



Work Session

Thursday, August 16, 2018 @ 6:00 PM Central
Conference Room, 1515 W 8th St, Hastings, NE 68901

1. Roll Call -
2. Announcement - Jim Boeve -
3. Welcome to HEA reps and guests - Jim Boeve -
4. Review Board Norms/Goal - Jim Boeve -
5. Information on Spotlight on Learning - Skills USA - Craig Kautz -
6. Leadership Quarterly Update - Craig Kautz -
7. *Approve first reading of revised Policy 102.00 - Philosophy, Mission Statement and Vision Statement - Chad Dumas -
8. Sign up for fall Board PLC visits - Chad Dumas -
9. *Approve second reading of revised Policies 404.06 and 504.18 - Anti-Discrimination - Craig Kautz -
10. *Approve increasing the Federal Programs Secretary to a 1.0 FTE 12 month position (currently .63 - 10 month) - Craig Kautz -

11. *Consent Agenda - Craig Kautz -

12. *Approve YMCA Agreement for 2018-19 - Jeff Schneider -

13. Budget discussion - Jeff Schneider -

14. Reminders - Jim Boeve -

15. Reports, etc., at Board Meeting - Jim Boeve -

16. Executive Session - Jim Boeve -

17. The Board of Education returned to Open Session at p.m. - Jim Boeve -

18. Adjournment - Jim Boeve -

***Closed Session:** If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the board will conduct a closed meeting in accordance with the Nebraska Open Meetings Law.

****Sequence of Agenda:** The sequence of agenda topics is subject to change at the discretion of the board. Please arrive at the beginning of the meeting.

*****Action Item:** The board reserves the right to take action on an item listed on the board agenda.

Students, staff, families and community will collaborate to maximize readiness for our student's college/career and citizenship. We will increase the rigor and relevance of each student's learning experience while meeting their academic and well-being needs.

Hastings Public Schools

Board of Education Norms

We will work to achieve consensus while valuing differences of opinion both within our Board and when considering the input of others.

We will conduct meetings and business in a manner that is fair and professional.

We will strive to ensure our decisions are congruent with the mission, vision, and strategic plan for the District.

Each member will be committed to the School Board process by attending meetings, being on time, coming prepared, adhering to the agenda (the President of the Board may adjust the order of the agenda to allow the fullest participation of the available members of the Board upon the request of a Board Member), *referencing Robert's Rules of Order*, and participating to their full potential.

We will gather the necessary data; seek expertise from within and outside of our District; and attempt to hear from any parent, student, or other community member in order to make wise decisions that reflect all stakeholders.

We will regularly and intentionally communicate with one another, the administration, faculty, staff, students, community, and the press to ensure information is shared openly and in a relevant, timely and appropriate manner.

We will also maintain confidentiality when necessary.

We will serve as advocates for K-12 public education within our community, as well as within the state of Nebraska.

We will recognize that, as community leaders, we will adhere to the character standards that are the core of our school: respect, responsibility, compassion, and honesty.

Our collective and fundamental purpose is to assure all students acquire the knowledge, skills, and behaviors essential to be successful individuals and responsible citizens.

PHILOSOPHY, MISSION STATEMENT, AND VISION STATEMENT

PHILOSOPHY

We believe:

All students should be provided with appropriate educational opportunities in order to learn, develop, and succeed.

Individual dignity, worth, and uniqueness must be respected at all times.

Individual rights are to be exercised and protected in a manner designed to preserve and respect the rights of others.

The educational process depends primarily on the school and is enriched by an active partnership with students, families, and the community.

Students must develop the ability to deal responsibly, ethically, and knowledgeably with decisions and choices in a changing world.

All students must learn what is essential.

Each student's ability to work and cooperate with other people is essential.

The District should make effective and efficient use of all resources for the maximum benefit of all students.

Given our beliefs, the Hastings Public Schools shall implement the following Mission Statement (our purpose) and Vision Statement (our means of attaining our Mission):

MISSION STATEMENT

Our fundamental purpose is to assure all students acquire the knowledge, skills, and behaviors essential to be successful individuals and responsible citizens.

VISION STATEMENT

As the cornerstone of educational excellence in our community, we will continuously and passionately strive to be high performing. Our Learning Community will effectively meet the unique learning needs of each and every student. To attain our Mission we must:

- maintain a clear and shared focus on student learning;

- continuously implement, in all grades and subject areas, an articulated and effective curriculum that aligns with recognized standards and is supported by appropriate instructional and assessment practices;

- set and maintain appropriately high expectations for students and for each other;

BELIEFS, MISSION, VISION, AND COMMITMENTS

Beliefs

We believe:

All students must learn the Essentials of the Hastings Public Schools.

Students learn best when they are actively engaged in learning and are held to appropriately high expectations.

Students learn best when provided equitable opportunity, systematic support, and differentiation.

Student learning increases when an environment of positive relationships, mutual respect and collaboration exists among stakeholders (students, parents, faculty, support staff, and community).

Student learning is enhanced by a safe, inviting, and comfortable learning environment.

Student learning is enhanced by self-discipline, inquiry, integrity, empathy, reflection, diversity, a global perspective, digital citizenship, and technology.

Student learning improves when stakeholders live a healthy lifestyle.

Student learning improves when all stakeholders are engaged in learning.

Mission

Our fundamental purpose is to assure all students acquire the knowledge, skills, and behaviors essential to be successful individuals and responsible citizens.

Vision

As the cornerstone of educational excellence in our community, we will continuously and passionately strive to be high performing. Our Learning Community will effectively meet the unique learning needs of each and every student. To attain our Mission we must have:

- A shared focus on student learning;

- An articulated curriculum that provides all students, at a minimum, with essential knowledge, skills, and dispositions;
- A balanced assessment system that meets the needs of students, teachers, parents, and policy makers;
- A system of intervention and enrichment based on formative assessments;
- Adults working together interdependently to improve student learning, instruction, and practices;
- Appropriate and high expectations for each student and teacher that are based on the premise that ALL students can and will learn at high levels, and that will facilitate students and staff having high expectations of themselves to meet their own potential;
- A safe, supportive, and healthy learning and teaching environment that celebrates individuals' differences, diversity, growth, and achievement;
- An environment where adult learning and growth is continuous and job-embedded in order to provide high quality instruction for every student;
- Leadership at every level that is committed to the full implementation of the culture of a professional learning community; and
- A strong commitment to learning from stakeholder groups (students, staff, parents, and community leaders).

Staff Commitments

We will:

- Have high academic and behavioral expectations for our students;
- Have high professional expectations of ourselves and others;
- Analyze data to guide instruction, to intervene, to enrich, to adjust programming and practices, to engage stakeholders, and celebrate success;
- Collaborate within the culture of a professional learning community in order to create equity and achieve student success;
- Build positive relationships with stakeholders to ensure a safe and orderly environment; and
- Push beyond student academic excellence toward excellence in all aspects of life.

Process for Beliefs, Vision and Commitments

Updated August 2018

September 2016

- School Improvement (SI) Leadership Teams (building principals and SI Chairs) examined research-based practices for improving student performance and organizational conditions for improving schools

November 2016

- Definitions of Beliefs, Vision and Commitments were provided to SI Leadership
- Resources and Tools for developing Beliefs, Vision and Commitments were provided--including a research-based survey
- Schools administered the survey between November and January 2017 to all staff
- SI Leadership compiled draft Beliefs for their buildings, as well as potential Commitments

January 2017

- SI Leadership considered how the Beliefs become a Vision through resources provided
- SI Leadership examined the Beliefs of other schools, and took proposed revisions back to their staff

Summer 2017

- Building principals reviewed the compiled Beliefs, Vision and Commitments from the buildings, identified themes and gaps (considering documents from other organizations), and created a draft set for the District

Fall 2017

- Building principals again reviewed/revised the Draft Beliefs, Vision and Commitments
- District Improvement Advisory reviewed/revised the Draft Beliefs, Vision and Commitments
- The District Improvement Management Team reviewed/revised the Draft Beliefs, Vision and Commitments
- The Superintendent's Cabinet reviewed/revised the Draft Beliefs, Vision and Commitments
- Draft Beliefs, Vision and Commitments were used by the Board as part of the November Retreat

March 2018

- SI Leadership reviewed/revised again

Summer 2018

- Superintendent reviewed/revised in light of previous policy
- Building principals reviewed/revised in light of previous policy

August 2018

- New policy presented to HPS Board of Education

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION

1. Elimination of Discrimination

The Hastings Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Hastings Public Schools does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated as “Coordinators” to handle inquiries regarding the non-discrimination policies:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

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Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov

2. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others

Purpose:

The Hastings Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race, color, religion, veteran

status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition, may include, but is not limited to:

- Name-calling,
- Teasing or taunting,
- Insults, slurs, or derogatory names or remarks,
- Demeaning jokes,
- Inappropriate gestures,
- Graffiti or inappropriate written or electronic material,
- Visual displays, such as cartoons, posters, or electronic images,
- Threats or intimidating or hostile conduct,
- Physical acts of aggression, assault, or violence, or
- Criminal offenses.

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- Unwelcome sexual advances or propositions,
- Requests or pressure for sexual favors,
- Comments about an individual's body, sexual activity, or sexual attractiveness,
- Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or

- Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see “Grievance or Complaint Procedures” in Rule 404.06), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

3. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETIATION

The Hastings Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated. Should unlawful discrimination, harassment, and/or retaliation be alleged, the following shall apply.

Grievance or Complaint Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline**. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- Providing the parties with the opportunity to present witnesses and provide evidence.
- An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- A summary of the facts,
- Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- If a finding is made that discrimination, harassment or other inappropriate

conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.

Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, the designated compliance officer, and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted

Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.

- Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- Reviewing all evidence in harassment or violence cases to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- Recommending changes to this policy and grievance procedure.
- Performing other duties as assigned.

Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District (see Attachment B). The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Approved 10/19/2015

Reviewed

Revised

HASTINGS PUBLIC SCHOOLS

**Complaint Form
Discrimination, Harassment or Retaliation**

The Hastings Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 404.06 for particular information pertaining to the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Name: _____ Date: _____

(1) Description of the complaint: _____

(2) Names of any witnesses to the matter being complained about: _____

(3) Identify and attach any document supporting the complaint: _____

(4) Confidentiality: I (check one) ___ do/do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

(5) Relief requested (what I want done in response to this complaint): _____

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Signature: _____

For HPS Use Only

Received by: _____ Date: _____

Notice of Nondiscrimination

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status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

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- Requests or pressure for sexual favors,
- Comments about an individual's body, sexual activity, or sexual attractiveness,
- Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or

- Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see “Grievance or Complaint Procedures” in Rule 404.06), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

3. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION

The Hastings Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated. Should unlawful discrimination, harassment, and/or retaliation be alleged, the following shall apply.

Grievance or Complaint Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline.** Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- Providing the parties with the opportunity to present witnesses and provide evidence.
- An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- A summary of the facts,
- Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- If a finding is made that discrimination, harassment or other inappropriate

conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.

Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, the designated compliance officer, and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted

Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.

- Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- Reviewing all evidence in harassment or violence cases to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- Recommending changes to this policy and grievance procedure.
- Performing other duties as assigned.

Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District (see Attachment B). The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Approved 10/19/2015

Reviewed

Revised

HASTINGS PUBLIC SCHOOLS

**Complaint Form
Discrimination, Harassment or Retaliation**

The Hastings Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 404.06 for particular information pertaining to the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Name: _____ Date: _____

(1) Description of the complaint: _____

(2) Names of any witnesses to the matter being complained about: _____

(3) Identify and attach any document supporting the complaint: _____

(4) Confidentiality: I (check one) ___ do/do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

(5) Relief requested (what I want done in response to this complaint): _____

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Signature: _____

For HPS Use Only

Received by: _____ Date: _____

Notice of Nondiscrimination

The Hastings Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION

1. Elimination of Discrimination

The Hastings Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Hastings Public Schools does not discriminate on the basis of sex or gender, sexual orientation, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated as “Coordinators” to handle inquiries regarding the non-discrimination policies:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov

2. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others

Purpose:

The Hastings Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex or gender, sexual orientation, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status,

pregnancy, childbirth or related medical condition, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex or gender, sexual orientation, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition may include, but is not limited to:

- Name-calling,
- Teasing or taunting,
- Insults, slurs, or derogatory names or remarks,
- Demeaning jokes,
- Inappropriate gestures,
- Graffiti or inappropriate written or electronic material,
- Visual displays, such as cartoons, posters, or electronic images,
- Threats or intimidating or hostile conduct,
- Physical acts of aggression, assault, or violence, or
- Criminal offenses.

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- Unwelcome sexual advances or propositions,
- Requests or pressure for sexual favors,
- Comments about an individual's body, sexual activity, sexual orientation, or sexual attractiveness,
- Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- Requiring sexual favors or contact in exchange for aids, benefits, or services,

- such as grades, awards, privileges, promotions, etc., or
- Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see “Grievance or Complaint Procedures” in Rule 404.06), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

3. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

Approved 10/19/2015 Reviewed _____ Revised _____

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION

The Hastings Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated. Should unlawful discrimination, harassment, and/or retaliation be alleged, the following shall apply.

Grievance or Complaint Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline.** Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- Providing the parties with the opportunity to present witnesses and provide evidence.
- An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- A summary of the facts,
- Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- If a finding is made that discrimination, harassment or other inappropriate

conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.

Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, the designated compliance officer, and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted

Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.

- Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- Reviewing all evidence in harassment or violence cases to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- Recommending changes to this policy and grievance procedure.
- Performing other duties as assigned.

Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District (see Attachment B). The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Approved 10/19/2015 Reviewed _____ Revised _____

**Complaint Form
Discrimination, Harassment or Retaliation**

The Hastings Public School District does not discriminate on the basis of sex or **gender, sexual orientation**, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 404.06 for particular information pertaining to the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Name: _____ Date: _____

(1) Description of the complaint: _____

(2) Names of any witnesses to the matter being complained about: _____

(3) Identify and attach any document supporting the complaint: _____

(4) Confidentiality: I (check one) ___ do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

(5) Relief requested (what I want done in response to this complaint): _____

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Signature: _____

For HPS Use Only

Received by: _____ Date: _____

Notice of Nondiscrimination

The Hastings Public School District does not discriminate on the basis of sex **or gender, sexual orientation**, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION

1. Elimination of Discrimination

The Hastings Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Hastings Public Schools does not discriminate on the basis of sex or gender, sexual orientation, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, or childbirth or related medical condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated as “Coordinators” to handle inquiries regarding the non-discrimination policies:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov

2. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others

Purpose:

The Hastings Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex or gender, sexual orientation, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status,

pregnancy, childbirth or related medical condition, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex or gender, sexual orientation, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition may include, but is not limited to:

- Name-calling,
- Teasing or taunting,
- Insults, slurs, or derogatory names or remarks,
- Demeaning jokes,
- Inappropriate gestures,
- Graffiti or inappropriate written or electronic material,
- Visual displays, such as cartoons, posters, or electronic images,
- Threats or intimidating or hostile conduct,
- Physical acts of aggression, assault, or violence, or
- Criminal offenses.

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- Unwelcome sexual advances or propositions,
- Requests or pressure for sexual favors,
- Comments about an individual's body, sexual activity, sexual orientation, or sexual attractiveness,
- Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- Requiring sexual favors or contact in exchange for aids, benefits, or services,

- such as grades, awards, privileges, promotions, etc., or
- Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see “Grievance or Complaint Procedures” in Rule 504.18), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

3. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

Approved 10/19/2015 Reviewed _____ Revised _____

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION

The Hastings Public Schools is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated. Should unlawful discrimination, harassment, and/or retaliation be alleged, the following shall apply.

Grievance or Complaint Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline.** Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- Providing the parties with the opportunity to present witnesses and provide evidence.
- An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- A summary of the facts,
- Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- If a finding is made that discrimination, harassment or other inappropriate

conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.

Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, the designated compliance officer, and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted

Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.

- Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- Reviewing all evidence in harassment or violence cases to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- Recommending changes to this policy and grievance procedure.
- Performing other duties as assigned.

Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District (see Attachment B). The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas identified in the Training section, above.

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Approved 10/19/2015 Reviewed _____ Revised _____

**Complaint Form
Discrimination, Harassment or Retaliation**

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Refer to Board Policy 504.18 for particular information pertaining to the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:

Students: Donna Moss, Director of Student Services, 1924 West A Street, Hastings, Nebraska, 68901, donna.moss@hpstigers.org

Employees and Others: Jeff Schneider, Director of Finance and Operations, 1924 West A Street, Hastings, Nebraska, 68901, jeff.schneider@hpstigers.org

Name: _____ Date: _____

(1) Description of the complaint: _____

(2) Names of any witnesses to the matter being complained about: _____

(3) Identify and attach any document supporting the complaint: _____

(4) Confidentiality: I (check one) ___ do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

(5) Relief requested (what I want done in response to this complaint): _____

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Signature: _____

For HPS Use Only

Received by: _____ Date: _____

Notice of Nondiscrimination

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Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov

PERSONNEL

Certificated Staff Transfer – Lloyd McIntyre, Kelli Schelkopf, Debra Vorderstrasse

The administration recommends acceptance of the following Certificated transfer(s):

Lloyd McIntyre from Special Education/Resource Teacher at Senior High to Grade 3 Teacher at Lincoln to replace Christa Ball who resigned. Mr. McIntyre's wage and placement will remain the same according to the 2018-2019 certificated salary schedule.

Kelly Schelkopf from Business Teacher to Special Education/Resource Teacher at Senior High to replace Lloyd McIntyre who transferred to another position. Ms. Schelkopf's wage and placement will remain the same according to the 2018-2019 certificated salary schedule.

Debra Vorderstrasse from 1.0 EL Teacher at Watson to .50 FTE Watson/.50 FTE Lincoln EL Teacher. Ms. Vorderstrasse's wage and placement will remain the same according to the 2018-2019 certificated salary schedule.

Certificated Staff Appointments – Dylan Flinn

The administration recommends acceptance of the following Certificated appointment(s):

Dylan Flinn to Business Teacher at Senior High to replace Kelly Schelkopf who transferred to another position. Mr. Flinn will be placed at MA-1 according to the 2018-2019 certificated salary schedule. Information about Mr. Flinn is attached.

Extra Standard Resignations – Daniel Hawker, Nathan Mueller, Randall Schultz, Roger Sunderman, Joe White

The administration recommends acceptance of the following Extra Standard resignations:

Daniel Hawker resigned from Head Boys Soccer at Senior High effective immediately.

Nathan Mueller resigned from Assistant Boys Soccer at Senior High effective immediately.

Randall Schultz resigned from Assistant Boys Basketball at Senior High effective immediately.

Roger Sunderman resigned from Assistant Girls Basketball at Senior High effective immediately.

Joe White resigned for Assistant Boys Soccer at Senior High effective immediately.

Extra Standard Appointments – Stephanie Barwick, Dylan Flinn, Evan Kruger, Michael Mankin, Charlie Shoemaker, Amy Sloan, Roger Sunderman

The administration recommends the following Extra Standard appointment(s):

Stephanie Barwick to Learning Team Liaison (MS Social Studies) position to replace Michael Baptiste who resigned. Ms. Barwick will be paid the Learning Team Liaison stipend of \$853.75 according to the 2018-2019 extra standard salary schedule.

Dylan Flinn to Assistant Boys Basketball position at Senior High to replace Randall Schultz who resigned. Mr. Flinn will be paid the Assistant Basketball stipend of \$3,073.50 at Category III, Level 1 according to the 2018-2019 extra standard salary schedule.

Evan Kruger to Weight Training (1/2 split) position at Senior High This position has been vacant for several years. Mr. Kruger will be paid the Weight Training stipend of \$2,219.75 (1/2) at Category II, Level 4 according to the extra standard salary schedule..

Michael Mankin to Assistant Track (1/3 split) position at Senior High to replace Timothy Delaney who transferred to 2/3 of the split position. Mr. Mankin will be paid the Assistant Track stipend of \$1024.50 (1/3) at Category II, Level 2 according to the 2018-2019 extra standard salary schedule.

Charlie Shoemaker to Weight Training (1/2 split) position at Senior High. This position has been vacant for several years. Mr. Shoemaker will be paid the Weight Training stipend of \$2,219.75 (1/2) at Category II, Level 4 according to the extra standard salary schedule.

Amy Sloan to Learning Team Liaison (Grade 4) position to replace Scottie Heil who transferred to another grade level. Ms. Sloan will be paid the Learning Team Liaison stipend of \$853.75 according to the 2018-2019 extra standard salary schedule.

Roger Sunderman to Head Girls Tennis position at Senior High to replace Derek Williams who resigned. Mr. Sunderman will be paid the Head Tennis stipend of \$4,439.50 at Category II, Level 4; with adjustment for prior experience, according to the 2018-2019 extra standard salary schedule.

Extra Standard Transfer(s) – Timothy Delaney, Melissa Everson, Brian Itzen, Chris Pedroza, Scott Rosno

The administration recommends the following Extra Standard transfers:

Timothy Delaney from Assistant Track to 2/3 split Assistant Track position at Senior High. Mr. Delaney will be paid the Assistant Track stipend of \$2,049.00 (2/3) at Category II, Level 2 according to the 2018-2019 extra standard salary schedule.

Melissa Everson from Assistant Girls Soccer to Head Girls Soccer at Senior High to replace Chris Pedroza who transferred to another position. Ms. Everson will be paid the Head Soccer stipend of \$4,439.50 at Category IV, Level 2 according to the 2018-2019 extra standard salary schedule.

Brian Itzen from Assistant Girls Track to Head Girls Track at Senior High to replace Scott Rosno who transferred to another position. Mr. Itzen will be paid the Head Track stipend of \$5,122.50 at Category IV, Level 3 according to the 2018-2019 extra standard salary schedule.

Chris Pedroza from Head Girls Soccer to Head Boys Soccer at Senior High to replace Daniel Hawker who resigned. Mr. Pedroza's stipend and placement will remain the same according to the 2018-2019 extra standard salary schedule.

Scott Rosno from Head Girls Track to Assistant Girls Track at Senior High to replace Brian Itzen who transferred to another position. Mr. Rosno will be paid the Assistant Track stipend of \$4,439.50 at Category II, Level 4 according to the 2018-2019 extra standard salary schedule.

Classified Staff Releases/Resignations/Retirements – Jenni Bauer, Bob Bishop, Nancy Bumgardner, Suzanne Foster, Kristine Gayman, Jerre Mays, Lacy Meyer, Jennifer Pughes, Edward Ragsdale, Melissa Willman, Johnathon Wilson

The administration recommends acceptance of the following classified releases, retirement(s)/resignation(s):

Jenni Bauer resigned from her School Nurse/RN position at Senior High effective July 27, 2018.

Bob Bishop resigned from part-time Custodial/Groundskeeping position at Senior High effective August 16, 2018.

Nancy Bumgardner retiring from Federal Programs Secretary position at Administration effective September 6, 2018.

Suzanne Foster resigned from Special Education Paraeducator at Longfellow effective immediately.

Kristine Gayman released from Bus Monitor position effective July 31, 2018.

Jerre Mays retired from Paraeducator position at Watson effective immediately.

Lacy Meyer resigned from Paraeducator position at Hawthorne effective immediately.

Jennifer Pughes resigned from Paraeducator position at Hawthorne effective immediately.

Edward Ragsdale resigned from Night Custodian position at Middle School effective August 16, 2018.

Melissa Willman resigned from Special Education Paraeducator at Senior High effective immediately.

Johnathon Wilson released from Paraeducator position at Lincoln effective immediately.

Classified Staff Transfer(s) – Colleen Cannady, Anahi Chacon, Tina Clark, Martha Dewitt, Amy Henry, Karla Nauert, Barbara Parde, Timothy Phillips, Leray Steenson, Debbie Svoboda

The administration recommends acceptance of the following Classified transfer(s):

Colleen Cannady from .45 FTE Bus Monitor to regular 9-month bus monitor to replace Kristine Gayman who was released. Ms. Cannady's wage will remain the same according to the 2018-2019 classified salary schedule. Her hours and schedule will be adjusted for the new position.

Anahi Chacon from .50 FTE to 1.0 FTE Preschool Paraeducator at Hawthorne to replace Rebecca Shoemaker who transferred to another position. Ms. Chacon's wage will remain the same according to the 2018-2019 classified salary schedule.

Tina Clark from Special Education/Resource Paraeducator to Intervention Paraeducator at Watson to replace Jerre Mays who retired. Ms. Clark's wage will remain the same according to the 2018-2019 classified salary schedule.

Amy Henry from Preschool Paraeducator at Hawthorne to Special Education/Resource Paraeducator at Watson to replace Tina Clark who transferred to another position. Ms. Henry's wage will remain the same according to the 2018-2019 classified salary schedule.

Martha Dewitt from Paraeducator at Longfellow to Preschool Paraeducator at Alcott to replace Katie Millar who transferred to another position. Ms. Dewitt's wage will remain the same according to the 2018-2019 classified salary schedule.

Karla Nauert from Instructional Paraeducator to Intervention Paraeducator at Longfellow to replace Martha Dewitt who transferred to another position. Ms. Nauert's wage will remain the same according to the 2018-2019 classified salary schedule.

Barbara Parde from Office Paraeducator to Title Paraeducator at Hawthorne to replace Jennifer Pughes who resigned. Ms. Parde's wage will remain the same according to the 2018-2019 classified salary schedule.

Timothy Phillips from Watson/Middle School Night Custodian to Middle School Night Custodian to replace Edward Ragsdale who resigned. Mr. Phillips wage will remain the same according to the 2018-2019 classified salary schedule.

Leray Steenson from Custodian at Senior High to Head Custodian at Lincoln to replace Orville Duden who retired. Ms. Steenson's wage will be adjusted for the new assignment according to the 2018-2019 classified salary schedule.

Debbie Svoboda from Night Custodian at Senior High/Lincoln to Night Custodian at Lincoln/Alcott. Ms. Svoboda's wage will remain the same according to the 2018-2019 classified salary schedule.

Classified Staff Appointment(s) – Kerrie Catchpool, Shanley Confer, Danica Donner, Rebecca Galvan, Timothy Grabast, Autumn Julian, Patricia Juranek, Dawn Love, Jeinny Ramos, Anthony Rippe, Katie Schroder, Becky Spielman, Haley Tryon, Ann Wolf

The administration recommends the following classified staff appointment(s):

Kerrie Catchpool to Instructional Paraeducator at Longfellow to replace Karla Nauert who transferred to another position. Ms. Catchpool will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Catchpool is attached.

Shanley Confer to Instructional Paraeducator at Hawthorne to replace Amanda Dvoracek who resigned. Ms. Confer will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Confer is attached.

Danica Donner to Special Education Paraeducator at Alcott to replace Suzanne Foster who resigned. Ms. Donner will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Donner is attached.

Rebecca Galvan to a part-time Special Education Skills 3 Paraeducator at Hawthorne to replace a portion of Amanda Kusek who transferred to part-time. Ms. Galvan will be paid the starting wage for paraeducators according to the 2018-19 classified salary schedule. Information about Ms. Galvan is attached.

Timothy Grabast to Bus Driver to replace Donald Conyers who retired. Mr. Grabast will be paid the starting wage for Bus Driver according to the 2018-2019 classified salary schedule. Information about Mr. Grabast is attached.

Autumn Julian to Office Paraeducator at Hawthorne to replace Barbara Parde who transferred to another position. Ms. Julian will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Julian is attached.

Patricia Juranek to Special Education Paraeducator at Longfellow to replace Meghan Patten who transferred to another position. Ms. Juranek will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule, with adjustment for prior HPS experience. Information about Ms. Juranek is attached.

Dawn Love to EL Paraeducator at Middle School to replace Nolan Laux (.5 FTE) and Madeline Svoboda (.5 FTE) who resigned. Ms. Love will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Love is attached.

Jeinny Ramos to EL Paraeducator at Senior High to replace Tania Brenneman who retired. Ms. Ramos will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Ramos is attached.

Anthony Rippe to Special Education Paraeducator at Longfellow to replace Tracy Zabst who transferred to another position. Mr. Rippe will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Mr. Rippe is attached.

Katie Schroder to Special Education Paraeducator at Lincoln to replace Johnathon Wilson who was released. Ms. Schroder will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Schroder is attached.

Becky Spielman to Special Education Paraeducator at Hawthorne to replace Lacy Meyer who resigned. Ms. Spielman will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Spielman is attached.

Haley Tryon to Special Education Skills 3 Paraeducator at Hawthorne to replace Rebecca Galvan who resigned. Ms. Tryon will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Tryon is attached.

Ann Wolf to Special Education Paraeducator at Hawthorne to replace Melissa Callaway who resigned. Ms. Wolf will be paid the starting wage for Paraeducator according to the 2018-2019 classified salary schedule. Information about Ms. Wolf is attached.

**2018-2019 Estimated General Fund Budget
August 16, 2018**

HPS local property tax revenue: \$11,750,000 (3.5% increase or \$340,000)
Estimated income from non-local property tax: \$27,650,000
Estimated cash on hand: \$6,600,000

Estimated 18-19 General Fund Budget: \$46,000,000 (last year \$45,803,550)

***Line item budget for 18-19 will be available by the end of August

Tax Request

General Fund: \$1.05
Qualified Capital Undertaking Fund: \$0.052 (Senior High Project)
Bond Fund: \$0.29 (HMS & Elementary Projects)

Total \$1.342 (We continue to operate levy neutral)

Budget Approval for 18-19

- We will advertise the proposed budget and tax request prior to the September Board Meeting.
- We will hold a budget and tax request hearing at the September Board Meeting
- Approve a budget at the September Board Meeting
- Budget is due to NDE by September 20th, 2018

Estimated Summary of 17-18

- Receipts and Expenses appear to about equal for 17-18 depending on the timing of a couple receipts.
- Estimated expense total is about 2% more than last year

General Fund Expenses

Description	14-15 Actual	15-16 Actual	16-17 Actual	17-18 Budget	17-18 Estimate Exp.	18-19 Estimate
Teachers, Paras, Supplies	\$18,393,360	\$19,346,474	19,422,066	21,910,898	19,700,000	20,300,000
Sped teachers, Sped Paras, Supplies	\$6,268,831	\$6,612,872	7,161,841	7,947,000	7,500,000	7,700,000
Counselors, Nurses, Library Personnel, Supplies	1,274,813	1,314,482	1,290,627	1,721,890	1,400,000	1,400,000
Administrators, Office personnel, supplies, HR expenses, Board Expenses, Legal Fees, Property Insurance, Textbooks, Computers	\$5,230,041	\$5,321,562	\$5,290,433	6,235,000	\$5,300,000	5,400,000
Custodians, Supplies & Equipment, Vehicles other than busses, utility expenses	\$1,999,585	\$2,084,574	\$2,293,243	2,701,700	\$2,300,000	2,350,000
Maintenance personnel, equipment and supplies,	\$1,448,197	\$1,259,609	1,365,181	1,415,700	1,400,000	1,400,000
Activity Transportation	\$513,542	\$351,337	572,132	589,200	400,000	500,000
Sped Transportation	\$399,969	\$409,137	484,077	654,425	485,000	500,000
Teachers, Paras, and supplies for Federal programs such as Title and Pre-School	\$2,089,218	\$2,131,394	2,070,327	2,627,433	2,100,000	2,100,000
Total Expenditures	\$37,617,556	\$38,831,441	39,949,927		40,585,000	41,650,000
Total Budgeted	41,517,434	43,298,677	43,530,935	45,803,246		46,000,000

General Fund Receipts

	16-17	17-18 est	18-19 Estimate
local	11,877,346	12,700,000	12,800,000
State aid	19,933,715	20,731,503	\$19,600,000
Sped	3,066,091	3,300,000	3,600,000
State	1,927,501	1,800,000	1,800,000
Fed	2,526,214	2,000,000	2,000,000
total	39,330,867	40,531,503	39,800,000