

# Annual Notice

Marathon City School District 2023-2024 School Year July/August



The Marathon School District is required by state and federal regulations to inform students and parents of certain policies and procedures used by the district annually. The entire Board of Education policy book may be viewed at the district office located in the high school.

The **Marathon School District App** connects parents, students, staff and community to our most sought-after information in a convenient format your mobile device. The Marathon School District App is **free** for users and available for immediate download on iPhone and Android devices.



## Academic & Career Planning

Students in grades 6-12 receive ACP services through the counseling center and in RE/ACP hour at the HS. Parents and students can review ACP with the building counselors.

## Our Mission:

**To foster learning, life skills, and character for all**

## Our Vision:

**An exceptional district, ensuring diverse programs and experiences for the success of all students.**

## 2023-2024 SCHOOL YEAR NOTIFICATION

As a result of federal legislation (Asbestos Hazard Emergency Response Act – AHERA), each primary and secondary school in the nation is required to complete a stringent inspection for asbestos and to develop a plan of management for all asbestos-containing building materials. Marathon City School District has a goal to be in full compliance with this law and is following the spirit, as well as, the letter of the law. As a matter of policy, Marathon City School District shall continue to maintain a safe and healthful environment for our community's youth and employees.

In keeping with this legislation, all building (including portables and support buildings) owned or leased by the school district were inspected by EPA accredited inspectors and samples were analyzed by an independent laboratory. Based on the inspection, the district prepared and the stated approved a comprehensive management plan for handling the asbestos located within its buildings safely and responsibly.

Furthermore, Marathon City School District has completed its AHERA 3-Year Re-inspection requirement each 3 years. Marathon City School District buildings, where asbestos-containing materials were found, is under repair, removal and Operations and Maintenance.

Marathon City School District conducted the following with respect to its asbestos containing building materials: *All remaining asbestos material has been removed from the district.*

Federal law requires a periodic walk-through (called "surveillance") every six months of each area containing asbestos. Also the law requires for all buildings to be re-inspected three years after a management plan is in effect. This will be accomplished under contract by MacNeil Environmental, Inc.

Short-term workers (outside contractors – i.e., telephone repair workers, electricians and exterminators) must be provided information regarding the location of asbestos in which they may come into contact. All short-term workers shall contact the lead maintenance person before commencing work to be given this information.

Marathon City School District has a list of the locations), type(s) of asbestos-containing materials found in that school building and a description and timetable for their proper management. A copy of the Asbestos Management Plan is available for review in the school office. Copies are available at 25 cents per page. Questions related to the plan should be directed to the district office, which will establish contact with our Account Manager under contract with MacNeil Environmental, Inc. To reach MacNeil Environmental, Inc. to discuss the management of our asbestos materials or with any questions, please call 1-800-642-6730.

## **EARLY COLLEGE CREDIT PROGRAM**

The Early College Credit Program allows all public high school Juniors and Seniors who meet certain requirements to take post-secondary college courses. The application for the ECCP for 2nd semester of the 2023-2024 school year will be available in the high school student services center in September as well as online at: <https://www.marathon.k12.wi.us/schools/hs/student-services/college-credits-in-high-school.cfm>

The application must be filled out and returned to the School District's Superintendent by October 1, 2023. For more information on the ECCP, please contact Ms. Aune at 443-2226, ext. 4136.

## **FREE and REDUCED LUNCH PROGRAM**

To learn more about free and reduced lunch programs or to receive forms regarding a program for students unable to pay the full price for meals served under the National School Lunch Program go to the Marathon School district website or contact the school office. Each school office has copies of the forms and information regarding the policy. For more information regarding household size and income regarding eligibility, please contact the business office at 443-2226 x-4112. Electronic forms can be found on the district website.

## **SCHOOL ACCOUNTABILITY REPORT CARD**

You can access School Accountability Report Card Data on the Wisconsin DPI website at <https://apps2.dpi.wi.gov/reportcards/>

## **PERSONAL COMMUNICATION DEVICES-5136**

"Personal communication devices" ("PCDs") as used in this policy are defined in Bylaw 0100.

Students are prohibited from using an electronic paging or two-way communication device (e.g., beeper, cellular phone, iPod touch, personal computer, or other mobile devices) during the instructional hours of the school day, including study halls without the consent of the supervising teacher or representatives in the main office. The building principal is authorized, however, to allow the use of such devices for medical, school, educational, vocational, or other legitimate use and acceptable cell phone use procedures will be defined annually in the student handbook.

Students may not use PCDs on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school.

Students may use PCDs while riding to and from school on a school bus or other Board-provided vehicles or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the classroom teacher, or sponsor/advisor/coach. Students may use PCDs between classes and during lunch. Distracting behavior that creates an unsafe environment will not be tolerated.

Under certain circumstances, a student may keep his/her PCD "On" with prior approval from the building principal.

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using PCDs during the school day, including while off-campus on a field trip, to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person. Using a PCD to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students

who violate this provision and/or use a PCD to violate the privacy rights of another person may have their PCD confiscated and held until the end of the school day and may be directed to delete the audio and/or picture/video file while the parent is present. If the violation involves potentially illegal activity, the confiscated-PCD may be turned over to law enforcement.

PCDs, with cameras or any other recording capabilities, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The District Administrator and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

Students shall have no expectation of confidentiality with respect to their use of PCDs on school premises/property.

## **STUDENT ASSESSMENT-2623**

The Board of Education shall assess student achievement and needs in all areas of the curriculum in order to determine the progress of students and to assist them in attaining District goals.

Each student's proficiencies and needs will be assessed by staff members upon his/her entrance into the District and annually thereafter. Procedures for such assessments will include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing programs, student portfolios, and physical examinations.

All students shall participate in State-wide or District-wide assessments, and any student with a disability shall be provided appropriate accommodation and/or alternate assessments where necessary as indicated in the student's I.E.P. or Section 504 plan.

### **Parental Opt-Out of Assessments (students)**

The Board shall excuse any student from the State examination administered in 4th grade, 8th grade, 9th grade, 10th grade, or 11th grade whether the test administered is the one developed by the Department of Public Instruction or the District's own test developed and approved by the DPI and the U.S. Department of Education. To opt-out of these examinations, the student's parent must submit a statement in writing to the Building Principal stating that the parent is opting out of the examination(s).

## **SCHOOL PHOTOS**

Occasionally student photos are taken in classrooms, during activities, at sporting events, or in general areas around the school. These photos may be used for press, school district materials, projects in classrooms, the school district facebook, school district Instagram, the school district app, school webpage, or other school maintained social media apps/sites. If you do not want your child's photo used, please contact Mr. Beranek at 715-443-2226 x-4106.

## **HOMELESS STUDENTS**

Homeless students have the same right to a free public education as other students. Questions should be directed to Rick Parks Homeless Liaison at 443-2226 x-4107.

## HUMAN GROWTH AND DEVELOPMENT-2414

The Board directs that students receive instruction in human growth and development, consistent with Chapter 118.019(2), Wis. Stats.

Such instruction will include the following:

1. Medically accurate and age-appropriate instruction in the following topics:
  1. the importance of communication about sexuality between the student and the student's parents or guardians
  2. reproductive and sexual anatomy and physiology, including biological, psychosocial, emotional, and intellectual changes that accompany maturation
  3. the benefits of and reasons for abstaining from sexual activity, which shall stress the value of abstinence as the only reliable way to prevent pregnancy and sexually transmitted infections, and shall identify the skills necessary to remain abstinent
  4. methods for developing healthy life skills, including setting goals, making responsible decisions, communicating, and managing stress
  5. how alcohol and drug use affect responsible decision making
  6. the impact of media and one's peers on thoughts, feelings, and behaviors related to sexuality
  7. adoption resources, prenatal care, and postnatal supports
  8. the nature and treatment of sexually transmitted infections
2. The instructional program will also include the following:
  1. address self-esteem and personal responsibility, positive interpersonal skill, and healthy relationships
  2. identify counseling, medical, and legal resources for survivors of sexual abuse and assault, including resources for escaping violent relationships
  3. address the positive connection between marriage and parenting
  4. present information about avoiding stereotyping and bullying, including how to refrain from making inappropriate remarks, avoiding engaging in inappropriate physical or sexual behaviors, and how to recognize, rebuff, and report any unwanted or inappropriate remarks or physical or sexual behaviors

The following shall also be incorporated into the above subjects in the same course and during the same year:

1. presents abstinence from sexual activity as the preferred choice of behavior for unmarried students;
2. emphasizes that abstinence from sexual activity before marriage is the only reliable way to prevent pregnancy and sexually transmitted diseases, including human immunodeficiency virus and acquired immunodeficiency syndrome;
3. provides instruction in parental responsibility and the socioeconomic benefits of marriage for adults and their children;
4. explains pregnancy, prenatal development, and childbirth;
5. explains the criminal penalties for engaging in sexual activities involving a child under Ch. 948, Wis. Stats.;
6. explains the sex offender registration requirements under 301.45, Wis. Stats.; which shall include who is required to report, what information must be reported, who has access to the information reported, and the implications of being registered;
7. provides medically accurate information about the human papilloma virus and the human immunodeficiency virus and acquired immunodeficiency syndrome; and
8. explains the process under 48.195, Wis. Stats., under which a parent of a newborn child may relinquish custody of the child to a law enforcement officer, emergency medical services practitioner, or hospital staff member

The District shall use instructional methods and materials that do not discriminate against a student based upon the student's race, gender, religion, sexual orientation, or ethnic or cultural background or against sexually active students or children with disabilities

A citizens' advisory committee shall be established, in accordance with Board Policy 9140 - Citizens' Advisory Committees and 118.019(5), Wis. Stats., in order to ensure the effective participation of staff, parents, health-care professionals, members of clergy, and other residents of the District in the design and implementation of this program area. The Board does not authorize the curriculum to include separating students on the basis of gender as determined by the Committee.

The District shall provide parents annually with an outline of the human growth and development program used in their child's grade level as well as information regarding how the parent may inspect the complete program and instructional materials. Prior to use in the classroom, the program shall be made available to parents for inspection.

The District shall notify the parents, in advance of the instruction and give them an opportunity, prior to instruction, to review the complete program and instructional materials and of their right to have their child excused from the instruction. The notice shall state that in the event a student is excused, that student will still receive instruction under 118.01(2)(d)2c, Wis. Stats. unless exempted and under 118.01(2)(d)8, Wis. Stats.

## **NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY-2260**

The Board is committed to providing an equal educational opportunity for all students in the District.

The Board does not discriminate on the basis of race, color, religion, national origin, ancestry, creed, pregnancy, marital status, parental status, sexual orientation, sex, (including gender status, change of sex or gender identity), or physical, mental, emotional, or learning disability (Protected Classes) in any of its student program and activities. This policy is intended to support and promote nondiscriminatory practices in all District and school activities, particularly in the following areas:

1. use of objective bases for admission to any school, class, program, or activity;
2. prohibition of harassment towards students and procedures for the investigation of claims (see Policy 5517);
3. use of disciplinary authority, including suspension and expulsion authority;
4. administration of gifts, bequests, scholarships and other aids, benefits, or services to students from private agencies, organizations, or persons;
5. selection of instructional and library media materials in a nondiscriminatory manner and that reflect the cultural diversity and pluralistic nature of American society;
6. design and implementation of student evaluation practices, materials, and tools, but not at the exclusion of implementing techniques to meet students' individual needs;
7. design and configuration of facilities;
8. opportunity for participation in extra-curricular and co-curricular activities provided that separate programs for male and female students may be available provided comparable activities are made available to all in terms of type, scope, and District support; and
9. the school lunch program and other school-sponsored food service programs.

The Board is also committed to equal employment opportunity in its employment policies and practices as they relate to students. The Board's policies pertaining to employment practices can be found in Policy 1422, Policy 3122, and Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

The District will identify, evaluate, and provide a free appropriate public education to students with disabilities who are determined eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504).

The Board designates the following individuals to serve as the District's Complaint Officers:

David Beranek  
High School Principal  
204 East Street  
Marathon, WI 54448  
715-443-2226 Ext. 4106

## **PROGRAMS FOR CHILDREN WITH DISABILITIES**

The Marathon City School District shall identify, evaluate and provide a free and appropriate public education to each child with disabilities residing within its boundaries, in accordance with state and federal law. Children with disabilities shall be programmed in accordance with the procedures outlined in state law. Special education programs in the Marathon City School District shall be operated under the auspices of the Marathon County Children with Disabilities Education Board.

## **TITLE I SERVICES-2261**

The Board elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Elementary and Secondary Education Act of 1965, as amended.

The District Administrator shall prepare and present to the Department of Public Instruction (DPI) a plan for the delivery of services that meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan. The District will periodically review and revise the plan, as necessary.

## **ADDITIONAL TITLE I**

Parents may request and obtain the following information regarding:

(1) The professional qualifications of their child's classroom teachers, including the following: whether the teacher has met state licensing criteria for the grade level(s) and subject area(s) taught; whether the teacher is teaching under emergency or provisional status through which state licensing criteria have been waived and the undergraduate degree major of the teacher, including the field of discipline of the certification or degree.

(2) The professional qualifications of paraprofessionals providing instructional-related services to their child.

## SELECTIVE SERVICE NOTIFICATION

The Selective Service System (SSS) has asked the department to alert you to the growing concern of male students failing to register with the Selective Service System. These students may be at risk of permanently losing important benefits if they do not register when they turn 18. They are at risk of being permanently barred from federal employment, student financial aid, job training benefits, state benefits in the majority of states, state and local government employment, state education funds, state college attendance, and drivers' licenses.

Under federal law, the Selective Service System is authorized to accept registrations from males between 17 and 25. When a young man turns 26, Selective Service can no longer accept his registration.

The students most at risk are the alienated young men who leave school vowing never to enter another classroom in their lives. Many of them will not resume their education until they are past 25 (the average age of technical college students is about 28). When these young men apply for student aid or other government benefits, they will learn they are permanently disqualified because of failure to register with the Selective Service System on time.

How can you help your students? Urge young men to register or submit their registration data early before they leave school. If a disaffected young man leaves high school without registering, past experience indicates he will probably not register before it's too late. The Selective Service System has partnered with the U.S. Department of Education for a nationwide Online Registration Awareness emphasis during September. Young men may register online at the Selective Service System website: [www.sss.gov](http://www.sss.gov) and receive their Selective Service number immediately.

Men who have turned 17 may submit their data early, and the Selective Service System will register them within 30 days of their 18<sup>th</sup> birthday. The early submission of data may be a good idea for young men who will leave supervision while still 17 to ensure registration won't be forgotten.

Your leadership now will help ensure the future success of these at-risk students. For further information, please call the Selective Service System at 847-688-7995.

## MILITARY RECRUITER INFORMATION

A secondary school student or the parent of the student may request that the students name, address and telephone listing not be released to military recruiters or institutions of higher education without prior written parental consent. For more information, please contact your school counselor or principal.

## STUDENT RECORDS-8330

In order to provide appropriate educational services and programming, the Board must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information.

Except for data identified by policy as "directory data," student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

## WEAPONS-5772

The Board prohibits students from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle, to the extent permitted by law without the permission of the District Administrator.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms (including, but not limited to, firearms as defined in 18 U.S.C. 921(a)(3)), guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives (subject to the exceptions below), razors with unguarded blades, clubs, electric weapons (as defined in 941.295(1c)(a), Wis. Stats.), metallic knuckles, martial arts weapons, chemical agents, ammunition, and explosives.

The District Administrator will refer any student who violates this policy to the student's parents and may also make a referral to law enforcement. The student may also be subject to disciplinary action, up to and including expulsion.

Policy exceptions include:

- weapons under the control of law enforcement personnel while on duty, or qualified former law enforcement officers, off duty law enforcement officers, or out-of-state law enforcement officers;
- items pre-approved by the District Administrator as part of a class or individual presentation under adult supervision, including, but not limited to Hunters' Education courses, if used for the purpose and in the manner approved (working firearms and live ammunition will never be approved);
- theatrical props used in appropriate settings; and
- a knife lawfully used for food consumption or preparation, or a knife used for a lawful purpose within the scope of the student's class work.

Any student who has reason to believe that a person has or will violate this policy shall report to the District Administrator or the supervisor of the activity immediately. The report should include as much detail as possible concerning the person(s) involved, the weapon, the location of the person(s), and how this information was obtained.

No student is to confront the person possessing the weapon, but a staff member has the option of confronting the person if the staff member believes the risk of injury to self or others is minimal or if immediate action is necessary to prevent injury to any person.

# MARATHON SCHOOL DISTRICT

## Child Find Annual Notice

### CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION

The Marathon School District must locate, identify, and evaluate all children with disabilities, including children with disabilities attending private schools in the school district and homeless children, regardless of the severity of their disabilities. The school districts have a special education screening program to locate and screen all children with suspected disabilities who have not graduated from high school. Upon request, the school districts will screen a child who has not graduated high school to determine whether a special education referral is appropriate. A request may be made by contacting your school:

**Stephanie Miller-**

715-443-2538 x-1105  
715-443-2226 x-4137

Annually, the districts conduct developmental screening of preschool children. The information from screening is used to determine whether a child should be evaluated for a suspected disability. When school staff reasonably believe a child is a child with a disability, they refer the child for evaluation by a school district Individualized Education Program (IEP) team.

A physician, nurse, psychologist, social worker or administrator of a social agency who reasonably believes a child brought to him or her for services is a child with a disability has a legal duty to report the child to the school district in which the child resides. If the child attends a private school in another school district, the child should be reported to the school district where the child attends school. Before referring the child, the person making the referral must inform the child's parent that the referral will be made. The referral must be in writing and include the reason why the person believes the child is a child with a disability. Others who reasonably believe a child is a child with a disability may also refer the child.

The school district maintains pupil records, including information from screening and special education referral. All records directly related to a student and maintained by the school district are pupil records. They include records maintained in any way including, but not limited to, computer storage media, video and audiotape, film, microfilm, and microfiche. Records maintained for personal use by a teacher and not available to others and records available only to persons involved in the psychological treatment of a child are **not** pupil records.

The school district maintains several classes of pupil records:

\* "Progress records" include grades, courses the child has taken, the child's attendance record, immunization records, required lead

screening records, and records of school extra-curricular activities. Progress records must be maintained for at least five years after the child ceases to be enrolled.

\* "Behavioral records" include such records as psychological tests, personality evaluations, records of conversations, written statements relating specifically to the pupil's behavior, tests relating specifically to achievement or measurement of ability, physical health records other than immunization and lead screening records, law enforcement officers' records, and other pupil records that are not "progress records." Law enforcement officers' records are maintained separately from other pupil records. Behavioral records may be maintained for no longer than one year after the child graduates or otherwise ceases to be enrolled, unless the parent specifies in writing that the records may be maintained for a longer period of time. The school district informs parents when pupil records are no longer needed to provide special education. At the request of the child's parents, the school district destroys the information that is no longer needed.

\* "Directory data" includes the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, degrees and awards received, and the name of the school most recently attended by the student.

\* "Pupil physical health records" include basic health information about a pupil, including the pupil's immunization records, an emergency medical card, a log of first aid and medicine administered to the pupil, an athletic permit card, a record concerning the pupil's ability to participate in an education program, any required lead screening records, the results of any routine screening test, such as for hearing, vision or scoliosis, and any follow-up to the test, and any other basic health information, as determined by the state superintendent. Any pupil record relating to a pupil's physical health that is not a pupil physical health record is treated as a patient health care record under sections 146.81 to 146.84, Wisconsin Statutes. Any pupil record concerning HIV testing is treated as provided under section 252.15, Wisconsin Statutes.

The Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), and section 118.125, Wisconsin Statutes, afford parents and students over 18 years of age ("eligible students") the following rights with respect to education records:

\* **The right to inspect and review the student's education records within 45 days of receipt of the request.** Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the records(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. The school district will comply with the request without unnecessary delay and before any meeting about an individualized education program, or any due process hearing, and in no case more than 45 days after the request has been made. If any record includes information on more than one child, the parents of those children have the right to inspect and review only the information about their child or to be informed of that specific information.

## SCHOOL DISTRICT OF MARATHON ANNUAL NOTICE OF SPECIAL EDUCATION REFERRAL AND EVALUATION PROCEDURES

Upon request, the school district will give a parent or eligible student a copy of the progress records and a copy of the behavioral records. Upon request, the school district will give the parent or eligible student a list of the types and locations of education records collected, maintained, or used by the district for special education. The school district will respond to reasonable requests for explanations and interpretations of the records. A representative of the parent may inspect and review the records.

**\* The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading.** Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record, the district will notify the parent or eligible student of the decision and the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

**\* The right to consent to disclosures of personally identifiable information in the student's education records, except to the extent that federal and state law authorize disclosure without consent.** The exceptions are stated in 34 CFR 99.31, Family Educational Rights and Privacy Act regulations; Sec. 9528, PL107-110, No Child Left Behind Act of 2001; and section 118.125(2)(a) to (m) and sub. (2m), Wisconsin Statutes. One exception that permits disclosure without consent is disclosures to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. Also, the district discloses "directory data" without consent, unless the parent notifies the district that it may not be released without prior parental consent.

**\* The right to file a complaint with the U. S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.** The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC.

Upon request, the Marathon School District is required to evaluate a child for eligibility for special education services. A request for evaluation is known as a referral. When the district receives a referral, the district will appoint an Individualized Education Program (IEP) team to determine if the child has a disability, and if the child needs special education services. The district locates, identifies, and evaluates all children with disabilities who are enrolled by their parents in private (including religious) schools, elementary schools and secondary schools located in the school district.

A physician, nurse, psychologist, social worker, or administrator of a social agency, who reasonably believes a child brought to him or her for services is a child with a disability has a legal duty to refer the child, including a homeless child, to the school district in which the child resides. Before referring the child, the person making the referral must inform the child's parent that the referral will be made. Others, including parents, who reasonably believe a child is a child with a disability, may also refer the child, including a homeless child, to the school district in which the child resides.

Referrals must be in writing and include the reason why the person believes the child is a child with a disability. A referral may be made by contacting Stephanie Miller, Pupil Services, Marathon School District, at 715-443-2538, or by writing Stephanie Miller, Marathon School District, PO Box 457, Marathon, WI 54448.

### SCHOOL ADDRESSES AND PHONE NUMBERS

|   |                              |                  |
|---|------------------------------|------------------|
| Marathon High School<br>204 East Street   | 715-443-2226                 |                  |
| MAES/MVA<br>100 Spring Valley Drive   | 715-443-2538                 |                  |
| Richard Parks<br>District Administrator<br>Title II of the ADA<br>Resource        | 715-443-2226                 | x-4107           |
| David Beranek<br>High School Principal<br>Open Enrollment Cord.<br>Title IX Cord. | 715-443-2226                 | x-4106           |
| Max Wienke<br>MAES/MVA Principal  | 715-443-2538                 | x-1102           |
| Jennifer Aune<br>HS Counselor   | 715-443-2226                 | x-4136           |
| Emily Altman<br>MVA Counselor   | 715-443-2538                 | x-1112           |
| Nathalie Bonilla<br>MAES Counselor  | 715-443-2538                 | x-1121           |
| Curt Miller<br>District Athletic Director   | 715-443-2226                 | x-4303           |
| Stephanie Miller<br>District SPED Support<br>Section 504 Resource                 | 715-443-2226<br>715-443-2538 | x-4137<br>x-1105 |

## BULLYING-5517.01

The Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property, including at any of the school buildings or other property used exclusively or in part, whether leased or owned by the District, for the purpose of school-related functions or events; or while traveling to or from school or to and from school-sponsored functions or events; in transporting vehicles arranged for by School District officials. The policy applies as well during activities that occur off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the supervision of school authorities, or where an employee is engaged in school business, or where there is otherwise a connection to the school such that the conduct at issue affects or is intended to affect the student's educational environment.

### Definitions

#### "Bullying"

Bullying is deliberate or intentional behavior using words or actions, intended to cause fear, intimidation, or harm. Bullying may be a repeated behavior and involves an imbalance of power. Furthermore, it may be serious enough to negatively impact a student's educational, physical, or emotional well being. The behavior may be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age; national origin; race; ethnicity; religion; gender; gender identity; sexual orientation; physical attributes; physical or mental ability or disability; and social, economic, or family status; however this type of prohibited bullying behavior need not be based on any of those particular or other particular characteristics. It includes, but is not necessarily limited to such behaviors as stalking, cyberbullying, intimidating, menacing, coercing, name-calling, taunting, making threats, and hazing.

Some examples of Bullying are:

- Physical – hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- Verbal – taunting, malicious teasing, insulting, name-calling, making threats.
- Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation.
- "Cyberbullying" – the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging (IM), defamatory personal websites, and defamatory online personal polling websites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others."

The Board recognizes that cyberbullying can be particularly devastating to young people because:

1. cyberbullies more easily hide behind the anonymity that the Internet provides;
2. cyberbullies spread their hurtful messages to a very wide audience with remarkable speed;
3. cyberbullies do not have to own their own actions, as it is usually very difficult to identify cyberbullies because of screen names, so they do not fear being punished for their actions; and
4. the reflection time that once existed between the planning of a prank – or a serious stunt – and its commission has all but been erased when it comes to cyberbullying activity;
5. cyberbullies hack into or otherwise gain access to another's electronic accounts (e-mails, social media, etc.) and posing as that individual with the intent to embarrass or harm the individual.

Cyberbullying includes, but is not limited to the following:

1. posting slurs or rumors or other disparaging remarks about a student on a website or on weblog;
2. sending e-mail or instant messages that are mean or threatening, or so numerous as to drive-up the victim's cell phone bill;
3. using a camera phone to take and send embarrassing photographs of students;
4. posting misleading or fake photographs of students on websites.

**"Harassment"** includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of sex, (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or State civil rights laws. Harassment is prohibited by Policy 5517 – Student Anti-Harassment.

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

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



For a definition of and instances that could possibly be construed as hazing, consult Policy 5516.

### **Complaint Procedures**

Any student who believes s/he has been or is the victim of bullying should immediately report the situation to the building principal or assistant principal, or the District Administrator. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the District Administrator. Complaints against the District Administrator should be filed with the Board President.

Complaints against a Board member shall be filed with the Board President unless the complaint is against the President in which case the complaint shall be filed with the Board Vice President who is authorized to contact District legal counsel for assistance in handling the complaint.

Every student is encouraged to report any situation that they believe to be bullying behavior directed toward a student. Reports may be made to those identified above.

All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to the building principal or assistant principal, or the District Administrator.

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

All complaints about behavior that may violate this Policy shall be investigated promptly by the Principal. The staff member who is investigating the report of bullying shall interview the victim(s) of the alleged bullying and collect whatever other information is necessary to determine the facts and the seriousness of the report.

If, during an investigation of a reported act of bullying in accordance with this Policy, the principal determines that the reported misconduct may have created a hostile learning environment, discrimination, and/or may have constituted harassment based on sex (transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or state civil rights laws, the principal will report the act of bullying to one of the Compliance Officers who shall assume responsibility to investigate the allegation in accordance with Policy 5517 - Student Anti-Harassment or Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity. Additionally, complaints alleging sexual harassment on the basis of sex are also covered by and subject to the investigation procedures in Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities. If the investigation under Policy 5517 - Student Anti-harassment, Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity or Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities does not substantiate harassment based on one or more of the Protected Classes, the complaint of bullying shall still be investigated under this Policy.

With regard to complaints received against the District Administrator (or a member of the Board), the investigation shall be referred to the Board attorney who shall conduct a prompt investigation. The Board attorney is authorized to designate an outside third party to conduct the investigation. The Board attorney or designee will arrange such meetings as may be necessary with all concerned parties within five (5) business days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The Board attorney or designee conducting the investigation shall notify the complainant and parents as appropriate, (in writing,) when the investigation is concluded and the findings made.

Parents of each student involved in the bullying report will be notified prior to the conclusion of the investigation. The District shall maintain the confidentiality of the report and any related student records to the extent required by law.

If the investigation finds that bullying has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include student discipline, including, but not limited to reprimand, suspension, or possible expulsion. Further, the result of an investigation that finds that bullying has occurred may result in discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law).

### **Retaliation/False Reports**

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally making a false report may result in disciplinary action as indicated above.

If a student or other individual believes there has been bullying, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

## **Privacy/Confidentiality**

The School District will respect the privacy of the complainant, the individual(s) against who the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to inform parents, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

To the extent appropriate in conducting a thorough investigation and/or as legally permitted, confidentiality will be maintained during the investigation process.

### **Notification**

Notice of this policy will be annually distributed to all students enrolled in the School District, their parents and/or guardians, and employees. The policy will also be distributed to organizations in the community having cooperative agreements with the schools. Additionally, the policy will be posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. All new hires will be required to review and sign off on this policy and the related complaint procedure.

The School District will also provide a copy of the policy to any person who requests it.

### **Records and Reports**

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

An annual summary report shall be prepared and presented to the Board, which includes trends in bullying behavior and recommendations on how to further reduce bullying behavior. The annual report will be available to the public.

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of bullying behavior. The District Administrator shall provide appropriate training to all members of the School District community related to the implementation of this policy an

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

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

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

Pursuant to its Title IX obligations, the Board is committed to eliminating sexual harassment and will take appropriate action when an individual is determined responsible for violating this policy. Members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. Third Parties who engage in sexual harassment are also subject to the disciplinary sanctions listed in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing supportive measures as reasonably necessary to restore or preserve access to the District's education programs and activities.

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

NAME(S): Dave Beranek  
TITLE(S) High School Principal  
PHONE NUMBER(S) 715-443-2226 x-4106  
OFFICE ADDRESS(ES) 204 East Street, Marathon, WI 54448  
EMAIL ADDRESS(ES) dberanek@marathon.k12.wi.us