



**HASTINGS  
PUBLIC SCHOOLS**  
Assuring the essential.  
Expanding the possible.

## **Work Session**

Thursday, September 10, 2020 @ 6:00 PM Central  
Longfellow Elementary, 828 North Hastings, Hastings, NE 68901

1. Roll Call -

2. Announcement - Jim Boeve -

3. Oath of Office to new Board member - Jeff Schneider -

4. Welcome to HEA reps and guests - Jim Boeve -

5. Review Board Norms/Goal - Jim Boeve -

6. \*Reminder of 2020-2021 budget and tax levy hearings and approvals - Jeff Schneider -

7. Information on "Spotlight on Learning" - Jeff Schneider -

8. Opening Update - Jeff Schneider -

9. \*Consent Agenda - David Essink -

10. \*Approve NEW Title IX Grievance Procedure Policies 404.065 and 504.186 - Kandace Garwood -

11. \*Approve the purchase of Red Cat - Kandace Garwood -

12. Reminders - Jim Boeve -

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

14. Executive Session - Jim Boeve -

15. Return to Open Session - Jim Boeve -

16. 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.***

## RESOLUTION

WHEREAS, the Board of Education of Adams County School District No. 01-18 a/k/a Hastings Public Schools is obligated to pay ongoing expenses and increasing expenditures to operate the school district; and

**WHEREAS**, the Board has determined that it needs to collect more property taxes than it collected in the prior year; and

WHEREAS, on September 9, 2020, the Board published notice in a newspaper of general circulation, and

WHEREAS, said notice was published at least five days prior to the Board's special hearing, and

WHEREAS, said notice included the required items as specific in Neb. Rev. Stat. § 77 1601.02;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of Adams County School District No. 01-18 a/k/a Hastings Public Schools that the Board has considered and approved the property tax request for the following year, as follows:

The amount of the property tax request is \$16,796,532.00. The total assessed value of property differs from last year's total assessed value by 6 percent;

The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$1.269512 per \$100 of assessed value; The Hastings Public School District proposes to adopt a property tax request that will cause its tax rate to be \$1.342 per \$100 of assessed value; Based on the proposed property tax request and changes in other revenue, the total operating budget of Hastings Public School District will exceed last year's by 3 percent,

The foregoing Resolution having been read in its entirety, Member moved for its passage and adoption. Member seconded same. After discussion and on roll call vote the following members voted in favor of passage and adoption of the above Resolution:

The following members voted against the same;

The following members were absent or not voting:

-  
-

The above Resolution having been consented to and approved by the Board of Education of this School District, was declared as passed and adopted by the President at a duly held and

lawfully convened meeting in full compliance with the Nebraska open meetings law,

**DATED** this  
day of September, 14, 2020.

**ADAMS COUNTY SCHOOL DISTRICT NO. 01-18 A/K/A HASTINGS PUBLIC SCHOOLS**

**BY:**  
President or Other Board Member

**ATTEST:**  
  
Secretary or Other Board Member

## NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

HASTINGS PUBLIC SCHOOLS (01-0018) in ADAMS County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 14th day of September, 2020 at 7:00 o'clock, P.M., at 201 N. Marian Rd., Hastings, Nebraska for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget and to consider amendments relative thereto. The budget detail is available at the office of the Clerk/Secretary during regular business hours.

FUNDS	Actual Disbursements & Transfers	Actual/Estimated Disbursements & Transfers	Budgeted Disbursements & Transfers	Necessary Cash Reserve (4)	Total Available Resources Before Property Taxes (5)	Total Personal and Real Property Tax Requirement (7)
	2018-2019 (1)	2019-2020 (2)	2020-2021 (3)			
General	\$ 41,267,513.00	\$ 43,818,900.00	\$ 45,800,033.00	\$ 2,000,000.00	\$ 33,901,733.00	\$ 14,038,687.00
Depreciation	\$ 40,022.00	\$ 264,311.00	\$ 581,339.00		\$ 581,339.00	
Employee Benefit	\$ 6,978.00	\$ 1,300.00	\$ 217,486.00	\$ -	\$ 217,486.00	
Contingency	\$ -	\$ -	\$ -		\$ -	
Activities	\$ 737,682.00	\$ 660,358.00	\$ 728,954.00	\$ -	\$ 728,954.00	
School Nutrition	\$ 2,094,102.00	\$ 2,003,100.00	\$ 2,371,538.00	\$ -	\$ 2,371,538.00	
Bond	\$ 18,137,377.00	\$ 16,538,708.00	\$ 21,485,000.00	\$ 690,161.00	\$ 19,717,894.00	\$ 2,482,088.00
Special Building	\$ 3,169,975.00	\$ 19,236.00	\$ 6,091,679.00		\$ 6,091,679.00	\$ -
Qualified Capital Purpose Undertaking	\$ 385,124.00	\$ 5,359,740.00	\$ 3,047,817.00	\$ 50,000.00	\$ 2,824,818.00	\$ 275,757.00
Cooperative	\$ 839,998.00	\$ 2,383,000.00	\$ 2,451,457.00	\$ -	\$ 2,451,457.00	
Student Fee	\$ 72,431.00	\$ 60,000.00	\$ 92,678.00	\$ -	\$ 92,678.00	
	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>TOTALS</b>	<b>\$ 66,751,202.00</b>	<b>\$ 71,108,653.00</b>	<b>\$ 82,867,981.00</b>	<b>\$ 2,740,161.00</b>	<b>\$ 68,979,576.00</b>	<b>\$ 16,796,532.00</b>

## Notice of Special Hearing To Set Final Tax Request

HASTINGS PUBLIC SCHOOLS (01-0018) in ADAMS County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 14th day of September 2020 at 7:00 o'clock P.M., at 201 N. Marian Rd., Hastings, Nebraska for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

	2019-2020	2020-2021	Change
Property Valuations	1,185,842,588	1,253,453,974	6%

### 2019/20 Budget Information

### 2020/21 Budget Information

Fund	2019-2020 Operating Budget	2019-2020 Property Tax Request	2019 Tax Rate	Property Tax Rate (2019-2020 Request Divided By 2020 Valuation)	2020-2021 Operating Budget	2020-2021 Proposed Property Tax Request	Proposed 2020 Tax Rate	Change in Tax Rate	Change in Operating Budget
<b>General Fund</b>	44,520,819.00	13,281,437.00	1.120000	1.059587	45,800,033.00	14,038,687.00	1.120000	0%	3%
<b>Bond Fund(s) K - 12</b>	19,523,000.00	2,371,686.00	0.200000	0.189212	21,485,000.00	2,482,088.00	0.200000	0%	10%
<b>Qualified Capital Purpose Undertaking Fund K - 12</b>	8,977,056.00	260,885.00	0.022000	0.020813	3,047,817.00	275,757.00	0.022000	0%	-66%
<b>Total</b>	73,020,875.00	15,914,008.00	1.342000	1.269612	70,332,850.00	16,796,532.00	1.342000	0%	-4%

## **PERSONNEL**

### **Certificated Staff Appointment(s) – Laura Zabloudil**

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

Laura Zabloudil to new Grade 05 (E-Learning) Teacher position at Lincoln due to student needs. This is a one-year assignment only. Ms Zabloudil will be placed at MA45-15+ according to the 2020-21 certificated salary schedule. Information about Ms. Zabloudil is attached.

### **Extra Standard Staff Appointment(s) – Alison Aldrich, McKenzie Bertrand, Karen Callahan, Matthew Geiger, Brenda (Quinones) McKenzie, Angela Runyan, Ashley Speak, Megan Steinhauer, Michael Trindle**

The administration recommends the following extra standard staff appointment(s):

Allison Aldrich to Head Boys Golf to replace Alexander Steele who resigned. Ms. Aldrich will be paid the Head Golf stipend of \$2,432.50 at Category II, Level 1 according to the 2020-21 extra standard salary schedule.

McKenzie Bertrand to Learning Team Liaison (Grade 05) to replace Stephanie Strong who resigned/transferred to another grade level. Ms. Bertrand will be paid the Learning Team Liaison stipend of \$868.75 according to the 2020-21 extra standard salary schedule.

Karen Callahan to Hawthorne Student Council (1/2 split) to replace Ronda Loetterle who resigned/transferred to another building. Ms. Callahan will be paid the Student Council (1/2 split) stipend of \$521.25 at Category A, Level 1 according to the extra standard salary schedule.

Matthew Geiger to Learning Team Liaison (SH Science) to replace Augusta Beahm who resigned. Mr. Geiger will be paid the Learning Team Liaison stipend of \$868.75 according to the 2020-21 extra standard salary schedule.

Brenda (Quinones) McKenzie to new Learning Team Liaison (E-Learning) position. Ms. McKenzie will be paid the Learning Team Liaison stipend of \$868.75 according to the 2020-21 extra standard salary schedule.

Angela Runyan to Hawthorne Student Council (1/2 split) to replace Ronda Loetterle who resigned/transferred to another building. Ms. Runyan will be paid the Student Council (1/2 split) stipend of \$521.25 at Category A, Level 1 according to the extra standard salary schedule.

Ashley Speak to Assistant Girls Soccer at Senior High to replace Courtney McCarty who resigned. Ms. Speak will be paid the Assistant Soccer stipend of \$2,432.50 at Category II, Level 1 according to the 2020-21 extra standard salary schedule.

Megan Steinhauer to National Honor Society sponsor at Senior High to replace Robert Kerr who retired. Ms. Steinhauer will be paid the National Honor Society stipend of \$1,042.50 at Category A, Level 1 according to the 2020-21 extra standard salary schedule.

Michael Trindle to Learning Team Liaison (STS) to replace Jonathan Lindblad who resigned/transferred to another teaching assignment. Mr. Trindle will be paid the Learning Team Liaison stipend of \$868.75 according to the 2020-21 extra standard salary schedule.

### **Classified Staff Termination(s) – Andrea Ishii, Nicholas Mann**

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

Andrea Ishii resigned from Preschool Paraeducator position at Hawthorne effective August 9, 2020.

Nicholas Mann released from Evening Custodian position at Senior High effective August 18, 2020.

**Classified Staff Transfer(s) – Charles Benson, Danylle Danburg, Amy Henry, Dawn Love, Nicholas Mann**

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

Charles Benson from Evening Custodian at Senior High to Evening Custodian at Alcott to replace Nicholas Mann who transferred to another assignment. Effective August 10, 2020. Mr. Benson's wage will remain the same according to the 2020-21 classified salary schedule.

Danylle Danburg, Paraeducator at Longfellow to a Skills Paraeducator wage due to added essential duties for 1-to-1 student needs, effective September 10, 2020. Ms. Danburg's wage will be adjusted for the new assigned duties according to the 2020-21 classified salary schedule.

Amy Henry from Special Education Paraeducator at Watson to Special Education Skills 1/BD Paraeducator at Watson due to student needs, effective August 12, 2020. Ms. Henry's wage will be adjusted for the new assignment according to the 2020-21 classified salary schedule.

Dawn Love from EL Paraeducator at Middle School to Special Education Skills 3 Paraeducator at Middle School to replace Diane Keenan who retired. Effective August 10, 2020. Ms. Love's wage will be adjusted for the new assignment according to the 2020-21 classified salary schedule.

Nicholas Mann from Evening Custodian at Alcott to Evening Custodian at Senior High to replace Charles Benson who transferred to another assignment. Effective August 10, 2020. Mr. Mann's wage will remain the same according to the 2020-21 classified salary schedule.

**Classified Staff Appointment(s) – Trevor Cox, Gail Crosser, Floreign Enderina, Taylor Hinrichs, Carol Sidders, Derek Vargas**

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

Trevor Cox to Evening Custodian position at Senior High to replace Brad Duhachek who transferred to another position. Mr. Cox will be paid the starting wage for Night Custodian, with adjustment for education and experience, according to the 2020-21 classified salary schedule. Information about Mr. Cox is attached.

Gail Crosser to Special Education Paraeducator position at Middle School to replace Haley Schake who resigned. Ms. Crosser will be paid the starting wage for Paraeducator with adjustment for education and experience, according to the 2020-21 classified salary schedule. Information about Ms. Crosser is attached.

Floreign Enderina to EL Paraeducator position at Middle School to replace Dawn Love who transferred to another position. Ms. Enderina will be paid the starting wage for Paraeducator, with adjustment for education and experience, according to the 2020-21 classified salary schedule. Information about Ms. Enderina is attached.

Taylor Hinrichs to 0.60 FTE Library Paraeducator position at Hawthorne to replace Denise Howie who resigned. Ms. Hinrichs will be paid the starting wage for Paraeducator, with adjustment for education and experience, according to the 2020-21 classified salary schedule. Information about Ms. Hinrichs is attached.

Carol Sidders to Preschool Paraeducator position at Hawthorne to replace Andrea Ishii who resigned. Ms. Sidders will be paid the starting wage for Paraeducator, with adjustment for education and experience, according to the 2020-21 classified salary schedule. Information about Ms. Sidders is attached.

Derek Vargas to new Intervention Technician position (funded by AWARE Grant) at Senior High. Mr. Vargas will be paid the starting wage for Intervention Technician, with adjustment for education and experience, according to the AWARE grant and 2020-21 classified salary schedule. Information about Mr. Vargas is attached.

Community RelationsTitle IX – Procedure for Complaints of Sexual Harassment**A. Complaint Procedure - Generally**

All employees are responsible for helping to prevent sexual harassment. Employees, or students, who believe they have been subjected to, or believe they have witnessed sexual harassment should follow these procedures:

1. Directly inform the person engaging in the discrimination or harassment that such conduct is offensive and must stop.
2. For employee reporters, contact your principal or supervisor, the principal or supervisor of the offending person, or the Title IX Coordinator if you do not wish to communicate directly with the person whose conduct is offensive or if direct communication with the offending person has been ineffective.
3. Report the matter to the Title IX Coordinator if the offending conduct continues or has not been resolved to your satisfaction after you have reported the matter to a principal or supervisor.
4. For student reporters, contact any teacher, counselor, or administrator.
5. Report to the Title IX Coordinator if you are the adult to whom the student has made a report so that the matter can be properly resolved. The Title IX Coordinator may file a formal complaint and begin the following complaint procedure.

Allegations of sexual harassment or discrimination shall be investigated and, if substantiated, corrective or disciplinary action taken, up to and including dismissal from employment if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against an employee or student for reporting discrimination or harassment.

**B. Response to a Formal Complaint:**

1. Filing Formal Complaint: An employee or student can allege sexual harassment by filing a formal complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail using the following contact information:

DIRECTOR OF SPECIAL EDUCATION  
1924 WEST A STREET, HASTINGS, NE 68901  
402-461-7516

The formal complaint must be signed by the complainant or by the Title IX Coordinator. **The following procedures apply only in the event that a formal complaint is filed. All other allegations of sexual harassment shall be resolved using the general complaint procedure. Any timelines set forth in the following procedures may be extended by the Title IX Coordinator with notice to the parties.**

2. Immediate Actions upon Receipt of Formal Complaint: Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following to all known parties of (A): The complaint procedure as outlined in this regulation; and (B): Notice of the allegations of sexual harassment, including: (i) the identities of the parties involved, if known; and (ii) the conduct allegedly constituting sexual harassment; and (iii) the date and location of the alleged incident.

The parties to the formal complaint may select an advisor of their choice, who may be, but is not required to be, an attorney.

3. Investigation of Formal Complaint: Upon receipt of a formal complaint, the Title IX Coordinator shall notify the Investigator. The Investigator 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 Investigator will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this complaint procedure. If the allegation(s) involves 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 Investigator will aim to complete its investigation within a reasonable time frame, as determined by the Title IX Coordinator. The factors to determine a reasonable time frame include, but are not limited to, the allegations of the formal complaint, the number of witnesses that may need to be interviewed, and whether the police are also conducting an investigation into the allegations. The time frame originally set by the Title IX Coordinator may be extended by the Title IX Coordinator, upon notice to the parties, as he or she deems necessary to complete the investigation. Periodic status updates will be given to the parties, when appropriate.

(A) *Neutrality:* The Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate this complaint procedure, shall not have any conflict of interest or bias for or against complainants or respondents generally or an individual complainant

or respondent. The District shall ensure that Title IX Coordinators, investigators, decision-makers, and any persons who facilitate this complaint procedure shall receive training on the definition of sexual harassment in accordance with this regulation, the scope of the District's education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudice of the fact at issue, conflicts of interest, and bias. The District shall ensure that the individuals involved in the complaint procedure receive training on issues of relevance of questions and evidence and on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

(B) *Burden of Production*: It shall be the Investigator's burden to gather evidence sufficient to reach a determination regarding responsibility. To reach a determination, the investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. 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.
- d. 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?)

(C) *Rights of the Parties*: The respondent is entitled to a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.

The Investigator must provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The Investigator shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

The Investigator shall provide the parties with the same opportunities to have others present during any complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice if the Investigator deems appropriate. However, the Investigator may establish restrictions regarding the extent to which the advisor may participate in the proceedings, if the restrictions apply equally to both parties.

The Investigator shall provide to all witnesses expected to attend a meeting notice of the date, time, location, participants, and purpose of all hearings within two (2) days of the meeting.

Up until the conclusion of the investigation, the parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. This includes the evidence upon which the Investigator does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained from any source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The District retains the right to place an employee on administrative leave during the pendency of an investigation. The District also retains the right to remove a student from the District's educational program prior to the conclusion of the investigation. In the event of a removal, the respondent shall have the opportunity to challenge the decision for removal.

(D) *Conclusion of Investigation:* Prior to the conclusion of the investigation, the investigator shall send each party and the party's advisor, if any, the evidence that is subject to inspection and review in an electronic format or a hard copy. The parties shall then have ten (10) days to submit a written response, which the investigator will consider.

Once the investigator has considered the written statements of the parties, if any, and any questions of the parties, if any, the investigator shall create an investigative report that fairly summarizes relevant evidence. The investigator shall then submit the written investigation report to the decision-maker. The parties shall each receive a copy of the final investigative report at the same time as the decision-maker.

4. Decision of Responsibility: The decision-maker shall review the investigative report. Prior to coming to a determination regarding responsibility, the decision-maker shall provide ten (10) days for each party to submit written, relevant questions that a party wants asked of any party or witness, provide each party with answers, and allow for additional, limited follow-up questions from each party.

Once the decision-maker has considered the written questions of the parties, if any, the decision-maker shall issue a written determination regarding responsibility by a preponderance of the evidence within a reasonable time frame as determined by the Title IX Coordinator. The decision-maker shall consider all relevant evidence, including inculpatory and exculpatory evidence, and will not consider the credibility of the evidence to be based on a person's status, such as complainant, respondent, or witness. The decision-maker shall provide the written determination to both parties simultaneously. The written determination must include:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- c. Findings of fact supporting the determination;

- d. Conclusions regarding the application of each recipient's code of conduct to the facts;
- e. A statement of, and rationale for, the results as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- f. The recipient's procedures and permissible bases for the complainant and respondent to appeal.

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

#### 5. Supportive Measures and Disciplinary Actions:

Throughout the investigation, either party may be entitled to supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment to deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

At the conclusion of the investigation, the decision-maker may institute disciplinary measures to the respondent if the decision-maker determines that the respondent engaged in sexual abuse or harassment. Disciplinary measures may include, but are not limited to, in-school suspension, out-of-school suspension, expulsion, and in the case of an employee, disciplinary action up to and including dismissal from employment. This policy does not limit or prohibit the District from instituting disciplinary measures if, in the course of the investigation, it determines that the complainant or respondent violated the student code of conduct.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

### C. Appeals

If either party is not satisfied with the outcome of the investigation and the decision of the decision-maker, they may appeal on the following basis:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New evidence, that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against the complainant or respondent generally or the individual complainant or respondent that affected the outcome of the matter.

The request for an appeal shall be in writing and submitted on the appropriate document. The appeal document shall be submitted to the Superintendent of Schools.

Upon notice of an appeal by either party, the Superintendent of Schools shall notify the other party in writing when the appeal is filed and of the appeal procedures, which apply equally to both parties.

The Superintendent of Schools shall give both parties a reasonable and equal opportunity to submit a written statement in support of, or challenging the outcome.

The Superintendent of Schools shall review the investigative report, decision-maker's determination, and written statements of the parties and then issue a written decision describing the result of the appeal and the rationale for the result. The Superintendent of Schools shall provide the written decision simultaneously to both parties.

#### **D. Informal Resolution**

If a formal complaint is filed, the District may offer the complainant and respondent the opportunity to participate in an informal resolution process. The informal resolution process may take place at any time prior to reaching a determination regarding responsibility. The informal resolution process shall only take place upon:

- a. Written notice to both parties disclosing: the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the resolution process and resume the complaint process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- b. The parties' voluntary written consent to the informal resolution process; and
- c. That the allegations of the formal complaint do not involve any allegations that an employee sexually harassed a student.

#### **E. Record Keeping**

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, any transcripts, or audio recordings pertaining to the investigative and appeal proceedings for a period of seven (7) years.

Legal Reference: Title IX

Date of Adoption: [Insert Date]

Community RelationsTitle IX – Procedure for Complaints of Sexual Harassment**A. Complaint Procedure - Generally**

All employees are responsible for helping to prevent sexual harassment. Employees, or students, who believe they have been subjected to, or believe they have witnessed sexual harassment should follow these procedures:

1. Directly inform the person engaging in the discrimination or harassment that such conduct is offensive and must stop.
2. For employee reporters, contact your principal or supervisor, the principal or supervisor of the offending person, or the Title IX Coordinator if you do not wish to communicate directly with the person whose conduct is offensive or if direct communication with the offending person has been ineffective.
3. Report the matter to the Title IX Coordinator if the offending conduct continues or has not been resolved to your satisfaction after you have reported the matter to a principal or supervisor.
4. For student reporters, contact any teacher, counselor, or administrator.
5. Report to the Title IX Coordinator if you are the adult to whom the student has made a report so that the matter can be properly resolved. The Title IX Coordinator may file a formal complaint and begin the following complaint procedure.

Allegations of sexual harassment or discrimination shall be investigated and, if substantiated, corrective or disciplinary action taken, up to and including dismissal from employment if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against an employee or student for reporting discrimination or harassment.

**B. Response to a Formal Complaint:**

1. Filing Formal Complaint: An employee or student can allege sexual harassment by filing a formal complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail using the following contact information:

DIRECTOR OF SPECIAL EDUCATION  
1924 WEST A STREET, HASTINGS, NE 68901  
402-461-7516

The formal complaint must be signed by the complainant or by the Title IX Coordinator. **The following procedures apply only in the event that a formal complaint is filed. All other allegations of sexual harassment shall be resolved using the general complaint procedure. Any timelines set forth in the following procedures may be extended by the Title IX Coordinator with notice to the parties.**

2. Immediate Actions upon Receipt of Formal Complaint: Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following to all known parties of (A): The complaint procedure as outlined in this regulation; and (B): Notice of the allegations of sexual harassment, including: (i) the identities of the parties involved, if known; and (ii) the conduct allegedly constituting sexual harassment; and (iii) the date and location of the alleged incident.

The parties to the formal complaint may select an advisor of their choice, who may be, but is not required to be, an attorney.

3. Investigation of Formal Complaint: Upon receipt of a formal complaint, the Title IX Coordinator shall notify the Investigator. The Investigator 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 Investigator will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this complaint procedure. If the allegation(s) involves 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 Investigator will aim to complete its investigation within a reasonable time frame, as determined by the Title IX Coordinator. The factors to determine a reasonable time frame include, but are not limited to, the allegations of the formal complaint, the number of witnesses that may need to be interviewed, and whether the police are also conducting an investigation into the allegations. The time frame originally set by the Title IX Coordinator may be extended by the Title IX Coordinator, upon notice to the parties, as he or she deems necessary to complete the investigation. Periodic status updates will be given to the parties, when appropriate.

(A) *Neutrality:* The Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate this complaint procedure, shall not have any conflict of interest or bias for or against complainants or respondents generally or an individual complainant

or respondent. The District shall ensure that Title IX Coordinators, investigators, decision-makers, and any persons who facilitate this complaint procedure shall receive training on the definition of sexual harassment in accordance with this regulation, the scope of the District's education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudice of the fact at issue, conflicts of interest, and bias. The District shall ensure that the individuals involved in the complaint procedure receive training on issues of relevance of questions and evidence and on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

(B) *Burden of Production*: It shall be the Investigator's burden to gather evidence sufficient to reach a determination regarding responsibility. To reach a determination, the investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. 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.
- d. 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?)

(C) *Rights of the Parties*: The respondent is entitled to a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.

The Investigator must provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The Investigator shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

The Investigator shall provide the parties with the same opportunities to have others present during any complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice if the Investigator deems appropriate. However, the Investigator may establish restrictions regarding the extent to which the advisor may participate in the proceedings, if the restrictions apply equally to both parties.

The Investigator shall provide to all witnesses expected to attend a meeting notice of the date, time, location, participants, and purpose of all hearings within two (2) days of the meeting.

Up until the conclusion of the investigation, the parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. This includes the evidence upon which the Investigator does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained from any source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The District retains the right to place an employee on administrative leave during the pendency of an investigation. The District also retains the right to remove a student from the District's educational program prior to the conclusion of the investigation. In the event of a removal, the respondent shall have the opportunity to challenge the decision for removal.

(D) *Conclusion of Investigation:* Prior to the conclusion of the investigation, the investigator shall send each party and the party's advisor, if any, the evidence that is subject to inspection and review in an electronic format or a hard copy. The parties shall then have ten (10) days to submit a written response, which the investigator will consider.

Once the investigator has considered the written statements of the parties, if any, and any questions of the parties, if any, the investigator shall create an investigative report that fairly summarizes relevant evidence. The investigator shall then submit the written investigation report to the decision-maker. The parties shall each receive a copy of the final investigative report at the same time as the decision-maker.

4. Decision of Responsibility: The decision-maker shall review the investigative report. Prior to coming to a determination regarding responsibility, the decision-maker shall provide ten (10) days for each party to submit written, relevant questions that a party wants asked of any party or witness, provide each party with answers, and allow for additional, limited follow-up questions from each party.

Once the decision-maker has considered the written questions of the parties, if any, the decision-maker shall issue a written determination regarding responsibility by a preponderance of the evidence within a reasonable time frame as determined by the Title IX Coordinator. The decision-maker shall consider all relevant evidence, including inculpatory and exculpatory evidence, and will not consider the credibility of the evidence to be based on a person's status, such as complainant, respondent, or witness. The decision-maker shall provide the written determination to both parties simultaneously. The written determination must include:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- c. Findings of fact supporting the determination;

- d. Conclusions regarding the application of each recipient's code of conduct to the facts;
- e. A statement of, and rationale for, the results as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- f. The recipient's procedures and permissible bases for the complainant and respondent to appeal.

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

5. Supportive Measures and Disciplinary Actions:

Throughout the investigation, either party may be entitled to supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment to deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

At the conclusion of the investigation, the decision-maker may institute disciplinary measures to the respondent if the decision-maker determines that the respondent engaged in sexual abuse or harassment. Disciplinary measures may include, but are not limited to, in-school suspension, out-of-school suspension, expulsion, and in the case of an employee, disciplinary action up to and including dismissal from employment. This policy does not limit or prohibit the District from instituting disciplinary measures if, in the course of the investigation, it determines that the complainant or respondent violated the student code of conduct.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

**C. Appeals**

If either party is not satisfied with the outcome of the investigation and the decision of the decision-maker, they may appeal on the following basis:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New evidence, that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against the complainant or respondent generally or the individual complainant or respondent that affected the outcome of the matter.

The request for an appeal shall be in writing and submitted on the appropriate document. The appeal document shall be submitted to the Superintendent of Schools.

Upon notice of an appeal by either party, the Superintendent of Schools shall notify the other party in writing when the appeal is filed and of the appeal procedures, which apply equally to both parties.

The Superintendent of Schools shall give both parties a reasonable and equal opportunity to submit a written statement in support of, or challenging the outcome.

The Superintendent of Schools shall review the investigative report, decision-maker's determination, and written statements of the parties and then issue a written decision describing the result of the appeal and the rationale for the result. The Superintendent of Schools shall provide the written decision simultaneously to both parties.

#### **D. Informal Resolution**

If a formal complaint is filed, the District may offer the complainant and respondent the opportunity to participate in an informal resolution process. The informal resolution process may take place at any time prior to reaching a determination regarding responsibility. The informal resolution process shall only take place upon:

- a. Written notice to both parties disclosing: the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the resolution process and resume the complaint process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- b. The parties' voluntary written consent to the informal resolution process; and
- c. That the allegations of the formal complaint do not involve any allegations that an employee sexually harassed a student.

#### **E. Record Keeping**

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, any transcripts, or audio recordings pertaining to the investigative and appeal proceedings for a period of seven (7) years.

Legal Reference: Title IX

Date of Adoption: [Insert Date]

# QUOTATION

**Lightspeed Technologies, Inc.**

11509 SW Herman Road

Tualatin OR 97062

1-800-732-8999

[www.lightspeed-tek.com](http://www.lightspeed-tek.com)

Fax: 503-684-3197

Quote # Q-16454

Date: 8/27/2020

Expires: 10/26/2020

Payment Terms: Net 30

Shipping Method: UPS Ground

Territory Manager: Cathy Bross

**BILL TO:**

ACCOUNTS PAYABLE

HASTINGS PUBLIC SCHOOLS 18

1924 W A ST

HASTINGS, NE 68901-5650

UNITED STATES

**SHIP TO:**

HASTINGS PUBLIC SCHOOLS 18

1924 W A ST

HASTINGS, NE 68901-5650

UNITED STATES

ITEM	DESCRIPTION	QTY	UNIT PRICE	AMOUNT
RCA-FF	REDCAT ACCESS WITH FLEXMIKE (X2)	21	\$1,341.00	\$28,161.00
<b>SUBTOTAL:</b>				\$28,161.00
<b>SALES TAX:</b>				\$0.00
<b>SHIPPING &amp; HANDLING:</b>				\$211.00
<b>TOTAL DUE:</b>				\$28,372.00

Above discount pricing is based on a minimum of systems ordered per purchase order.

Lightspeed classroom audio systems have a 5-year limited warranty on the major components.

The lapel & earset mics, cables and NIMH batteries have a 1-year limited warranty.

Lithium ion batteries have a 2-year limited warranty.

**Thank you for choosing Lightspeed Technologies!**