT**  
**Page 9**

~~Any non-party interviewed as part of the investigation is expected to maintain confidentiality and is expected not to disclose any information they learn during the course of the investigation.~~

~~The complaint officer and/or investigator shall provide both parties with all facts, witness testimony and other evidence collected in either electronic or hard copy format. The parties shall have ten (10) calendar days to inspect, review and respond to the evidence. After receiving the parties' responses, if any, the complaint officer and/or investigator shall prepare an investigative report that fairly summarizes all relevant facts and evidence, and provides a recommendation regarding responsibility for the allegations.~~

Decisions:

~~A copy of the investigative report shall be provided to each party and to the decision maker, who shall be the Superintendent. If the Superintendent is acting as the complaint officer, the Superintendent shall designate another person as the decision maker.~~

~~Prior to reaching a determination regarding responsibility for the allegations in the formal complaint, and at least ten (10) calendar days after a copy of the investigative report has been provided to each party, both parties shall have an opportunity to submit written, relevant questions to the decision maker that a party wants asked of any party or witness. The decision maker shall obtain responses to any appropriate/relevant questions from the appropriate party or witness. Answers to submitted questions shall be provided to each party and additional time will be provided for limited follow up questions from each party. Pursuant to the rape shield protections provided under relevant law, questions and evidence regarding a complainant's prior sexual behavior shall be deemed irrelevant at all times during the formal grievance process unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove consent.~~

~~The decision maker shall review the investigative report and any additional facts uncovered through the parties' questions under a preponderance of the evidence standard. Under the preponderance of the evidence standard, the evidence submitted must show that it is more likely than not that the alleged conduct occurred and more likely than not that the respondent is responsible. The decision maker may consult with legal counsel prior to issuing a final decision.~~

~~The decision maker shall issue a written decision regarding responsibility for the alleged conduct contained in the formal complaint that includes findings of fact, conclusions about whether the alleged conduct occurred, the rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and any supportive measures that will be provided to the complainant. The decision maker shall provide the parties with the written decision simultaneously along with information about how to file an appeal. Any remedial action will be aimed at stopping the alleged harassment and may include discipline of the respondent, up to and including termination of their employment.~~

RULE 4111  
EMPLOYEE ANTI HARASSMENT  
Page 10

Dismissals:

If, after notice and an investigation, the complaint officer uncovers information that could or must result in dismissal of the formal complaint, the complaint officer shall provide that information to the decision maker. The decision maker must dismiss any formal complaint or allegation therein if:

- the alleged conduct does not constitute sexual harassment, or
- the alleged conduct did not occur against a person in the United States.

The decision maker may also dismiss a formal complaint or allegation therein if:

- the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegation therein, or
- specific circumstances prevent the District from gathering evidence to reach a determination.

The decision maker shall provide notice to both parties of any dismissal and the reasons for the dismissal. Notwithstanding the dismissal of a formal complaint for purposes of Title IX, the District may take any action in response to alleged misconduct under the District's code of conduct policy or other applicable policy.

Appeals:

If the decision of the decision maker results in disciplinary action, the staff member subject to discipline is entitled to file a grievance pursuant to Policy 4271.

Either party may appeal the dismissal of a formal complaint or the determination regarding responsibility for allegations in a formal complaint by writing to the Title IX Coordinator. An appeal may be filed for one or more of the following reasons:

- a procedural irregularity that affected the outcome of the matter,
- new evidence that was not reasonably available at the time the dismissal or determination regarding responsibility was made that could affect the outcome of the matter, or
- a conflict of interest or bias existed on the part of the Title IX Coordinator, the investigator, or decision maker that affected the outcome of the matter.

If an appeal is filed, the District shall provide written notice of the appeal to both parties and an equal opportunity for both parties to submit a written statement supporting or challenging the decision being appealed. The school board shall be the decision maker on all appeals. A written decision of the appeal shall be provided simultaneously to both parties within 30 days and shall state the rationale for the decision.

Nothing in these procedures shall preclude persons from filing a complaint directly, or on appeal, with designated agencies as authorized by state and federal laws (e.g., U.S. Office of Civil Rights,

RULE 4111  
EMPLOYEE ANTI HARASSMENT  
Page 11

~~Equal Rights Division of the Department of Workforce Development, U.S. Equal Employment Opportunity Commission) and/or with courts having proper jurisdiction.~~

~~Training:~~

~~The District shall provide training for all staff members on identifying and reporting sexual harassment. Additional training on sexual harassment investigations, grievance processes and appeals shall be provided to the Title IX Coordinator, investigators, decision makers, and any person who facilitates an informal resolution process. Records of all training materials shall be maintained for seven (7) years and be made available to the public on the District's website.~~

~~Recordkeeping:~~

~~The District shall maintain records of all sexual harassment complaints, investigations, and actions, as well as any supportive measures taken. Such records shall include all material required under relevant law and be maintained for seven (7) years.~~

POLICY 5110.1  
STUDENT EQUAL OPPORTUNITY,  
~~AND~~ NON-DISCRIMINATION,  
AND ANTI-HARASSMENT IN EDUCATION

No student may be denied admission to, be denied participation in, be denied the benefits of, or be discriminated against in any curricular, extracurricular, student services, recreational or other program or activity because of the student's sex, race, ancestry, creed, religion, color, pregnancy, marital or parental status, sexual orientation, national origin or undocumented/immigration status (including limited English proficiency), marital or parental status, transgender status, (including gender expression, gender identity and gender nonconformity (see, Policy 5110.2), social, economic or family status or physical, mental, emotional or learning disability or handicap in accordance with Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972 (see **Policy 1710**), and Sections 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (see **Special Education Program and Procedure Manual**). Harassment on any of these bases is also prohibited. Decisions relative to classes or activities based on a student's individual performance or needs is not considered to be discriminatory.

~~Pursuant to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, students with disabilities may not be discriminated against on the basis of their disability and they shall be provided with a free appropriate public education regardless of the nature or severity of their disability. Students may be considered disabled under this policy even if they are not covered under the District's special education policies and procedures.~~

~~Students with disabilities may also require reasonable accommodations. Requests for accommodations shall be made in writing and approved by the building principal after approval from Administration. Accommodations may include, but not necessarily be limited to, exclusion from participation in an activity, alternative assignments, and make up opportunities for coursework missed due to religious observances. Any accommodations granted under this policy shall be provided to students without prejudicial effect.~~

Consistent with the District's legal requirements, the District shall not discriminate against any student on the basis of a protected status or classification as identified by law, in its curricular, career and technical education, co-curricular, student services, recreational or other programs or activities, or in admission to or access to programs or activities offered by the District. This includes, but is not limited to, the following:

- Admission to any school, class, program, or activity;
- Standards and rules of behavior, including student harassment;
- Disciplinary actions, including suspensions and expulsions;
- Methods, practices and materials used for testing, evaluating and counseling students;
- Facilities;
- Opportunity for participation in athletic programs or activities; and
- School-sponsored food service programs.

Similarly, the District prohibits harassment based on a student's protected status. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student based on the student's protected status that:

- Places a student in reasonable fear of harm to their person or damage to their property;
- Has the effect of substantially interfering with a student's performance or opportunities;  
or
- Has the effect of substantially disrupting the orderly operation of a school.

The District encourages informal resolution of complaints under this policy. A formal complaint procedure shall also be available to address allegations of violations that cannot be resolved informally.

Annually, the District shall provide public notice of this policy, the name and address of the designated staff member to receive complaints and the complaint procedures. Student nondiscrimination **and anti-harassment** statements shall also be included in staff and student handbooks, course selection handbooks and other published materials distributed to the public describing school activities and opportunities. This policy and its complaint procedure shall be published annually through the student information system or through direct email publication.

Any complaint regarding the interpretation or application of the District's student nondiscrimination **and anti-harassment** related policies shall be processed in accordance with the following procedures.

PLEASE NOTE: Discrimination complaints involving federal law violations (sex, race, color, national origin, handicap or disability) may be made directly at any time to the U.S. Office for Civil Rights - Region V, 401 South State Street, Chicago IL 60605-1292 and a student is not obligated to follow this informal complaint procedure for such complaints.

#### **DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE**

**This Policy and procedure does not apply to claims of sexual harassment in accordance with Title IX. Such allegations will be addressed as specified in Board Policy 1710 – Nondiscrimination on the Basis of Sex in Education Programs or Activities. If a student believes they were subject to Title IX sexual harassment, they should contact the Title IX Coordinator(s), as described in Board Policy 1710 for purposes of filing a complaint.**

#### **Compliance Officer**

**The Chief of School Leadership shall serve as the District’s anti-discrimination and anti-harassment Compliance Officer (“CO”) and shall be responsible for facilitating any investigation of discrimination or harassment under this Policy. Any student who believes they have been subjected to discrimination or harassment, should file a complaint with the CO. The following individual is designated to serve as the District’s Compliance Officer:**

**William Haithcock**  
**Chief of School Leadership**  
**3600 52<sup>nd</sup> Street**  
**Kenosha, WI 53144**  
**(262) 359-6267**  
**[whaithco@kUSD.edu](mailto:whaithco@kUSD.edu)**

**The District CO shall be responsible for coordinating the District’s compliance efforts with this policy and state and federal law regulations relative to anti-discrimination and anti-harassment in the District’s education programs.**

#### **Reporting Discrimination or Harassment**

The District promotes the voluntary resolution of problems at the level of government closest to their source and, as such, encourages informal resolution of student discrimination **and harassment** complaints. Any request to informally resolve a complaint should be directed to the student’s building principal. Upon receipt of a request to informally resolve a complaint the building principal shall notify the ~~Chief of School Leadership~~ **CO** within ~~three~~ **two (2)** school days. If a complaint cannot be resolved informally, the Complainant may initiate a formal complaint as outlined below. An informal resolution of a complaint does not prohibit the filing of a formal complaint at any time.

**Filing of a Formal Complaint FORMAL COMPLAINT PROCEDURE**

~~The timelines governing the resolution of the formal complaint do not go into effect until the written complaint is received.~~

~~Step 1: Except as outlined in (a) and (b) below, a~~ To file a formal complaint, the Complainant shall present a signed written statement ~~of the complaint shall be signed and submitted by~~ to the CO ~~complainant to the Chief of School Leadership~~. The statement shall specify the nature of the alleged discrimination, the facts (including specific details and corresponding dates), the relief sought and the name, address and phone number of the Complainant. ~~The timelines governing the resolution of the formal complaint do not go into effect until the written complaint is received.~~

The CO shall acknowledge, in writing, the receipt of the formal complaint within two (2) business days. The Complainant's wishes with respect to whether the District investigates reported conduct will be considered, subject to applicable state and federal law. The Board reserves the right to investigate and resolve a complaint or report of discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

**Investigation**

The CO or their designee shall thoroughly and impartially investigate the discrimination and/or harassment complaint. Investigators may be staff members or independent contractors.

The CO shall notify the Respondent that a complaint has been received within five (5) business days. The Respondent will be informed about the nature of the allegations, be provided with a copy of this Policy. The Respondent will also be notified of the opportunity to submit a written statement.

Although certain cases may require additional time, the CO will attempt to complete an investigation into the allegations of discrimination and/or harassment within a reasonably prompt time frame, not to exceed forty-five (45) calendar days. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations, as determined by the CO; and
- D. consideration of any documentation or other evidence presented by the Complainant, Respondent, or any other witness which is reasonably believed to be relevant to the allegations, as determined by the CO.

**Compliance Officer's Conclusion**

After the CO thoroughly investigates the complaint, the CO shall provide a written conclusion to the Complaint within sixty (60) calendar days after receipt of the written formal complaint, unless the parties agree, in writing, to extend the timeline.

**Appeal to the Superintendent**

If the Complainant is not satisfied with the conclusion of the CO, a written appeal to the Superintendent may be submitted, indicating with particularity, the nature of the disagreement with the answer. This appeal must be filed within five (5) calendar days after receipt of the CO's answer. The Superintendent

or designee shall arrange a meeting with the Complainant, at a mutually agreeable time, to discuss the appeal. The Superintendent or designee shall, by certified mail, provide a written answer to the Complainant's appeal within ten (10) calendar days. The decision of the Superintendent shall be the final determination of the matter.

~~The Chief of School Leadership shall thoroughly investigate the complaint, notify the employees who have been accused of discrimination or harassment and permit them to respond to the allegation. Thereafter, the Chief of School Leadership shall arrange a meeting to discuss the complaint with the Complainant. The Chief of School Leadership shall, by certified mail, give a written answer to the complaint within 20 school days after receipt of the written complaint unless the parties agree in writing to extend the timeline.~~

a. ~~Discrimination complaints relating to the identification, evaluation, educational placement or the provision of free appropriate public education of a student with a disability under the Individuals with Disabilities Act shall be processed in accordance with established appeal procedures outlined in the District's Special Education Program and Procedure Manual.~~

b. ~~Discrimination complaints relating to programs specifically governed by federal law or~~

c. ~~regulation (e.g., Title 34, Code of Federal Regulations (CFR), Parts 75-79, 81 to~~

d. ~~86 and 97-99, "EDGAR complaints" or 20 USC § 1400 et. seq., "IDEA complaints") may be referred directly to the State Superintendent of Public Instruction.~~

~~**Step 2:** If the complainant is not satisfied with the answer of the Chief of School Leadership, a written appeal to the Superintendent may be submitted indicating with particularity the nature of disagreement with the answer. The appeal must be filed within 10 calendar days after receipt of the Chief of School Leadership's answer. The Superintendent or designee shall arrange a meeting with the complainant at a mutually agreeable time to discuss the appeal. The Superintendent or designee shall, by certified mail, give a written answer to the complainant's appeal within 20 working days.~~

~~**Step 3:** If the complainant is not satisfied with the answer of the Superintendent or designee, an appeal may be filed with the School Board by submitting a written appeal to the Superintendent within 10 calendar days after receipt of the Superintendent or designee's answer. The Board shall, within 20 calendar days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall give, by certified mail, a written answer to the complaint within 10 working days following the completion of the hearing. The determination of the Board shall be based upon a reasonable consideration of the facts allegedly constituting a violation as presented in the complaint. If it is determined that a violation has occurred, the Board shall take appropriate steps to ensure compliance with state and federal laws and Board policy. If the Board denies the appeal, the complainant will be notified of their right to appeal the decision to the State Superintendent.~~

#### APPEAL TO THE STATE SUPERINTENDENT

~~**Step 4:** If a Complainant wishes to appeal the Board's Superintendent's denial of an appeal decision, there is the right to appeal the decision to the State Superintendent within thirty (30) calendar days of the written notification of the Board's decision. The appeal must specify the grounds upon which the action was brought, the facts and the relief sought, and must be signed by the Complainant. If the Complainant is a minor, the appeal shall also be signed by his/her parent or guardian. Appeals should be addressed to: State Superintendent, Wisconsin Department of Public Instruction, 125 S. Webster Street, P.O. Box 7841, Madison, WI 53707-7841.~~

#### NONDISCRIMINATION OF STUDENTS WITH DISABILITIES NON RETALIATION

Pursuant to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, students with disabilities may not be discriminated against on the basis of their disability and they shall be provided with a free appropriate public education regardless of the nature or severity of their disability. Students may be considered disabled under this policy even if they are not covered under the District's special education policies and procedures.

Students with disabilities may also require reasonable accommodations. Requests for accommodations shall be made in writing and approved by the building principal after approval from Administration. Accommodations may include, but not necessarily be limited to, exclusion from participation in an activity, alternative assignments, and make up opportunities for coursework missed due to religious observances. Any accommodations granted under this policy shall be provided to students without prejudicial effect.

Discrimination complaints relating to the identification, evaluation, educational placement or the provision of free appropriate public education of a student with a disability under the Individuals with Disabilities Act shall be processed in accordance with established appeal procedures outlined in the District's Special Education Program and Procedure Manual.

Discrimination complaints relating to programs specifically governed by federal law or regulation (e.g., Title 34, Code of Federal Regulations, Parts 75-79, 81-86, and 97-99, "EDGAR complaints" or 20 USC § 1400 et seq., "IDEA complaints" may be referred directly to the State Superintendent of Public Instruction.

### **REMEDIAL ACTION**

In situations where discrimination and/or harassment has been substantiated, appropriate remedial action shall be identified and implemented on behalf of the Complainant. Remedial actions may include, but shall not be limited to counseling services, reinstatement of paid leave allotments utilized as a result of the harassment, workplace modifications, or other appropriate action.

The CO shall ensure follow up with the Complainant to ensure no further discrimination, harassment, or retaliation has occurred and to take further necessary and appropriate action to promptly address any recurrences.

### **RETALIATION PROHIBITED**

The District prohibits retaliation against individuals who report or participate in an investigation of discrimination or harassment. Individuals engaging in prohibited retaliatory behavior are subject to disciplinary action, as described in this policy.

### **DISCIPLINARY ACTION FOR VIOLATIONS OF THIS POLICY**

The District shall vigorously enforce this policy and its prohibition against discrimination, harassment, or retaliation through action appropriate and reasonably calculated to end discrimination, harassment, or retaliation, prevent recurrence, and remedy its effects. If it is determined that discriminatory, harassing, or retaliatory conduct by a student occurred, the ~~school-district-administration~~ District may take disciplinary action, including but not limited to: counseling, detention, suspension, expulsion and/or referral to law enforcement officials for possible legal action, as appropriate.

If it is determined that discriminatory, harassing, or retaliatory conduct by a District employee occurred, the District may take disciplinary action including but not limited to a formal reprimand, a demotion or other disciplinary reassignment, suspension from work, contract nonrenewal, termination of employment, or restrictions on permission to be present on District property or at certain District-



### **sponsored events**

Student support staff will provide support services for all students involved in the incident as deemed necessary and appropriate. **Any individual making a knowingly false accusation regarding discrimination or harassment will likewise be subject to disciplinary action in accordance with Board Policy and the Code of Classroom Conduct.**

### **MAINTENANCE OF COMPLAINT RECORDS/RECORDKEEPING**

Records shall be kept of all student discrimination complaints for the purpose of documenting compliance. The records shall **be kept for seven (7) years and shall** include information on all levels of the complaint and any appeals. The records should include:

1. The name of the Complainant and their title or status.
2. The date the complaint was filed.
3. The specific allegation made, and any corrective action requested by the complaint.
4. The name(s) of the Respondents.
5. The levels of processing followed, and the resolution, date and decision-making authority at each level.
6. A summary of facts and evidence presented by each party involved.
7. A statement of the final resolution and the nature and date(s) of any corrective or remedial action taken.

### **CONFIDENTIALITY**

**The District will keep confidential the identity of any individual who has made a report or filed a formal complaint alleging discrimination or harassment, including any Complainant, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act and its implementing regulations and Wisconsin's Pupil Records Law, or as required by any state or other federal law, or to carry out the purposes of the state or federal regulations.**

### **TRAINING**

**The District will provide training to all individuals regarding discrimination and harassment. The District will also provide additional training to all staff responsible for implementing this policy**

LEGAL REF.: Wisconsin Statutes Section 118.13 [Student discrimination prohibited] Wisconsin Administrative Code PI 9 [Student nondiscrimination policies/discrimination complaint procedures required]  
Wisconsin Administrative Code PI 41 [Accommodating a student's religious beliefs policy required]  
Title IX, Education Amendments of 1972 [Sex discrimination prohibited]  
Title VI, Civil Rights Act of 1964 [Race, color and national origin discrimination prohibited]  
Section 504 of the Rehabilitation Act of 1973 [Handicap discrimination prohibited]  
Americans with Disabilities Act of 1990 [Disability discrimination prohibited]  
Individuals with Disabilities Education Act [Accommodating needs of disabled children]

CROSS REF.: Policy 3280, Student Fees  
Policy 5111, Anti-Bullying/Harassment/Hate  
**Policy 5110.2 Nondiscrimination Guidelines Related to Students Who Are**

**Transgender and Students Nonconforming to Gender Role Stereotypes**

Policy 5341, Released Time for Religious Instruction Policy 5440, Married Students and School-Age Parents Policy 6230, Ceremonies and Observations Policy 6330, Privacy Rights in District Programs Policy 6421, Services for Students with Disabilities Policy 6810, Teaching about Controversial Issues

**Policy 1710 Nondiscrimination on the Basis of Sex in Education Programs or Activities**

Section 504 Educational Program Plan  
Special Education Program and Procedure Manual

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: September 24, 1991

REVISED: March 22, 1994  
November 28, 1995  
July 10, 2001  
December 10, 2019  
November 17, 2020  
**September 27, 2022**

## **NEW POLICY**

### **POLICY 4111.1** **EMPLOYEE DISCRIMINATION** **AND HARASSMENT** **COMPLAINT PROCEDURE**

The Kenosha Unified School District seeks to provide fair and equal employment opportunities and to maintain a professional work and academic environment comprised of people who respect one another and who believe in the district's high ideals. Discrimination and harassment are forms of misconduct that undermines the integrity of the District's employment and academic relationships. All employees and students must be allowed to work and learn in an environment that is free from discrimination and harassment. See Board Policy 4110 – Equal Opportunity and Affirmative Action, Board Policy 4111 – Employee Anti-Harassment.

This Policy and procedure does not apply to claims of sexual harassment in accordance with Title IX. Such allegations will be addressed as specified in Board Policy [XXX]. If an employee believes they were subject to Title IX sexual harassment, they should contact the Title IX Coordinator(s), as described in Board Policy 1710.

#### **COMPLIANCE OFFICER**

The Chief Human Resource Officer shall serve as the District's anti-discrimination and anti-harassment Compliance Officer ("CO") and shall be responsible for facilitating any investigation of discrimination or harassment under this Policy. Any District employee who believes they have been subjected to discrimination or harassment should file a complaint with the CO. The following individual is designated to serve as the District's Compliance Officer:

Kevin Neir  
Chief of Human Resources  
3600 52<sup>nd</sup> Street  
Kenosha, WI 53144  
(262) 359-7376  
[kneir@kUSD.edu](mailto:kneir@kUSD.edu)

The District's CO shall be responsible for coordinating the District's compliance efforts with this policy and state and federal law and regulations relative to anti-discrimination and anti-harassment in the workplace.

#### **DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE**

##### **Reporting Discrimination or Harassment**

Anyone believing that they have been discriminated against or harassed contrary to Policy 4110 and/or Policy 4111 should contact the CO to discuss their concerns with the CO or direct supervisor. Any person may report such incidents to the CO in person, by mail, by electronic mail,

by phone, by electronic submission by using the contact information provided. Further, all District employees who observe incidents of harassment shall report such incidents to the CO within two (2) business days. If the incident involves the CO, the report should be made to the District Superintendent. If the concern is not informally resolved at this level, the Complainant should file a written formal complaint with the CO.

Complaints relative to sexual harassment are covered by Board Policy 1710 – Nondiscrimination on the Basis of Sex in Education Programs or Activities.

### Filing of a Formal Complaint

To file a formal complaint, the Complainant shall present, in writing, the specific nature of the alleged discrimination or harassment and corresponding date(s), names of those who may have witnessed the alleged discrimination or harassment, and the name, address, and phone number of the Complainant. The CO shall acknowledge, in writing, the receipt of the complaint within two (2) business days. The Complainant's wishes with respect to whether the District investigates reported conduct will be considered, subject to applicable state and federal law. The Board reserves the right to investigate and resolve a complaint or report of discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

If the Respondent is a District employee, the District may place the Respondent on administrative leave during the pendency of the complaint process.

### Investigation

The CO or their designee shall thoroughly and impartially investigate the discrimination and/or harassment complaint. Investigators may be staff members or independent contractors.

The CO shall notify the Respondent that a complaint has been received within five (5) business days. The Respondent will be informed about the nature of the allegations, be provided with a copy of Policy 4111 (harassment) and Policy 4110 (discrimination and will also be provided with this Policy. The Respondent will also be notified of the opportunity to submit a written statement.

Although certain cases may require additional time, the CO will attempt to complete an investigation into the allegations of discrimination and/or harassment within a reasonably prompt time frame, not to exceed forty-five (45) calendar days. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations, as determined by the CO; and
- D. consideration of any documentation or other evidence presented by the Complainant, Respondent, or any other witness which is reasonably believed to be relevant to the allegations, as determined by the CO.

### Compliance Officer's Conclusion

After the CO thoroughly investigates the complaint, the CO shall provide a written conclusion to the Complaint within sixty (60) calendar days after receipt of the written formal complaint, unless the parties agree, in writing, to extend the timeline.

### Appeal to the Superintendent

If the Complainant is not satisfied with the conclusion of the CO, a written appeal to the Superintendent may be submitted, indicating with particularity, the nature of the disagreement with the answer. This appeal must be filed within five (5) calendar days after receipt of the CO's answer. The Superintendent or designee shall arrange a meeting with the Complainant, at a mutually agreeable time, to discuss the appeal. The Superintendent or designee shall, by certified mail, provide a written answer to the Complainant's appeal within ten (10) calendar days. The decision of the Superintendent shall be the final determination of the matter.

### **OTHER AVAILABLE REMEDIES**

Nothing in these procedures shall interfere with or preclude persons from filing a complaint directly, or on appeal, with designated agencies as authorized by state and federal laws (*e.g.*, U.S. Office of Civil Rights, Equal Rights Division of the Department of Workforce Development, or the U.S. Equal Employment Opportunity Commission) and/or with courts having proper jurisdiction.

### **REMEDIAL ACTION**

In situations where discrimination and/or harassment has been substantiated, appropriate remedial action shall be identified and implemented on behalf of the Complainant. Remedial actions may include, but shall not be limited to counseling services, reinstatement of paid leave allotments utilized as a result of the harassment, workplace modifications, or other appropriate action.

The CO shall ensure follow up with the Complainant to ensure no further discrimination, harassment, or retaliation has occurred and to take further necessary and appropriate action to promptly address any recurrences.

### **RETALIATION PROHIBITED**

The District prohibits retaliation against individuals who report or participate in an investigation of discrimination or harassment. Individuals engaging in prohibited retaliatory behavior are subject to disciplinary action. If it is determined that retaliatory conduct occurred, the District may take disciplinary action, including but not limited to, a formal reprimand, a demotion or other disciplinary reassignment, suspension from work, contract nonrenewal, termination of employment, or restrictions on permission to be present on District property or at certain District-sponsored events.

### **DISCIPLINARY ACTION FOR VIOLATIONS OF THIS POLICY**

The Board shall vigorously enforce this policy and its prohibition against discrimination, harassment, and retaliation through action appropriate and reasonably calculated to end the discrimination, harassment, or retaliation, prevent recurrence, and remedy its effects. District employees found to have engaged in unlawful discrimination or harassment under this Policy are subject to disciplinary action, up to and including discharge from employment, in accordance with Board policy and applicable state and federal law. Any individual making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action in accordance with Board Policy.

If the investigation results in disciplinary action, the District employee subject to discipline is entitled to file a grievance pursuant to Board Policy 4271.

### **CONFIDENTIALITY**

The District will keep confidential the identity of any individual who has made a report or filed a formal complaint alleging discrimination or harassment, including any Complainant, any Respondent, and any witness, except required by any state or other federal law, or to carry out the purposes of the state or federal regulations.

### **TRAINING**

The District will provide training to all individuals implementing the procedures set forth in complaint procedure.

### **RECORDKEEPING**

The District will maintain all records required by state and federal law which have been created or obtained in response to a report or a formal complaint of discrimination or harassment for seven (7) years.

LEGAL REF: Wisconsin Statutes Sections 111.31-111.395 (Fair employment standards – employment discrimination); 118.195 (Handicapped teacher discrimination); 118.20 (teacher discrimination, including sexual harassment).  
Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 (Race, color, national origin discrimination; general employment discrimination)  
Title IX, Education Amendments of 1972 (Sex discrimination) Section 504, Rehabilitation Act of 1973 (Handicap discrimination) Age Discrimination Act of 1975 (Age discrimination)  
Age Discrimination in Employment Act of 1967 (Age discrimination)  
Pregnancy Discrimination Act (Pregnancy, childbirth or related medical conditions discrimination)  
Immigration Control and Reform Act of 1986 (Citizenship discrimination)  
Americans with Disabilities Act of 1990, as amended by the ADAAA

(Disability discrimination)  
Civil Rights Act of 1991 (Penalties for discrimination law violations)  
Equal Employment Opportunities Commission Guidelines (29 C.F.R. – Part  
1604.11) (Employee sexual harassment)

CROSS REF.: Policy 4110 - Equal Employment Opportunity and Affirmative Action  
Employee Handbook  
Policy 4111 – Employee Anti-Harassment  
Policy 4271 – Employee Complaint (Grievance)  
Policy 1710 – Nondiscrimination on the Basis of Sex in Education Programs or  
Activities

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: September 27, 2022

## **NEW POLICY**

### **POLICY 1710 NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES (TITLE IX)**

The Kenosha Unified School District (the “District”) does not discriminate on the basis of sex in any of its education programs or activities and it complies with Title IX of the Education Amendments Act of 1972 (“Title IX”) and its implementing regulations, concerning any individual in the District’s education programs and activities. Pursuant to the District’s Title IX obligations, the District prohibits sexual harassment that occurs within its education programs and activities. The District is further committed to eliminating sexual harassment by taking appropriate action to determine whether sexual harassment has occurred, and if it has, to provide persons who have experienced sexual harassment with supportive measures as reasonably necessary to restore or preserve access to the District’s education programs and activities. The District is committed to responding to Title IX sexual harassment or allegations of sexual harassment in a prompt manner that is not deliberately indifferent under circumstances in which the federal regulations deem the District to have actual knowledge of such sexual harassment.

The process and procedures described herein apply exclusively to reports and complaints brought under this Policy.

#### **TITLE IX SEXUAL HARASSMENT PROHIBITED**

An individual, including a District employee or agent, a District student, or other third party, engages in Title IX sexual harassment whenever that individual engages in conduct on the basis of another individual’s sex that satisfies one or more of the following:

- A. A District employee conditions the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct (“*quid pro quo*”);
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or
- C. “Sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or “stalking” as defined in 34 U.S.C. § 12291(a)(30).
  1. “Sexual assault” means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.



- a. *Rape* is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. Attempted rape is included.
  - b. *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
  - c. *Sexual Assault with an Object* is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.
  - d. *Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
  - e. *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
  - f. *Statutory Rape* is sexual intercourse with a person who is under the statutory age of consent as defined by Wis. Stat. §§ 948.02 or 948.09, or whose status as a student prohibits such sexual contact per Wis. Stat. §948.095.
  - g. *Other Sexual Contact* includes the intentional emission of bodily fluids on the complainant, or at the direction of the Respondent, for the purposes of sexual gratification as defined in Wis. Stat. § 940.225(5)(b).
2. “Domestic violence” includes felony or misdemeanor crimes of violence committed by:
- a. A current or former spouse or intimate partner of the victim;
  - b. A person with whom the victim shares a child in common;
  - c. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

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

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, and sexual abuse.

This Policy does not apply to sexual harassment that occurs off District property and outside the scope of the District's education programs or activities or sexual harassment that occurs outside of the United States.

## **DEFINITIONS**

**Actual Knowledge** refers to notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator(s), any District official who has authority to institute corrective measures on behalf of the District, or any employee.

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Consent** refers to words or actions that a reasonable person could understand as an agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is incapable of giving consent.

**Day(s)** Unless otherwise specifically stated herein, "day(s)" means calendar days.

**Education program or activity** refers to all operations of the District over which the District exercises substantial control over both the Respondent and the context in which the alleged sexual harassment occurs.

**Eligible student** means an individual who is participating in or attempting to participate in an education program or activity of the District.

**Exculpatory evidence** is evidence that tends to clear or excuse a Respondent from allegations of sexual harassment.

**Formal complaint** means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation(s).

**Inculpatory evidence** is evidence that tends to establish a Respondent’s responsibility for alleged sexual harassment.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Supportive measures** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, additional supervision or planned accompaniment, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security, supervision, monitoring of certain areas of school grounds, and other similar measures.

**Third parties** include, but are not limited to, guests and visitors on District property, vendors doing business with or seeking to do business with the District or the School Board, and other individuals who come in contact with members of the District community at school-related events or activities.

**Title IX Coordinator** is the individual responsible for coordinating the District’s efforts to comply with its obligations under Title IX and Title IX regulations. This policy will refer to the “Title IX Coordinator” in the singular form. The District has two designated Title IX Coordinators, and the singular term as used throughout this policy can mean either of the coordinators. The Title IX Coordinators are:

Julie Housaman  
Chief of Academics  
3600 52<sup>nd</sup> Street  
Kenosha, WI 53144  
(262) 359-6311  
[jhousama@kUSD.edu](mailto:jhousama@kUSD.edu)

William Haithcock  
Chief of Schools  
3600 52<sup>nd</sup> Street  
Kenosha, WI 53144  
(262) 359-6008  
[whaithco@kUSD.edu](mailto:whaithco@kUSD.edu)

## **MAKING A REPORT**

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other District employee with whom the person feels comfortable reporting the allegations to, in person, by mail, by telephone, or by electronic mail. If the report is made to a District employee, they shall forward the report to the Title IX Coordinator within two (2) days. Any District employee who fails to do so may be disciplined, up to and including discharge.

In the event that the Title IX Coordinator is the individual alleged to have engaged in sexual harassment, report may be submitted to the Superintendent or another District employee, who will notify the Superintendent of the report or complaint. In such cases, the Superintendent shall serve as the Title IX Coordinator for the purposes of addressing that specific report or complaint.

## **REVIEWING REPORTED SEXUAL HARASSMENT**

When a report of sexual harassment is made, the Title IX Coordinator and/or designee will contact the Complainant within two (2) days to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint.

If the Complainant does not file a formal complaint, the Title IX Coordinator has the authority to sign a formal complaint and trigger the District's Title IX grievance process if: (1) the Complainant is not an eligible student and therefore is ineligible to file a formal complaint, or (2) the Complainant chooses not to file a formal complaint but the Title IX Coordinator finds that the District's interests are substantial enough that the matter should be investigated and resolved through the grievance process without the Complainant's direct cooperation. Upon signing a formal complaint, the Title IX Coordinator does not become a complainant or a party to the complaint, and any Complainant who is identified in relation to the allegations retains their status as a Complainant in connection with the grievance process.

Further, the Title IX Coordinator will analyze the report to determine whether the allegations implicate another or additional District or Board policy, which would require another or additional processes. These policies include 4111 – Employee Anti-Harassment, 5110.1 – Student Equal Opportunity and Non-discrimination in Education, 5110.2 – Nondiscrimination Guidelines Related to Students Who Are Transgender and Students Nonconforming to Gender Role Stereotypes, 5111 – Bullying, 5540 – Abuse/Neglect, and 4112 – Violence in the Workplace.

The Title IX Coordinator may also remove a student Respondent from the District's education program or activity on an emergency basis if the Title IX Coordinator finds that the Respondent poses an immediate threat to the physical health or safety of any student or other individual involved after conducting an individualized safety and risk analysis. If the Respondent is a non-student District employee, the District may place the Respondent on administrative leave during the pendency of the grievance process. If the Respondent is a third-party, the District retains broad discretion to prohibit such persons from District property at any time and for any reason. Any such

emergency removal will be in accordance with all relevant District Policies and all relevant state and federal law.

### **FORMAL TITLE IX COMPLAINT GRIEVANCE PROCESS**

Before beginning the grievance process, the Title IX Coordinator will consider whether there is a basis for dismissal of the formal complaint or any of the specific allegations. This determination may also be made while the formal complaint is pending. The following scenarios warrant either mandatory dismissal or permissive dismissal.

- A. The formal complaint or specific allegations in the formal complaint must be dismissed if the conduct alleged in the formal complaint:
  - 1. Would not constitute sexual harassment as defined under Title IX even if proved;
  - 2. Did not occur within the District's education program or activity; or
  - 3. Did not occur against a person in the United States.
  
- B. The formal complaint or specific allegations in the formal complaint may be dismissed if any of the following apply:
  - 1. The Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations therein; or
  - 2. The Respondent is no longer enrolled in the District or no longer employed by the District;
  - 3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination.

If the formal complaint is dismissed, the Title IX Coordinator or their designee will promptly send written notice of dismissal and the reasons for dismissal to all parties. This decision may be appealed through the appeal process described in this policy.

If the formal complaint is not dismissed, the District's Title IX grievance process must be initiated. At a minimum, the District's grievance process shall:

- A. Treat Complainants and Respondents equitably by providing remedies to a Complainant where the Respondent is determined to be responsible for sexual harassment and by following a grievance process that complies with Title IX before the imposition of any disciplinary sanctions or other actions against a Respondent.
  
- B. Require an objective evaluation of all relevant evidence and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
  
- C. Require that any person designated by the District as a Title IX Coordinator, investigator, decision-maker, or informal process facilitator not have any conflict of interest or bias for or against the Complainant or Respondent or complainants or respondents generally.

- D. Require that any person designated by the District as a Title IX Coordinator, investigator, decision-maker, or informal process facilitator receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process, and how to serve impartially.
- E. Require that any person designated by the District as an investigator receive training on issues of relevance to produce an investigative report that fairly summarizes relevant evidence.
- F. Require that any person designated by the District as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.
- G. Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- H. Include reasonably prompt timeframes for conclusion of the grievance process.
- I. Describe the range of possible disciplinary sanctions and remedies the District may implement following any determination of responsibility.
- J. Base all decisions on the preponderance of evidence standard, which means the evidence must show that sexual harassment more likely than not did occur and more likely than not the Respondent committed the sexual harassment at issue.
- K. Include the procedures and permissible bases for the Complainant and Respondent to appeal.
- L. Describe the range of supportive measures available to Complainants and Respondents.
- M. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The District will seek to conclude the grievance process, which includes an investigation and determination of responsibility, within ninety (90) calendar days of receipt of the formal complaint. The grievance process may be followed by an appeal process which will be conducted in a timely manner as described in this policy.

### ***Informal Resolution***

At any point after a formal complaint has been filed but before reaching a determination of responsibility under the full grievance process, the District may ask the parties if they wish to consider addressing the situation through an informal resolution process facilitated by the District. Informal resolution shall be strictly voluntary. Informal resolution will not be an option if the

formal complaint includes allegations that a District employee or third-party adult sexually harassed a student or allegations of sexual assault.

The informal resolution process allows the parties to attempt a resolution of the formal complaint without a full investigation and determination of responsibility. Both the Complainant and Respondent must agree to informal resolution and provide voluntary written consent. If the informal resolution is not successful, the District will complete the full investigation and adjudication of the formal complaint under the grievance process.

### ***Investigation***

During the investigation, both parties have the right to present witnesses, present inculpatory and exculpatory evidence, and have others present during any grievance proceeding. Both parties have the right to inspect and review any evidence obtained as part of the investigation.

The investigator is tasked with completing an investigative report which fairly summarizes all relevant evidence. Prior to the completion of the investigative report, the investigator will send each party all evidence subject to inspection and the parties will have ten (10) days to review and submit a written response if they choose. The investigator will consider any written response when completing the final investigative report which will be provided to the decision-maker.

### ***Determination of Responsibility***

The Title IX Coordinator will appoint a decision-maker to then issue a determination of responsibility. After the investigator provides the decision-maker with the report, the decision-maker will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide the party or witness with the questions, and allow for additional time for limited follow-up questions. The decision-maker will then issue a written determination regarding responsibility.

The written determination regarding responsibility will include all of the following:

- A. Identification of the allegations potentially constituting sexual harassment under Title IX;
- B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the relevant legal standards and the District's code of conduct (i.e., District policies and rules that apply to the party in question); and
- E. A statement of, and rationale for, the result as to each allegation, including all of the following:
  - 1. A determination regarding responsibility;

2. Any disciplinary sanctions the District imposes on the Respondent or, in cases where a particular disciplinary sanction is beyond the direct authority of the decision-maker, a statement of the disciplinary sanction(s) that the decision-maker is recommending as an appropriate consequence;
3. Whether the District will provide the Complainant with any remedies designed to restore or preserve the Complainant's equal access to the District's education program or activity;
4. The District's procedures and permissible bases for the Complainant and Respondent to appeal. If a formal complaint of Title IX sexual harassment also constitutes a complaint of pupil discrimination under Wis. Admin. Code PI ch. 9, the District may also use this notice to inform the Complainant of their right to appeal any adverse final determination of their complaint under state law to the State Superintendent of Public Instruction (DPI), as well as the procedures for making such an appeal to DPI.
5. The decision-maker or a designee acting on his/her behalf must provide the written determination to the parties simultaneously.
6. Disciplinary sanctions and any remedies that could not be offered as supportive measures shall not be enforced until the determination of the complaint becomes final.

### **APPEAL**

Both parties have the right to file a written appeal from a determination regarding responsibility or from the Title IX Coordinator's dismissal of a formal complaint or any allegations therein. A written appeal must be filed with the Title IX Coordinator within five (5) days of the determination regarding responsibility. An appeal may be based on any of the following and must have affected the outcome of the matter:

- A. A procedural irregularity;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility was made;
- C. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent; and
- D. The initial decision was substantively erroneous in that the facts did not adequately support the conclusion.

The appeal decision-maker will issue a written decision describing the result of the appeal and the rationale for that result. The determination of responsibility becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the appeal decision-maker's decision is delivered to the Complainant and the Respondent.



## **ENFORCEMENT**

If an individual is found to be responsible for Title IX sexual harassment at the conclusion of the grievance process, the District may impose disciplinary sanctions which depend on the nature of the misconduct and the individual's status as an employee, student, or third-party.

Possible disciplinary sanctions available to students include, but are not limited to, suspension or expulsion from school consistent with Board Policies and Wis. Stat. § 120.13(1), suspension of eligibility to participate in co-curricular activities or other District-sponsored events. The District may also restrict or deny permission to be present on District property or at certain District-sponsored events or activities. This provision does not modify any student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.

Possible disciplinary sanctions available to District employees will be imposed in accordance with Board Policies and the Employee Handbook, and include, but are not limited to, a formal reprimand, a demotion or other disciplinary reassignment, suspension from work, contract nonrenewal, termination of employment, or restrictions on permission to be present on District property or at certain District-sponsored events.

Possible disciplinary sanctions available to third parties include, but are not limited to, suspension or termination of a District-authorized role (e.g., volunteer), termination or nonrenewal of third-party contracts, and restrictions on permission to be present on District property or at District-sponsored events or activities.

Any individual making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action in accordance with Board Policy and the Code of Classroom Conduct.

## **RETALIATION PROHIBITED**

The District prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Retaliation includes intimidation, threats, coercion, and discriminatory treatment. Complaints alleging retaliation may be filed according to the grievance procedures set forth under Board Policy 5110.1.

Any individual who retaliates against other for reporting or complaining of violations of this policy or for participating in any manner in this policy will be subject to disciplinary action, up to and including discharge, with regard to District employees, suspension and expulsion, with regard to students, and all remedies available to the Board, with regard to third parties.

### **Authority**

The Board has the authority to appoint Title IX Coordinators, who have the responsibility of selecting appropriately trained individuals to carry out the requirements of Title IX and act as an investigator, advisor, informal resolution facilitator, decision-maker, or appeal decision-maker.

**Confidentiality**

The District will keep confidential the identity of any individual who has made a report or filed a formal complaint alleging Title IX sexual harassment, including any Complainant, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act and its implementing regulations, or as required by any state or other federal law, or to carry out the purposes of the federal Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising under the federal Title IX regulations.

**Consolidation of Formal Complaints**

The Title IX Coordinator may choose to consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

**Other Available Remedies**

Nothing in this Policy precludes an individual from filing a criminal complaint with outside law enforcement agencies. Further, nothing within this Policy shall preclude individuals from filing a discrimination complaint or request for enforcement directly with the U.S. Department of Education’s Office for Civil Rights, as authorized by federal law.

**Notice**

The District will provide notice of this policy by making it available on the District’s website and each handbook that the District makes available to persons entitled to a notification.

**Recordkeeping**

The District will maintain all records required by state and federal law which have been created or obtained in response to a report or a formal complaint of sexual harassment for seven (7) years.

**Training**

The District will provide training to all appropriate individuals regarding sexual discrimination, sexual harassment, sexual violence, and Title IX. The District will also provide additional training to all staff responsible for implementing the complaint procedures. The District will make its training materials publicly available on its website and if a person is unable to access the District’s website, the Title IX Coordinator will make the training materials available upon request for inspection by members of the public.

LEGAL REF.:	20 U.S.C. § 1681 et seq., Title IX of the Education Amendments Act of 1972
	20 U.S.C. § 1092(f)(6)(A)(v)
	34 U.S.C. § 12291(a)(10)
	34 U.S.C. § 12291(a)(8)
	34 U.S.C. § 12291(a)(30)
	Wis. Stat. § 111.32(13)
	Wis. Stat. § 118.13
	Wis. Stat. § 120.13(1)

CROSS REF.:                      4111 Employee Anti-Harassment  
  4224 Employee Code of Ethics  
  5110.1 Student Equal Opportunity, Non-Discrimination and Anti-  
  Harassment in Education  
  5110.2 Nondiscrimination Guidelines Related to Students Who  
  Are Transgender and Students Nonconforming to Gender  
  Role Stereotypes  
  5111 Bullying  
  5540 Abuse/Neglect

ADMINISTRATIVE REGULATIONS: 34 C.F.R. Part 106  
  Wis. Admin. Code PI ch. 9

AFFIRMED: September 27, 2022.

REVISED:

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**Kenosha Unified School District  
Kenosha, Wisconsin**

**September 27, 2022**

**HEAD START SEMI ANNUAL REPORT**

The purpose of this report is to ensure community and School Board awareness of the progress of the Kenosha Unified Head Start Program. This is an informational report provided every six months. Head Start is defined as a program that works with the most identified at-risk 3 and 4 year-old children and their families.

The Head Start Program has the capacity to serve 389 enrolled children. Three hundred thirty of these children are funded through the Federal Head Start Grant. Fifty-nine of these children are funded through the state Head Start Supplemental Grant.

All Head Start programs are structured through a common framework with the following components: Program Design and Management, Family and Community Partnership, and Early Childhood Development and Health Services. This report will summarize activities in each of these components from January 2022 through June 2022.

**PROGRAM DESIGN AND MANAGEMENT**

The program design and management component of Head Start ensures strong, effective organizational management for the program. Activities within the past six months include:

- The Head Start Policy Council approved the Federal Head Start Grant Application for the 2022-2023 school year on March 21, 2022.
- The Kenosha Unified School Board approved the Federal Head Start Grant for the 2022-2023 school year on March 22, 2022. The amount of the grant award is \$2,325,040.
- The Head Start Policy Council approved the State Head Start Supplemental Grant for the 2022-2023 school year on April 25, 2022.
- The Kenosha Unified School Board approved the State Head Start Supplemental Grant for the 2022-2023 school year on April 26, 2022. The amount of the grant award is \$323,866.
- The Head Start Management Team completed the Federal Head Start grant application in April. This year was the fourth year in the five-year grant cycle. The grant application was approved by Head Start Region V on June 23, 2022. The grant has two goals:
  - Increase the social-emotional competence of children to ensure success in kindergarten.
  - Partner with families to ensure they have the knowledge and skills to be advocates for their children's education.

- Performance standards are the requirements mandated by Head Start, which is a federally funded program. Head Start required 45% of the enrollment to be in a full day program by August 2021. KUSD requested a waiver for this requirement with the submission of the grant application in April. Notification received in October stated that no waivers were approved, therefore, in January 2022, enrollment was changed at Chavez Learning Station to provide two full day classrooms and three half-day classrooms. This allowed the program to maintain the enrollments currently attending Chavez Learning Station and show our attempt to meet the full day requirement. Forty children attended a full day program from January through June.

In order to meet the 45% enrollment expectations for the 2022-2023 school year, full day program enrollment will be expanded to include one classroom at Bose Elementary School, one classroom at Brass Community School, one classroom at EBSOLA- CA and four classrooms at Chavez Learning Station. Enrollment in the elementary school classes will be 100% head start children, changing the previous practice of blending 4K and Head Start children in the same classroom. The full day students will be Head Start enrollments only. The half-day program will continue to enroll 4K and Head Start children in the same classroom.

### **Enrollment**

Enrollment of 330 federal students was not met during any month this year. The highest monthly enrollment was 306 students (127 three year olds and 179 four year olds) during the 2021-2022 school year. Although cumulative enrollment was 365 children, throughout the year 51 students were withdrawn from the program. Nine of these children were in the program less than 45 days. The students withdrawn were mostly due to the families moving out of the district or area, parent choice to move to their boundary school with no Head Start program, transportation issues, or lack of attendance. There were 77 students enrolled in Head Start for a second year. There are 136 students leaving Head Start and entering kindergarten in the fall of 2022.

Currently, 240 students have been accepted into the program for the 2022-2023 school year as compared to 200 at the beginning of September last year. Families will continue to be recruited to participate in Head Start throughout the school year. Enrollment progress will be monitored through the monthly HS22 reports that are provided to the Head Start Policy Council and School Board.

To promote enrollment in the Head Start program, two billboards were posted in the community. Currently, many registration calls are made to Chavez on a daily basis. The majority of the registrations are for three-year old children. The trend of having more three-year old registrations than four year olds has continued for the past couple of years. The benefit of this is having students in the program for more than one year. There is also benefit in early intervention for the students with behavior, speech and language and other learning needs. Full day enrollment also continues to draw many families. Full day care continues to be a need for our families in the community.

- **Sites and Services**

Head Start was located at the following locations for the 2021-2022 school year: Bose Elementary, Brass Community School, Chavez Learning Station, EBSOLA-CA, Frank Elementary, Grewenow Elementary, Jefferson Elementary, McKinley Elementary, Strange Elementary, Vernon Elementary, and Wilson Elementary. There is a total of 33 classroom sessions that enroll Head Start students. There are no changes to the locations of Head Start for the 2022-2023 school year.

<b>Head Start Locations 2022-2023</b>		
<b>Two Sessions (AM and PM)</b>		
Bose Elementary School	1 classroom: full day	
Brass Community School	1 classroom: full day	
	1 classroom: half day	
Cesar Chavez Learning Station	4 classrooms: full day	
	1 classroom: half day	
EBSOLA – CA	1 classroom: full day	
	1 classroom: half day	
Frank Elementary School	1 classroom: full day	
	1 classroom: half day	
Curtis Strange Elem. School	2 classrooms: half day	
McKinley Elementary	1 classroom: half day	
Wilson Elementary School	1 classroom: half day	
<b>Single Session</b>		
Grewenow Elementary School	AM only	1 classroom
Jefferson Elementary School	AM only	1 classroom
Vernon Elementary School	AM only	1 classroom

## **FAMILY AND COMMUNITY PARTNERSHIP**

The family and community partnership component of Head Start focuses on strengthening families through connecting school and home, and strengthening community awareness, collaboration, and outreach. Key activities for this report include:

- **Family Partnerships**

The goal of parent and family engagement is to build strong and effective partnerships with families that can help children and families thrive. In KUSD’s Head Start program family service providers are asked to develop a family partnership with each of their families in the Parent Family Community Engagement Framework. During the 2021-2022 school year, 99% of our families completed a family partnership agreement and set goals for their family.

Two hundred fourteen families received services in their area of need. The areas of most need included immediate needs for food, clothing or shelter, housing assistance, job training, adult education programs, health education, and parenting education. Twenty-nine families experienced homelessness. Twelve of these families acquired housing during this year. Twelve families received Mental Health services. One family received

substance misuse treatment. Seven families received education on medical and oral health and two families received nutrition education. Assistance to families with incarcerated individuals was provided to four families. One hundred ninety three families received assistance for immediate needs for clothing, food or shelter. Many families participated in Holiday House receiving winter coats and holiday gifts.

- **Providing Family Support**

Family service providers work to develop relationships with Head Start parents while providing support for their physical, social, and educational needs. To increase parent understanding of child development, Family Service providers recorded Positive Parenting videos on topics such as supporting your child's self-image by filling their bucket with positive praises, establishing routines, talking with your child about their feelings and communication. The virtual videos were offered in both English and Spanish to meet the needs of our families. Seventy seven families participated in these parenting curriculum activities.

Spanish speaking Family Service Providers also supported families by providing translation support during virtual home visits and parent-teacher conferences. These activities promote the Head Start foundational belief that children are most successful when parents participate in their education. Both English speaking and non-English speaking Head Start families have this opportunity.

## **EARLY CHILDHOOD DEVELOPMENT AND HEALTH SERVICES**

Early Childhood Development and Health Services are designed to ensure that every Head Start child is healthy and receives a quality educational experience that is reflective of best practice. Activities for the past six months include:

- **Health Services**

Head Start Performance Standards require that every Head Start child have multiple health assessments to ensure that the child is healthy enough to learn. Children/families that are accepted into the Head Start program and do not have these health assessments receive support to guarantee these assessments occur within the first ninety days of the program. The Kenosha Community Health Center (KCHC) continues to offer services for Head Start children to receive these required exams and follow up treatment.

Health data from the 2021-2022 school year reports:

- 93% of children have a medical home (a medical home is when a family has a specific doctor to go to for their medical needs)
- 95% of children have health insurance
- 54% of children have an up to date physical
- 92% of children are up to date with immunizations

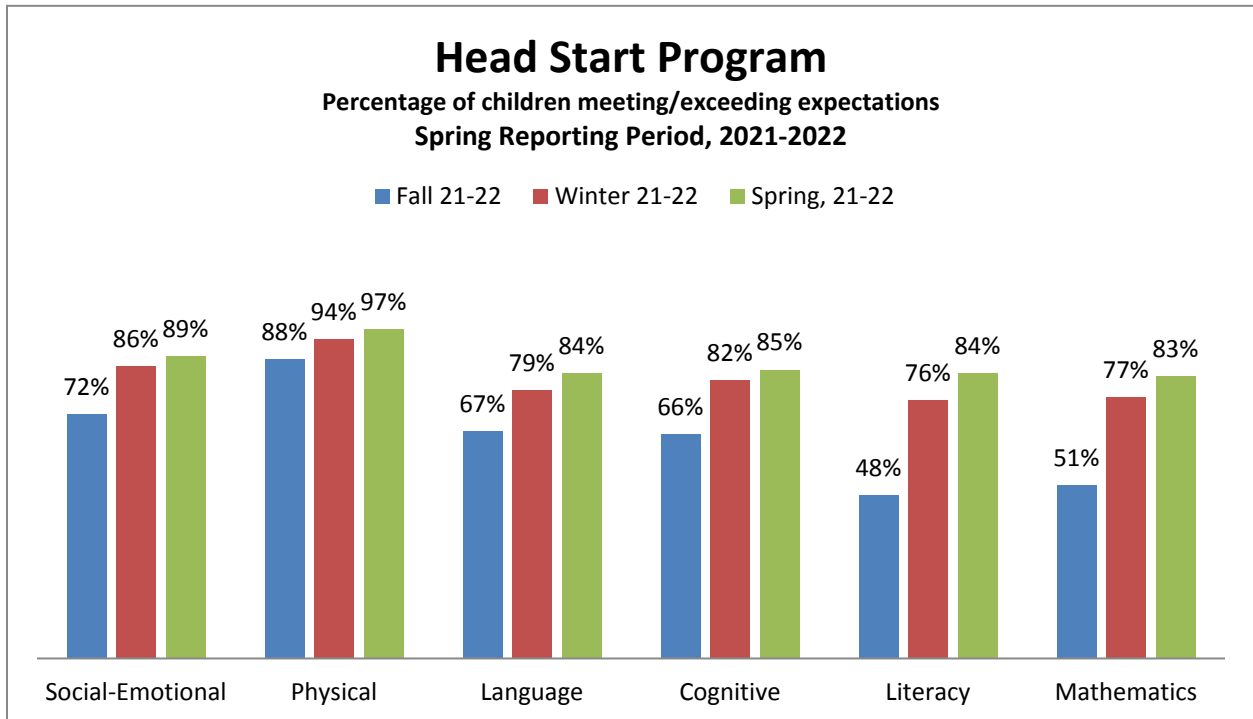


- 77% of children have a dental home (a dental home is when family has a specific dentist to go to for their dental needs)
- 64% of children have an up to date dental exam
- 63% of children are reported to be a healthy weight, with 3% being underweight, 16% overweight and 18% considered to be obese

Head Start has partnered with the University of Wisconsin Extension to provide nutrition classes for students. During these classes, students were provided with healthy options for snacks and nutrition information. Our Head Start nurse also works with families to connect them with both health care providers and health information to address overweight and obesity concerns with the children. The school district has also revised early education breakfasts to reduce the portion sizes to better meet the needs of our youngest students.

- **Student Achievement**

The Kenosha Unified Head Start Program reports student progress three times per year using Teaching Strategies GOLD™. School Readiness Outcomes (reported for 317 children) for Spring, 2021-2022 are summarized below:



As evidenced by the graph, the most significant areas of improvement for the 2021-2022 school year are Literacy (36% increase in children meeting or exceeding expectations from Fall to Spring) and Math (32% increase). The highest area of achievement for Spring is Physical Development. This continues the trend from each reporting period this year and from this time

for the last three years in which data was collected (no data collected for spring, 2019-2020 due to the pandemic).

### **Head Start School Readiness Goals**

During each five-year grant period, the Kenosha Unified Head Start Program is required to write school readiness goals in the five domains of development described in the [Head Start Early Learning Outcomes Framework](#). Below is a summary of progress on Head Start Program's 2018-2023 School Readiness Goals for Spring 2021-2022:

#### **Approaches to Learning**

Children will increasingly demonstrate self-control including controlling impulses, maintaining attention, persisting with activities, and using flexible thinking (ELOF Goal: P-ATL5, 6, 7, 9).

**Spring, 2021-2022 report:** 92% of children are meeting/exceeding expectations for this goal (compared to 81% in the winter).

#### **Social and Emotional Development**

Children will appropriately express and respond to a broad range of emotions, including concern for others (ELOF Goal: P-SE6, 7).

**Spring, 2021-2022 report:** 94% of children are meeting/exceeding expectations for this goal (compared to 84% in the winter).

#### **Language and Literacy**

Children will increasingly match the amount and use of language required for different social situations and follow social and conversational rules (ELOF Goal: P-LC4).

**Spring, 2021-2022 report:** 88% of children are meeting/exceeding expectations for this goal (compared to 79% in the winter).

#### **Cognition**

Children will demonstrate understanding of number names and order of numerals, the order of size or measures, the number of items in a set, and use math concepts and language regularly during every day experiences (ELOF Goal: P-MATH1, 2, 4).

**Spring, 2021-2022 report:** 84% of children are meeting/exceeding expectations for this goal (compared to 63% in the winter).

#### **Perceptual, Motor, and Physical Development**

Children will demonstrate use of small muscles for purposes such as using utensils, self-care, building, writing, and manipulation (ELOF Goal: P-PMP3).

**Spring, 2021-2022 report:** 95% of children are meeting/exceeding expectations for this goal (compared to 89% in the winter).

Bethany Ormseth, Ed.D.  
Interim Superintendent of Schools

William Haithcock  
Chief of School Leadership

Martin Pitts  
Regional Coordinator of Leadership  
and Learning/Elementary

Luanne Rohde  
Director of Early Education

KENOSHA UNIFIED SCHOOL DISTRICT  
Kenosha, Wisconsin

September 27, 2022

**2022-2023 ELEMENTARY SCHOOL MULTIAGE WAIVERS REQUEST**

**Background**

On July 30, 2013, revisions were made to Kenosha Unified School District School Board Policy 6432 – Class Size (Attachment A). See Attachment B, item Number (6) for the revision that was approved by the Board of Education pertaining to Policy 6432-Class Size.

**Rationale**

In order to meet the guidelines for number six (6) of Policy 6432 for the 2022-2023 school year, the administration is requesting waivers for the following three (3) elementary schools:

School	Numbers of Requested Classrooms	Grades	Current Class Size
Grant	3	4/5	21, 22, 22
Prairie Lane	1	4/5	25
Somers	1	3/4	21

Based on an average teacher salary and benefits rate of \$95,000, the financial cost to Kenosha Unified School District to add five (5) teachers, if a waiver was not approved, would be \$475,000.00.

**Recommendation**

Administration recommends that the Board of Education approve the class size waiver request for Grant, Prairie Lane, and Somers Elementary Schools for the 2022-2023 school year.

Bethany Ormseth, Ed.D.  
Interim Superintendent of Schools

William Haithcock  
Chief of School Leadership

Martin Pitts and Wendy Tindall  
Regional Coordinators Leadership  
and Learning-Elementary

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*Kenosha Unified School District No. 1*  
*Kenosha, Wisconsin*

*School Board Policies*  
*Rules and Regulations*

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POLICY 6432  
CLASS SIZE

The School Board will maintain class sizes in accordance with sound educational practices.

LEGAL REF.: Wisconsin Statutes

Sections 118.43 [Student Achievement Guarantee in Education (SAGE) class size requirements]

120.12(2) [Board duty; advise regarding instruction and progress of students]

120.13(1) [Board power to do all things reasonable for the cause of education]

CROSS REF.: 4351.1, Teaching Load

Special Education Policy and Procedure Handbook

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: September 24, 1991

REVISED: August 24, 1999

March 28, 2000

January 29, 2002

November 25, 2003

March 9, 2004

July 30, 2013

RULE 6432  
CLASS SIZE

The following guidelines will be used in maintaining class size:

1. Reasonable effort will be made to maintain class sizes of twenty (20) or under and a maximum class size of twenty-two (22) in academic subjects at the elementary school level, grades kindergarten through third. Reasonable effort will be made to maintain an average class size of twenty-three (23) in grades four and five with a maximum of twenty-five (25).
2. Reasonable effort will be made to maintain an optimum class size of twenty-five (25) and a maximum class size of twenty-nine (29) in academic subjects, at the secondary level. Reasonable effort will be made to maintain English Composition class size at the high school level between nineteen (19) and twenty three (23). The foregoing standards are subject to modifications for educational purposes or specialized or experimental instruction.
3. Reasonable effort will be made to insure that the number of students per class will not exceed the number of pupil stations available.
4. Reasonable effort will be made to insure that the number of students in physical education and music (non-band, orchestra or choir) classes in the secondary schools does not exceed forty (40) and thirty (30) respectively.
5. In areas of high population mobility or where special considerations are present, the class size range indicated herein may be revised to fit the particular situation. Class sizes in schools participating in special governmental programs approved by the Board (e.g., Student Achievement Guarantee in Education – SAGE) shall be in line with legal requirements for such programs.
6. Reasonable effort will be made to avoid split grade classes entirely. If split grade classes are utilized at any school, there are to be no more than twenty (20) students in the class. Exceptions to this guideline may be approved by the School Board.
7. Reasonable effort will be made so that middle school staffing will be provided on a ratio of 1 full time equivalent (FTE) teacher position for every 17.66 students. Guidance, Instructional Technology Specialists and Library Media Specialists are not included in this staffing ratio. Reasonable efforts will be made to ensure that travel time FTE at the secondary level is split evenly between the schools where a traveling teacher works.
8. Reasonable effort will be made to follow staffing guidelines for special education that are determined through the use of the Statewide Caseload Formula recommended by the State Superintendent's Task Force on Caseloads in Special Education. Classroom models are administratively determined based upon the needs of students and the percentage of time students receive special education services.
9. High Enrollment Educational Assistant support will be considered, when available, for each elementary classroom that exceeds 25 students. A half time assistant will be considered, when available, for classrooms that have enrollments of 25 to 30 students, and a full time assistant will be considered, when available, for classrooms that have enrollments of over 30 students. If classroom enrollments drop below either 30 or 25 students, the high enrollment educational assistants may be reassigned.

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# KENOSHA UNIFIED SCHOOL DISTRICT

September 27, 2022

## **Proposed Changes to KUSD Policy 5210 Entrance Age**

Kenosha Unified Policy 5210 establishes the entrance age for all students who wish to enroll within the district. Based on current state of Wisconsin statutes, the marker date of September 1, is used to identify the age of the student in relation to the expected grade level placement. This policy was last updated in the spring of 2011, and with recent impact from the COVID pandemic, as well as clarification on the historical district practices, some updated language has been provided to help clarify this process for staff and parents.

The last few years has shown a large fluctuation in early education enrollment practices for nearly every school district. Many parents kept students out of public education during the early years of the COVID pandemic, and grades 4K and K are not required attendance ages/grade levels. Due to this increased evidence of delayed enrollment practices, the Wisconsin Department of Public Instruction has worked to promote equalized enrollment based mainly from the age of the student for early education classes. Posted on the DPI website:

“Delaying children's entry into school and/or segregating them into extra year classes actually label children as failures at the outset of their school experience. These practices are simply subtle forms of retention. Not only is there a preponderance of evidence that there is no academic benefit from retention in its many forms, but there also appear to be threats to the social emotional development of the child subjected to such practices.” The proposed changes to this policy help parents to understand that KUSD will continue to utilize the age of the child as the determining factor for grade level placement.”

### **Administrative Recommendation:**

Administration recommends that the School Board approve the proposed changes to KUSD Policy 5210 Entrance Age as a first reading at its September 27, 2022, regular School Board meeting, and then move the draft along to a second reading at its October 25, 2022, regular School Board meeting.

Bethany Ormseth, Ed.D.  
Interim Superintendent of Schools

Kristopher Keckler  
Chief Information Officer

William Haithcock  
Chief of School Leadership

Luanne Rohde  
Director of Early Education

POLICY 5210  
ENTRANCE AGE

A child may be admitted to 4 year old kindergarten in the District if four (4) years old on or before September 1 and kindergarten if five (5) years old on or before September 1. In the year the child proposes to enter school a child may be admitted to the first grade if the child is six (6) years old on or before September 1. A child who is six (6) years old on or before September 1 must complete a five (5) year old kindergarten program as a prerequisite to being admitted to first grade. Exception to this prerequisite is a student who is six (6) years old on or before September 1 that transfers into the District from a state where completion of kindergarten is not a prerequisite for first grade or they were exempted in a previous district. **The age of the student prior to September 1 of the current school year is the primary factor for grade level placement.**

**LEGAL REF.:** Wisconsin Statutes

~~115.28(8)~~ Admission to kindergarten and first grade  
115.80(4)**787** Individualized education program  
118.14(1)(am) Age of Pupils; **phase in of 4 year old kindergarten**  
**118.33 (6) (cm) (1) High school graduation standards; criteria for promotion**  
121.02(1)(d) School district standards

**CROSS REF.:** 5200 School Admissions  
~~5116.2~~ Individual Education Program  
**5475 Students with Disabilities**

**ADMINISTRATIVE REGULATIONS:** None

**AFFIRMED:** August 13, 1991

**REVISED:** May 27, 1997  
September 14, 1999  
March 22, 2011  
**October 25, 2022**



RULE 5210  
ENTRANCE AGE

Except as outlined below, no child may be admitted to kindergarten unless the child is five (5) years old on or before September 1 in the year the child proposes to enter school, and no child may be admitted to first grade unless the child is six (6) years old on or before September 1. A District certification form attesting to the age of the child shall be signed by the parent/guardian in the presence of a District employee for school admission. Proof of age shall consist of a birth certificate, or medical record, or baptismal certificate. A parent/guardian failing to provide proof of age shall be referred to the Assistant Superintendent Office of School Leadership – Elementary who will make a recommendation to the Superintendent of Schools for final disposition. Procedures to be used in determining early admission are as follows:

- 1. Students who are not 4 years old by September 1 of the current school year will not be allowed to enroll in 4 year old kindergarten.**
- 2. Students who are five (5) years old as September 1 of the current school year and applicable for 5 year old kindergarten will not be allowed to enroll in 4 year old kindergarten.**
- ~~1.3.~~ A child who becomes five years old after September 1 and before October 1 of the same year may be considered for early admission to kindergarten. A child who turns six during the same period may also be considered for admission to first grade.
- ~~2.4.~~ Application is to be made through to the building principal prior to June 1 of the year in which the child is to enroll.
- ~~3.5.~~ A kindergarten classroom visitation will be scheduled.
- ~~4.6.~~ Evaluation of the child, at no cost to the parent/guardian, shall be made by designated professional personnel. The student should be in the top ten percent of their age group (91<sup>st</sup> percentile or above in all abilities - intellect, academic readiness, fine motor development, and social maturity in order to be recommended for Early Entrance).
- ~~5.7.~~ After the evaluation has been completed, a conference with school personnel and the parent/guardian shall be held to consider the appropriateness of early admission. On the basis of the evaluation findings, the Superintendent/designee may authorize early admission of the child.
- 8. A student who transfers from a kindergarten or first grade class in another district and has not attained the proper age by September 1 may be placed following a review by the Assistant Superintendent of School Leadership – Elementary.**
- 9. All students who complete the KUSD 5 year old kindergarten program will be promoted to the first grade of the following school year.**
- ~~6.10.~~ **In general, the student's age prior to September 1 will be the primary factor for grade level placement unless there is an existing IEP or 504 plan that clearly specifies grade level placement. While age is a primary factor for grade level placement, there may be severe circumstances that warrant additional consideration. Other considerations could include but are not limited to academic and social/emotional readiness levels as evaluated by a building-level team and a determination by the principal after a review of related artifacts.**

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KENOSHA UNIFIED SCHOOL DISTRICT  
Kenosha, Wisconsin

September 27, 2022

**KUSD Policy and Related Waiver Items for School Year 2022-23**

Since the onset of the COVID Pandemic, KUSD has implemented approved waivers, both at the state and local level, for a variety of regulatory areas. Some examples were related to instructional minutes, attendance procedures, access to KUSD property and educator effectiveness evaluations. The vast majority of prior waivers have been resolved through either policy changes or changes to the COVID Pandemic strategies. This policy waiver is mainly to address the voluntary masking options for KUSD students and to allow students to have backpacks with them in class and during the day to help carry and protect related technology and ease of transporting other educational materials.

**KUSD Policy 5431 Student Dress Code:**

Waived areas would relate to the approved use of COVID style face coverings and use of backpacks throughout the day to minimize physical contact areas and locker congestion. Approved masks are ones that cover the nose and mouth. Full face masks (i.e. ski masks) are not acceptable nor approved. Administration will continue to monitor this practice to best address health related needs and might make subsequent adjustments. While this report is focused on masks for this school year, it is important to note that there is a group working on reviewing the full student dress code. The process is underway and will include staff, student and parent/guardian feedback being collected prior to recommendations being made to the Board of Education for consideration.

**Communication of Changes:**

Any and all approved waivers and their respective changes will be communicated to all students, staff, and parents for the 2022-23 school year.

**Administrative Recommendation:**

Administration recommends that the School Board approve the listed waiver request for KUSD Policy 5431 Student Dress Code at the September 27, 2022, regular School Board meeting.

Bethany Ormseth, Ed.D.  
Interim Superintendent of Schools

Kristopher Keckler  
Chief Information Officer

William Haithcock  
Chief of School leadership

Julie Housaman  
Chief Academic Officer

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**National Bullying Prevention Month October 2022**

*WHEREAS*, bullying is unwanted physical, verbal, written, indirect and electronic behaviors that involve an observed or perceived power imbalance and may be repeated multiple times or is highly likely to be repeated; and

*WHEREAS*, bullying occurs throughout our community, including in neighborhoods, on playgrounds, at schools, in homes and through technology, such as the internet, social media and cellphones; and

*WHEREAS*, children who witness or who are victims of bullying often feel less secure, more fearful and intimidated; and

*WHEREAS*, bullying can have lifelong negative consequences for both those who are victims of bullying and those who bully others; and

*WHEREAS*, families, schools, youth organizations, colleges, workplaces, places of worship and other groups are responsible for empowering and protecting their members and promoting cultures of caring, respect and safety for everyone; and

*WHEREAS*, it is time for our community to do its part to help end bullying in Kenosha.

*NOW, THEREFORE*, be it resolved that Kenosha Unified School District does hereby proclaim October as the annual observance of National Bullying Prevention Month as a symbol of our commitment to the ongoing, year-round struggle against bullying.

*BE IT FURTHER RESOLVED*, that a true copy of this resolution be spread upon the official minutes of the Board of Education.

\_\_\_\_\_  
*President, Board of Education*

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*Interim Superintendent of Schools*

\_\_\_\_\_  
*Secretary, Board of Education*

*Members of the Board:*

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*Resolution 399  
September 27, 2022*

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**Italian Heritage Month October 2022**

**WHEREAS**, in 1989, President George H. W. Bush and Congress first proclaimed Italian Heritage Month to celebrate the heritage, achievements, and contributions Italians have made to American culture; and

**WHEREAS**, October coincides with Columbus Day, which is celebrated on the second Monday of October; and

**WHEREAS**, Kenosha is home to an Italian-American community that has long contributed to our city’s rich history; and

**WHEREAS**, Italian and Italian-American Heritage Month is held to salute the Italian and Italian-American community and to exhibit appreciation for their culture and heritage that have immeasurably enriched our community, nation and world; and

**WHEREAS**, corresponding school activities held in October, as well as throughout the school year, will educate students about Italian cultures, traditions and contributions that have impacted business, law, education, politics, science, the arts and more.

**NOW, THEREFORE**, be it resolved that Kenosha Unified School District does hereby proclaim October as Italian Heritage Month in an effort to recognize and honor the contributions Italian and Italian-American people have made on our community, nation and world.

**BE IT FURTHER RESOLVED**, that a true copy of this resolution be spread upon the official minutes of the Board of Education.

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*President, Board of Education*

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*Interim Superintendent of Schools*

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*Secretary, Board of Education*

*Members of the Board:*

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*Resolution 400  
September 27, 2022*

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**Polish Heritage Month October 2022**

**WHEREAS**, in 1981, Polish American activists residing in Pennsylvania designated October as Polish Heritage Month; and

**WHEREAS**, October coincides with the anniversary of Casimir Pulaski’s death and when the first Polish settlers arrived at Jamestown, Virginia in 1608; and

**WHEREAS**, in 1986 a proposal was made at the national Polish American Congress meeting to celebrate Polish Heritage Month nationwide; and

**WHEREAS**, by observing Polish Heritage Month, we raise awareness of and celebrate the Polish culture, traditions and contributions that have impacted business, law, education, politics, science, the arts and more; and

**WHEREAS**, celebrating events like Polish Heritage Month remind us of the rich and diverse heritage of our community and beyond.

**NOW, THEREFORE**, be it resolved that Kenosha Unified School District does hereby proclaim October as Polish Heritage Month in an effort to recognize and honor the contributions Polish and Polish-American people have made on our community, nation and world.

**BE IT FURTHER RESOLVED**, that a true copy of this resolution be spread upon the official minutes of the Board of Education.

\_\_\_\_\_  
*President, Board of Education*

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*Interim Superintendent of Schools*

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*Secretary, Board of Education*

*Members of the Board:*

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*Resolution 401  
September 27, 2022*

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**Wisconsin School Board Appreciation Week  
October 2-8, 2022**

*WHEREAS*, Kenosha Unified School District’s locally elected board members play a vital role in governing the policies of our excellent public education system and ensuring the district meets state standards for the purpose of attaining the district’s vision of becoming Wisconsin’s top performing urban school district that is highly regarded for continually exceeding all expectations; and

*WHEREAS*, the members of the Kenosha Unified School District Board of Education are dedicated to children, learning and the community, and devote many hours of service to public education as they continually strive for improvement, excellence and progress in education; and

*WHEREAS*, school board members are charged with representing our local education interests by serving as the voice of our community while ensuring compliance with state and federal law; and

*WHEREAS*, school board members selflessly devote their knowledge, time and talents as advocates for our school children and community’s future; and

*WHEREAS*, each of our board members want nothing more than to see each student graduate prepared for success, no matter what the future may hold for them.

*NOW, THEREFORE*, be it resolved that Kenosha Unified School District recognizes and salutes the members of the Kenosha Unified Board of Education by proclaiming October 2-8, 2022, as Wisconsin School Board Appreciation Week.

*BE IT FURTHER RESOLVED*, that a true copy of this resolution be spread upon the official minutes of the Board of Education.

\_\_\_\_\_  
*President, Board of Education*

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*Interim Superintendent of Schools*

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*Secretary, Board of Education*

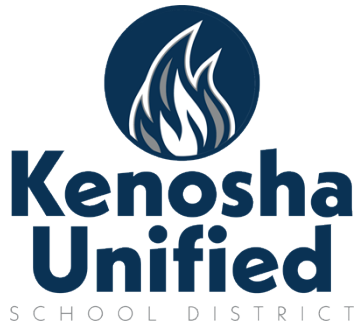
*Members of the Board:*

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*Resolution 402  
September 27, 2022*

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September 27, 2022

## DONATIONS TO THE DISTRICT

The district has received the following donations:

1. The Whittier PTA donated \$5,500 to the playground equipment fund. They also donated \$403.85 to the student activity fund. The total donation to Whittier Elementary School was \$5,903.85.
2. Success Realtors, Inc. donated food for the Whittier Elementary School staff welcome-back breakfast. The value of this donation is \$500.
3. Kirkland and Ellis LLP donated \$500 to the Washington Middle School band program.
4. Anthony Sexton donated \$500 to the Washington Middle School band program.
5. Alexandra Villalobos donated \$100 to Bradford High School Northside Outfitters store.

### Administrative Recommendation

Administration requests the Board of Education approve acceptance of the above-listed gift(s), grant(s), or bequest(s) as per Board Policy 1400, to authorize the establishment of appropriate accounts to monitor fiscal activity, to amend the budget to reflect this action and to publish the budget change per Wisconsin Statute 65.90(5)(a).

Bethany Ormseth, Ed.D.  
Interim Superintendent of Schools

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KENOSHA UNIFIED SCHOOL DISTRICT  
Kenosha, Wisconsin

September 27, 2022

**Tentative Schedule of Reports, Events,  
and Legal Deadlines for School Board  
September-October**

**September**

- September 1, 2022 – First Day of School
- September 5, 2022 – Labor Day – District Closed
- September 12, 2022 – Special School Board Meeting – 5:30 P.M.
- September 27, 2022 - Regular School Board Meeting – 7 P.M.

**October**

- October 11, 2022 – Standing Committee Meetings, 5:00 P.M.
- October 14, 2022 – Staff Professional Learning, No Students Report
- October 28, 2022 – End of First Quarter, Staff Workday, No Students Report
- October 25, 2022 – Regular School Board Meeting – 7 P.M.

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