

INSTRUCTIONAL STAFF

INTRODUCTION

The Board of Education negotiates with representatives of the teaching staff with regard to wages. A complete copy of the Employee Handbook is available on the district website or paper copies are available in the teachers' lounges and the District Office.

Revised: October 21, 2013

QUALIFICATIONS, CERTIFICATION AND APPOINTMENT

- A. It shall be the policy of the Board to hire teachers who are qualified to teach in the State of Wisconsin.

- B. The appointment of any person to any position shall depend solely upon candidate's ability to serve the Darlington Community School District. The date of filing application, place of residence, or the candidate's personal needs or interests shall not be considered as qualifications or claims to appointment. It is desirable, but not necessarily mandatory, for local high school graduates to provide evidence of a minimum of two years of successful teaching experience in another public school system before being considered for appointment.

Revised: September 1, 2009

PHYSICAL EXAMINATIONS

Physical examinations shall be required in accord with prevailing legislation and law. Evidence that employees are of sound health sufficient to perform all normal duties of their assignment is necessary to make binding any contract with the Darlington Board of Education. Employees may be examined by their own physicians who hold recognized degrees of Doctor of Medicine. Costs for aspects of the examination not required by statute shall be the sole obligation of the employee. A completed physical exam form must be on file in the District Office prior to August 1 for teachers under contract or within one month of the date of contract of new appointees.

The employee may choose to use the clinic designated by the District or pay all costs directly to the physician who conducts the examination. The District upon receipt of the examination report and upon receipt of the teacher claim will reimburse the teacher for required aspects of the examination according to the District's reimbursement schedule.

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MILITARY LEAVE

Pursuant to federal and state law, the District shall provide eligible employees with leaves of absence without pay for purposes of federal service in the uniformed services or active state service. Eligible employees should notify the District of the need for a leave of absence as far in advance as possible and should notify the District of the commencement date of the military leave and its expected duration. Eligible employees should also provide the District with a copy of any relevant military orders.

All rights and privileges regarding salary, benefits, status, and seniority shall be reserved to such employees as required by law.

An employee on leave shall notify the District of his/her intent to return to work in a timely manner following his/her period of military service. Failure to notify the employer of his/her intent to return within a reasonable period may subject the employee to disciplinary action up to and including termination for unexcused absence. An employee's reemployment rights and benefits after completion of federal service in the uniformed services or active state service shall be governed by any applicable federal and/or state laws.

LEGAL REFERENCE: 38 U.S.C. § 4301 et seq.
 Wis. Stat. §§ 321.63-321.65, 111.321, 111.355.

Approved: July 5, 2011

BREACH OF CONTRACT AND CONTRACT VIOLATION

It will be the position of the Board on an individual case basis to consider and vote to either pursue or not pursue recovering damages when individual teacher contracts are breached and/or violated.

EXTRA DUTY ASSIGNMENTS

It is the District's philosophy that "extra duty" assignments of professional staff members should not interfere with the full execution of regular, professional duties. As such, assignments will be carefully examined in this light by the administration before these assignments are recommended to the Board for final approval.

Revised: September 1, 2009

K-12 TEACHER ROLES AND RESPONSIBILITIES

1. Take and record attendance in classes.
2. Assign and record grades on the basis of progress toward course objectives.
3. Supervise and attend to student misbehavior when it occurs in the teacher's presence in the hallways, cafeterias, washrooms, or grounds.
4. Care and be responsible for the security of instructional equipment.
5. Teach toward the established agreed-upon objectives of the course assigned. (Course objectives should be written; material lists published.)
6. Meet and hold classes for the duration of the assigned time.
7. Respond to legitimate concerns of students and parents about student progress.
8. Furnish data for enrollment, class sizes, and other administrative information.
9. Serve on assigned committees.
10. Participate in faculty deliberations and decision-making on general school policies.
11. Meet with students, parents, and administrators on advisory committees.
12. Attend and supervise reasonable extra-curricular activities.
13. Assist in development of course objectives and goals.
14. Assist in establishing criteria for selection of all educational materials.
15. Participate in selection of textbooks and other teaching materials and equipment.
16. Assist in development of criteria and instruments of course evaluation.
17. Adaptation of curriculum materials and course objectives to agreed-upon program priorities and to the needs of students assigned.
18. Assist with coordination of the teachers' subject area with other programs in the school.
19. Articulate goals, content, and material with programs in secondary schools and colleges.

20. Articulate goals, content, and material with programs in secondary schools and colleges.
21. Prepare data for the annual budget proposal.
22. Prepare purchase order: record purchases; receive supplies and equipment.
23. Report damage, loss, theft, or depreciation of equipment, furniture, or fixtures.
24. Accept all students assigned within contract limits, and work with individual students who need assistance.
25. Supervise classrooms, activity areas, study halls, and resource centers.
26. Serve on committees to plan professional leaves, field trips, special programs, large group presentations.
27. Screen and select students for awards or honors.
28. Conduct studies and research, prepare data, and complete reports for state departments of education, federal agencies, and, of course, for the local district.
29. Prepare course descriptions or other data needed to communicate the nature of the school's program.
30. Respond to administrative requests for information or opinions.
31. Attend departmental and all-school faculty meetings.
32. Keep fair and reasonable discipline in the classroom.
33. Governs personal activities and professional and/or teaching activities in such a way that these activities will be in conformance with District policy and administrative and School Board rules, regulations, and directives.

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Revised: October 21, 2013

KEY POSITION PROGRAM ROLES AND RESPONSIBILITIES

(NOTE: In general, it can be said of all these positions that they require special expertise and contributions of time and effort beyond what could normally be expected of regular staff members.)

I. LOCAL VOCATIONAL EDUCATION COORDINATOR (LVEC)

- A. General Responsibilities. The LVEC coordinates the total program activity at the local agency or Cooperative Education Service Agency (CESA) #3 level. He conducts surveys and studies research data, helps develop and set up courses of instruction, involves outside agencies in the planning process, maintains a close liaison with the state Department of Public Instruction, helps place students, prepares and submits proposals, conducts evaluations of the Vocational Education Program, and serves as a special resource person in vocational education for local teachers and administrators.
- B. General Qualifications. An experienced teacher who has a definite interest in the broad scope of vocational education, who is qualified to teach in a vocational area, and who possesses the administrative abilities necessary to lead and develop a program; one who can work closely with local business people, industrialists, agriculturists, and labor leaders in identifying job needs and requirements; one who can influence other staff members to recognize the importance and place of vocational education in the school's total program.
- C. Typical Duties and Responsibilities. Coordinate the gathering, selecting, and analysis of data with respect to jobs available. Set up work with local advisory committees (consisting of representatives from agriculture, business, industry and labor) for the purpose of identifying and defining job opportunities and the role of the high school in meeting these opportunities.

Work on the development or the revision of curriculum offerings. Assist in establishing an overall program of vocational counseling and guidance.

Develop a program to give assistance to students in locating and securing jobs in their area of preparation.

Help to set up and establish programs that involve on the job experience as part of the vocational education program.

Set up and maintain procedures for evaluations to assure that the vocational instruction is realistic and effective and that the program offered meets established requirements.

Coordinate the activities of vocational teachers, guidance counselors, department heads, and other staff members.

D. LVEC Duties

- a. Maintain and conduct all necessary record-keeping and reporting procedures as required by state and federal authorities.
- b. Develop short range and long range plans for District-wide vocational programs.
- c. Coordinate and conduct activities of a District-wide vocational education council. This council will be composed of teachers teaching courses which fall into the areas under the purview of the DPI's Bureau for Career and Vocational Development. The purpose of this council will be to provide input regarding the operation of their programs and to make recommendations regarding curriculum and methodology.
- d. Supervise the operation of the vocational programs in order to be in a position to report an effectiveness and efficiency of the program in operation.
- e. Recommend expansion or reduction of program to the administration as called for as program evolves or as directed by the administration.
- f. Maintain direct relations with the public as specified by the DPI through required citizen advisory committees and as directed by the District management team.
- g. Function as an advisory member of the District management team.
- h. Serve the principals and the District administrator as a teacher and special area supervisor of the vocational program. This unique capacity may occasion from time to time special requests for reports to the Board.
- i. Work as liaison officer between the Darlington Community School District and the Wisconsin Department of Public Instruction on matters concerning vocational education.
- j. Work with the local administration to develop an up-to-date, comprehensive vocational educational program according to the needs of the students and the manpower needs of the community.
- k. Develop and keep records and reports as required by the Department of Public Instruction.
- l. Work with local instructors and advisory committees to develop the best vocational education experiences appropriate to District goals and student needs.
- m. Work to coordinate all of the vocational education programs to meet the needs of the student.

- n. Collect and disperse information concerning manpower needs of the local community and surrounding area for use in the development of a comprehensive vocational education program and for vocational guidance of the students.
- o. Operate as a consultant on vocational education for teachers, the administration, and the Board of Education.
- p. Assist the guidance department in acquiring and using career education materials.
- q. Maintain good community relations concerning the vocational education programs of the District.
- r. Assist as required in the development of realistic work experience programs for students.

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II. VO-AG COORDINATOR

In general, the Vo-Ag coordinator must optimize the effectiveness of the FFA and sustain a progressive 9-12 Vo-Ag Instructional program.

Among his duties are the following:

1. To develop supervisable farming and/or occupational experience programs for vo-ag students and to supervise these programs on an individualized, on-the-farm basis during the year.
2. To encourage participation and involvement by ag students in the FFA and the many learning and leadership development type projects offered and to supervise and instruct members as they participate in these projects.
3. To develop agricultural competencies needed by individuals engaged in or preparing to engage in production agriculture.
4. To develop agricultural competencies needed by individuals engaged in or preparing to engage in agricultural occupations other than production agriculture.
5. To develop an understanding of and appreciation for (A) career opportunities in agriculture and (B) the preparation needed to enter and progress in agricultural occupations.
6. To develop the ability in students to secure satisfactory placement and advancement in an agricultural occupation through a commitment to self motivation and continuing education.
7. To develop the abilities in a student to exercise and/or to follow effective leadership in fulfilling occupational, social, and civic responsibilities.
8. To develop in students the abilities to maintain good human relations which are so essential in agriculture occupations.

TITLE I READING

The Darlington Community School District believes that all students need to be proficient in reading in order to be successful in school. The District also believes that early identification and remediation of students with language and/or reading difficulties is essential to achieve this end.

The Darlington Community School District provides Title services as defined by Federal and State regulations.

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DISTRICT READING SPECIALIST

A. Administrative Duties

The reading specialist will perform the following administrative duties:

1. Conduct an annual evaluation of the reading program.
2. Report to the Board of Education periodically to inform them of the state of the reading program.
3. Facilitate communication among the teaching faculty.
4. Coordinate the reading curriculum 4K-12.

B. Supervisory Duties

The reading specialist will perform the following supervisory duties:

1. Act as a resource person to teachers in the areas of materials, procedures, and techniques.
2. Work with secondary teachers of content areas to accommodate poor readers.

C. Instructional/Diagnostic Duties

1. Provide teachers with any necessary placement tests, informal reading inventories, or assessment tests.
2. Provide diagnostic testing to those students recommended by the teacher.
 - a) Submit a written report to the teacher.
 - b) Consult with the teacher to determine appropriate materials and techniques.
3. Develop a library of high interest/low vocabulary materials for 4K-12 students.
4. Conduct a follow-up study on poor readers through the grades.

D. Community Relations Duties

The reading specialist will perform the following community relations duties:

1. Submit timely articles to the principal that would be of interest to parents.

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SCHOOL PSYCHOLOGIST

A. School Psychological Services

School Psychological services can be classified under three major categories:

1. Diagnosis and Evaluation

Each student that is referred for a Special Education Team Evaluation receives an evaluation by the school psychologist in the areas warranted by the referral. These areas may include review of records, parent interview, student interview, teacher interview, intellectual testing, academic testing, adaptive testing, perceptual testing, and social-emotional testing. The school psychologist then serves as a member of each Special Education Team and submits a written psychological report.

2. Consultation

This service is not provided directly to the student but rather to teachers, parents, and/or administrators to deal more effectively with students. This may involve giving recommendations to use in the classroom, setting up behavior management programs, making referrals to outside sources, working with the parents, etc.

3. Counseling

These services are aimed at helping Special Education students deal more effectively and successfully with their problems. These services are provided by the school Psychologist only on a limited basis due to the time factor. Most of the students in need of long-term counseling meet with our District's school counselors.

B. Special Education Coordinator

1. Firstly this position involves the coordination of all Special Education Team activities. This includes:

- a. Receiving and processing all referrals.
- b. Communicating with parents and obtaining parent permission for evaluation.
- c. Appointing and coordinating Special Education Team members.
- d. Setting up and leading Special Education Team meetings.
- e. Completing the Special Education Team report.
- f. Interpreting results and recommendations to parents.
- g. Appointing IEP committees.
- h. Review placement alternatives and recommendations with superintendent.
- i. Obtaining parental permission for program placement.

2. Secondly, this position involves the monitoring of all special education programs and staff. This involves:

- a. Remaining aware of student progress in each program and insuring the implementation of each student's IEP.
 - b. Assisting with mainstreaming efforts and scheduling by consulting with regular ed., special ed., and administrative staff.
 - c. Provide assistance in curriculum development.
 - d. Maintain updated enrollment lists.
 - e. Maintain updated records for each student's special education file.
 - f. Evaluating program effectiveness and working with staff in implementing any needed changes.
 - g. Reporting to superintendent on status of special education programs and Special Education Team activities.
 - h. Informing school staff and community members of the nature of services to handicapped students and Special Education Team procedures.
 - i. Complete DPI reports with regard to referrals, enrollment, and psychological services.
 - j. Monitoring Darlington students placed in out-of-District programs.
 - k. Serve as LEA
3. Thirdly, this position involves the coordination of all of the District's screening procedures. This involves coordinating the annual preschool screening held each fall and the annual four-year-old kindergarten screening held each spring. It also involves the review of all records of transfer students. If during these screenings procedures a student is suspected of requiring special services, the psychologist will then refer the student for a Special Education Team evaluation.

C. Line and Staff Position

The psychologist serves in a staff position. The psychologist services directly under the supervision of the District Administrator.

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SPECIAL EDUCATION COORDINATOR

A. Administrative Duties

The special education coordinator will perform the following administrative duties.

1. Serve as individual education team coordinator.
2. Coordinate curriculum and procedural matters for all special education staff.
3. Serve as liaison with CESA 3 Special Education department and the District.
4. Relate all special education matters to parent of special education students or parents of students suspected of having exceptional educational needs.
5. Serve as special education staff officer for the superintendent and/or LEA.
6. Assist with budgetary items in IDEA Flow Through and Pre-School Entitlement Grants.

B. Supervisory Duties

1. Act as resource person for all special education staff.
2. Act as consultant for all regular education staff.

C. Instructional/Diagnostic Duties

1. Serve as consultant and resource person to assist special education staff and serve to arrange for professional assistance as needed.

D. Community Relations Duties

1. Relate and articulate goals of the program to parents of Special Education students.
2. Insure maintenance of Child Find activities.
3. Coordinate the relation and articulation of goals of the program to staff and citizens at large.

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LIBRARY BILL OF RIGHTS

The ALA's Library Bill of Rights can be found here:

<http://www.ala.org/advocacy/intfreedom/librarybill>

Adopted: June 18, 1948

Amended: February 2, 1961, June 27, 1967, and January 23, 1980
by the ALA Council

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DISTRICT LIBRARY MEDIA COORDINATOR

A. JOB DESCRIPTION

Instructional Practice: Teaching for Lifelong Learning

The District Library Media Coordinator will:

- Possess and demonstrate current knowledge of K-12 library media curricula and issues relating to the availability of information resources for all members of the learning community.
- Develop a long-term instructional program that provides students with the skills necessary for success in post-high school education and future careers as well as provides them with the knowledge and awareness necessary to be contributing members of society.
- Develop a curriculum that exemplifies intellectual rigor whereby students are challenged to think critically, acquire, evaluate, draw conclusions and create and share knowledge based on an inquiry model.
- Foster a positive attitude toward the use of information and technology resources by students, teachers, parents, and community members.
- Provide access to information, ideas and resources by assisting students and staff in locating and identifying information resources and in interpreting and communicating information.
- Practice differentiated instruction that effectively embraces various learning models in order to meet the needs of all students, including those with special needs and English language learners.
- Provide group and individual instruction that integrates the Common Core State Standards for Literacy and Wisconsin's Model Academic Standards for Information and Technology Literacy in collaboration with classroom and allied arts teachers.
- Encourage students to think critically, behave safely, and participate responsibly in our digital world.
- Promote literacy and the enjoyment of reading by providing materials that support district curricula as well as those that foster independent reading for enjoyment and lifelong learning.
- Use a wide variety of teaching methods, media, and ways of communicating information to facilitate student learning, understanding, and achievement.
- Engage students in self-assessment of learning goals, strategies, and outcomes.
- Assess student achievement of information literacy goals and their skills and abilities when utilizing technology tools and resources.

Instructional Leadership: Creating a Climate for Lifelong Learning

The District Library Media Coordinator will:

- Promote the library media program, services, materials, and resources by maintaining a positive relationship with students, staff, and community members.
- Maintain school environments that support learning and where literature, literacy, and language skills are valued.
- Create a seamless, collaborative relationship between the two existing library media centers and promote the positive aspects and opportunities offered by having a district-wide library media program.

- Plan instruction, library media space, and resources in order to meet students' cognitive, language, social, emotional, and physical needs.
- Provide equitable access to information, literature, and resources that extend access beyond the school day and beyond the walls of the library media centers through the use of technology tools and resources.
- Create a safe climate of respect and rapport and communicate expectations for behavior that promote respectful attitudes and collaboration amongst students.
- Establish relationships with others in the learning community which exhibit fairness, honor, courtesy, and respect.
- Acknowledge, respect, and promote cultural diversity by providing activities, services, and resources for all members of the learning community.
- Serve as a catalyst and plan collaboratively with teachers to integrate the Common Core State Standards for Literacy and Wisconsin's Model Academic Standards for Information and Technology Literacy into their classroom curricula as well as in developing resource-based units and learning activities.
- Assist in planning and provide staff development opportunities as needed.
- Participate in a collegial school learning community focused on improving learning and achievement for all students.
- Promote lifelong learning by fostering positive attitudes toward libraries and by working to develop students' viewing, listening, and critical thinking skills.
- Encourage students by offering opportunities for self-directed and self-motivated inquiry, research, and recreational reading.
- Jointly plan, teach, and evaluate instruction which incorporates information access, use, and communication skills within classroom curricula.
- Serve as a resource to all members of the learning community, including administrators, teachers, students, and parents.
- Model the use of new and emerging technology tools, particularly those that enable communication within the district and with learning communities around the world.
- Model instructional strategies and support teaching staff members with the integration of technology and higher order thinking skills within their curricula.
- Select and provide the resources and technology tools necessary to integrate the requirements of the curriculum while providing authentic learning experiences and meeting the individual needs of students based on district's/school's mission statement, goals, and objectives.
- Promote a culture of questioning, information seeking, investigation, and discovery.
- Create a learning environment where students are encouraged to evaluate information and learn the skills necessary to apply this information to new tasks, problems, questions or decisions.

Program Management: Providing and Coordinating Services, Materials and Resources

The District Library Media Coordinator will:

- Direct and manage the library media program based on a plan of action that reflects state, district, school, and the library media program visions, goals, and objectives.
- Manage all aspects of the library, including library media staff, budgets, and the acquisition and maintenance of resources, materials, and equipment.
- Establish policies, procedures, and guidelines for the day-to-day use of the library media centers and resources.

- Train and supervise library media assistants and volunteers in the day-to-day running of the library media centers, including their roles in providing services, materials and resources to all members of the learning community while respecting their rights to privacy.
- Work with the district superintendent and building principals in developing and implementing the library media budget, including the management of Common School Funds.
- Provide services, materials, and resources for students and staff through systematically developed collections within the school library media collections and through access to resources outside of school.
- Develop, manage and coordinate resources in the library media collections in a manner which provides access to multiple perspectives that meet our students' diverse needs and interests and that reflect their native languages and cultural backgrounds.
- Develop, manage and coordinate library media resources in a manner which reflects the spirit of the American Library Association's Bill of Rights, including the rights to privacy and intellectual freedom.
- Develop, manage and coordinate library media resources according to the district's "Materials & Resources Selection Policy & Procedures" and its "Reconsideration of Placement of Materials Policy & Procedures."
- Organize, catalog, maintain current records, and circulate all library materials and equipment using the online library catalog system.
- Practice inter-library lending between the two library media centers as well as utilize the public library system's online library catalog system to locate and borrow materials for staff and students.
- Develop, maintain records of, and circulate all district portable, mobile, and electronic hardware and software.
- Provide orientations about both district library media centers to students and staff members.
- Accept and respond to individual requests for materials and resources that will contribute to our library media collections.
- Promote the ethical, responsible, legal, and safe use of information & technology resources by advocating for proper use of information and technology, including respect for intellectual property and the appropriate documentation of sources.
- Collaborate with administrators and school board members in matters relating to the use of district materials and resources as well as issues involving technology and curriculum instruction.
- Collaborate with all stakeholders in the learning community in order to enhance student access to resources and to ensure students' success as members of the Darlington community.

Professional Growth & Performance: Practice and Share Lifelong Learning

The District Library Media Coordinator will:

- Solicit, research, and apply current knowledge and trends in student learning, instructional practice, and current literacies (e.g. information literacy, media literacy, and technology literacy) as they relate to coordinating an effective library media program.
Actively pursue professional development opportunities, participate in professional growth activities, and contribute to the professional growth of others.

- Actively participate in professional organizations and activities relating to education, librarianship, and information technologies at the local, regional, and state levels via online forums, discussions, and listservs, as well as by attending conventions and training opportunities.
- Disperse information relating to education and information technologies to administration, teachers, and students.
- Follow established federal, state, district and site policies, procedures, and initiatives.
- Carry out professional responsibilities by completing and submitting required work, reports, and records in a timely and accurate manner.
- Act in accordance with standards of professional ethics, demonstrating sound judgment and decision making abilities as well as a strong work ethic.
- Demonstrate appropriate communication skills with parents, staff, and students.
- Attend and participate in district and building faculty meetings.
- Make positive contributions to the learning community by serving on school and district committees and by communicating with school board members regarding information and technology issues.
- Assist administration in developing district-wide policies, procedures, and plans.
- Assist administration in gathering data and assessing staff and students' information and technology skills and abilities.
- Assist administration in the ongoing process of developing, utilizing, and evaluating the district Information & Technology Plan.
- Be responsible to the building principals and in turn to the superintendent and Board of Education.
- Govern personal and professional activities in such a way that these activities will be in conformance with district policy and administrative and school board rules, regulations and directives.

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B. Materials & Resources Selection Policy & Procedures

1. Responsibilities

The Darlington Community School District is legally responsible for the selection of library, media, and technology materials that are housed in the library media center. Board authority in selection is delegated to the district superintendent and, in turn, to the professionally trained and certified library media personnel employed by the district. The district library media coordinator will work cooperatively with staff members to interpret and guide the application of the policy in making day-to-day selections. The library media coordinator recommends acquisition to the superintendent, however, final responsibility for selection of materials for the library media center lies with the superintendent.

The library media coordinator has primary responsibility to make available print and electronic resources that reflect district, school, and library media program goals. These resources will implement and enrich the district curriculum, will support common core standards, will reflect the needs of all students, including those with special needs and those who are English language learners, will assist in developing the appreciation of fine literature, will provide for career and vocational interests, and will provide for personal and recreational interests

2. Criteria

Staff members involved in recommending the selection of print or electronic resource materials shall use the following criteria as a guide:

- a. educational significance
- b. contribution the subject matter makes to the curriculum and to the interests of the students
- c. favorable reviews found in standard selection sources
- d. favorable recommendations of materials by professional personnel
- e. reputation and significance of the author, producer, and publisher
- f. validity and authenticity, and balance of materials
- g. contribution the material makes to the breadth of representative viewpoints on controversial issues
- h. substantial degree of potential user appeal
- i. high artistic quality and or literary style
- j. quality and variety of format
- k. value commensurate with cost and/or need
- l. timeliness or permanence
- m. reflect the needs of all members of the learning community, including but not limited to those with special needs and those who are English language learners

3. Selection References

The following recommended lists may be consulted in the selection of materials, as well as other common and respected sources of information that may not be found herein:

- a. Follett Library Resources: Titlewave.com
- b. Cooperative Children's Book Center (CCBC)
- c. TeachingBooks.com
- d. Booklist/Booklist Online
- e. Hornbook Magazine

- f. Publishers Weekly
- g. Library Media Connection
- h. Multimedia & Internet @ School
- i. School Library Journal
- j. Voice of Youth Advocates (VOYA)
- k. Wilson Library Bulletin

4. Selection Consideration

The following criteria may be used in selecting print and nonprint resources:

- a. Learning resources shall support and be consistent with the general goals and objectives of the district, individual schools, and specific courses.
- b. Learning resources shall support the Common Core Standards.
- c. Learning resources shall meet high standards of quality in information content and presentation.
- d. Learning resources shall be appropriate for the subject area and for the age, emotional development, ability level, learning styles and social development of the students for whom the materials are selected.
- e. The physical format and appearance of learning resources shall be suitable for their intended uses.
- f. Learning resources shall be acquired to help students gain an awareness of our diversified society.
- g. Learning resources shall be designed to motivate students to examine their own attitudes and behaviors and to comprehend their own duties, responsibilities, rights and privileges as participating citizens in our society.
- h. The selection of learning resources on controversial issues shall be directed towards maintaining a balanced collection representing various viewpoints which will reflect the many shades of opinion as possible in order that students may examine different popular and unpopular viewpoints.
- i. Resources will reflect the interests and needs of the students served by the media center, including those that may be in other languages or alternate formats.
- j. Print and electronic materials will present information with the greatest degree of relevance, accuracy and clarity as possible.

5. Procedures for Selection

- a. In selecting learning resources, professional personnel will evaluate available resources and curriculum needs and will consult reputable, professionally prepared resources to selection and other appropriate sources. The actual resource will be examined whenever possible.
- b. Recommendations for purchase may come from journals, articles, online reviews, superintendents, teachers, or students.
- c. Materials purchased with Common School Funds shall reflect the appropriate use of those funds as determined by the Wisconsin Department of Instruction (DPI.)
- d. Selection is an ongoing process which should include the removal and possible replacement of materials no longer deemed to be in good physical condition, to be inappropriate in terms of discrimination and cultural objectiveness, and/or to be of little or no educational value.

- e. Final purchases of resources are to be made by the library media coordinator.
- f. The accounting for the expenditure of Common School Funds is the responsibility of the district library media coordinator, who is accountable to the district superintendent, and who is, in turn, accountable to DPI.
- g. For miscellaneous resource needs that may not warrant permanent acquisition, every effort will be made to fill special requests by using inter-library loan procedures via the public library system or through other school library media centers.
- h. Materials received as gifts shall be evaluated following the same selection criteria outlined above and, if deemed appropriate, will be added to the collection after the donation has been approved by the school board.

C. Reconsideration of Placement of Materials Policy & Procedures

Procedure for Handling Complaints

- a. The person challenging should live in the district and/or must have a child in the district.
- b. No challenged materials shall be removed from a school or its library media center except upon the superintendent's approval of the recommendation of the Review Committee.
- c. Any complaint shall initially be reported to the building principal who shall notify the district library media coordinator that a complaint has been registered.
- d. The principal shall contact the complainant and attempt to resolve the issue informally.
- e. If the complaint is not resolved informally, the principal shall send the complainant the "Request for Reconsideration of Placement of Materials" form.
- f. The "Request for Reconsideration of Placement of Materials" form must be completed by the complainant and returned to the principal within 15 days of the initial complaint or the matter shall be considered closed.
- g. Upon receipt of the completed reconsideration form, the principal and/or the district library media coordinator will again attempt to resolve the issue.
- h. The principal shall consult the district superintendent, who shall review the material and the reconsideration request.
- i. The superintendent shall inform the complainant of his or her right to appeal this decision to the Board of Education.
- j. From the date of receipt of the superintendent's decision, the complainant will have 10 days to request the superintendent arrange an appeal hearing with the Board of Education.
- k. Should a request for an appeal hearing be registered, the superintendent will arrange the hearing within 45 days of the request. The Board of Education in organizing to hear the appeal may seek from outside the district such assistance as deemed appropriate. The Board of Education's decision on the appeal will be final.
- l. It should be noted that at any time during this process, pending the final outcome of the request for reconsideration of placement of materials, the individual(s) making the request may, by special written request, have access to the material being reconsidered denied to one or more of their own respective children or wards, but not to any other students or classes.
- m. For information that may be helpful in addressing any concern or challenge of learning materials, the following resources may be helpful:
 - The American Library Association (ALA) Bill of Rights: See 600.8 (h) (1)

- The Intellectual Freedom Manual, 8th Edition: The Library Bill of Rights: Interpretations <http://ifmanual.org/part2section2>
- The Children's Cooperative Book Center: Intellectual Freedom section <http://ccbc.education.wisc.edu/freedom/default.asp>

Revised: April 4, 2022

Revised: February 14, 2024

REQUEST FOR RECONSIDERATION OF PLACEMENT OF MATERIALS

Title: _____

Type of Material: _____

Author: _____

Publisher: _____

Request Initiated By: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number(s): _____

Do You Represent: Yourself or an Organization/Group

Organization or Group Name: _____

Please use the reverse side of this form or attach another paper to answer the following questions.

1. To what in the work do you object? (Please be specific. Cite pages/passages.)
2. Did you read the entire work? What parts?
3. What do you feel might be the result of reading this work?
4. For what age group would you recommend this work?
5. What do you believe is the theme of this work?
6. Are you aware of any judgments or reviews of this work by literary critics?
7. What would you like your library/school to do about this work?
8. In its place, what work would you recommend that would convey as valuable a picture and perspective of the subject addressed?

Signature: _____

Date: _____

Revised: September 1, 2009

Revised: October 21, 2013

VOLUNTEER INSTRUCTOR/AIDE AGREEMENT

WHEREAS, a request has been made by the undersigned, _____, to be permitted to participate as a non-staff, non-compensated volunteer instructor/ aide assisting in the _____ program in the Darlington Community School District: and

WHEREAS, such permission is conditioned upon written acknowledgment by such volunteer/instructor aides of the respective rights, duties and obligations of such volunteer instructor/aides.

THEREFORE, the undersigned acknowledges:

1. That the scope of duties, time of performance, and permissible acts in dealing with students-participants in said program are only those delegated and assigned by the head coach of the designated program.
2. All requests, suggestions, notices, and complaints must be directed to and through the prescribed chain of command.
3. Participating by the undersigned in the program as a voluntary instructor/aide shall not be construed, directly or indirectly, as giving the undersigned any contractual rights, tenure rights or status as an employee under the provisions of Sections 118.19 - 118.23 of the Wisconsin statutes or as a municipal employee under Sections 111.70 of the Wisconsin Statutes.
4. That the undersigned acknowledges that insofar as such volunteered instructor services are concerned, he or she is not covered under or entitled to benefits under the unemployment compensation law, municipal retirement systems and pension programs or to participation in the same.
5. Use of volunteer instructor/aides is at the sole discretion of the school board. In addition thereto the volunteer instructor aide serves strictly at the pleasure of the head coach, administration, and the school board.

The undersigned acknowledges receiving a copy of the above volunteer instructor/aide agreement.

Date the _____ day of _____, _____.

District Administrator

Volunteer Instructor/Aide

DARLINGTON SCHOOL DISTRICT POLICY FOR REPORTING CHILD ABUSE OR NEGLECT

PHILOSOPHY

The Darlington School District recognizes that the most important role of the school in today's society is to provide students with the best possible opportunities for educational success. The district also recognizes that children who are abused and/or neglected not only are harmed physically and emotionally but also educationally. The district is committed to providing a positive environment with the school and assisting families and community child protection agencies to provide positive environments in the home and community. As a part of that commitment the Darlington School District establishes the following policy regarding reporting of any threatened or suspected child abuse or neglect in accordance with [s. 48.981, Stats].

CHILD ABUSE OR NEGLECT REPORTING POLICY

The Darlington School District requires that all staff members report the following situations or conditions as described in [s.48.981, Stats]:

Any mandated reporter having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or having reason to believe that a child seen in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect will occur shall report. "Abuse" includes physical injury, sexual abuse and conduct causing emotional damage. Physical injury means injury inflicted on a child by other than accidental means. Physical injury includes, but is not limited to, lacerations, fractured bones, burns, internal injuries, severe or frequent bruising. Sexual abuse includes sexual intercourse or contact, sexual exploitation or permitting or allowing or encouraging a child to engage in prostitution. Emotional damage means harm to a child's psychological or intellectual functioning which is exhibited by anxiety, depression or aggression. Emotional damage may be demonstrated by observable changes in the child's behavior or in emotional responses or learning incompatible with the child's age or stage of development. Neglect is the refusal or inability by the child's parent, legal guardian, or other person exercising temporary or permanent control over the child, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child.

(Refer to DPI Bulletin Number 92.4)

It shall be the policy of the Darlington School District to require that all district employees who have knowledge of, or who suspect, child abuse or neglect, or threat of child abuse or neglect, to immediately report all such actual or suspected child abuse or neglect situations to Lafayette County Human Services. If a report to that department is not possible then district staff shall report child abuse or neglect of children to the Lafayette County Sheriff's Department or to the Darlington Police Department. If the child's abuse or neglect is life threatening the staff is first to make a report to the law enforcement agency and request an immediate investigation. Upon making the report, the district staff person shall also immediately report the law enforcement referral to the Lafayette County Department of Human Services.

A report is described as “...the facts and circumstances contributing to a suspicion of child abuse or neglect or to a belief that child abuse or neglect will occur...”, [s.48.981(s), Stats]. The law requires such information to be conveyed to the county social services department or the local law enforcement agency.

It is the policy of the District that no administrator or other school district employee may prevent or attempt to prevent another district employee from making a report of alleged child abuse or neglect.

It is the District’s policy that no administrator or other school district employee, may require or attempt to require, that another District employee desiring to make a report of suspected child abuse or neglect be required to change any aspect of that report.

It shall be the policy that the Darlington School District shall not take any disciplinary action against a district employee who makes a report of suspected child abuse or neglect. Disciplinary action may result from the failure of a district employee to report suspected child abuse or neglect of which they have knowledge.

It is the policy of the Darlington School District to maintain as confidential any and all information pertaining to the suspected child abuse or neglect report and to share that information only with those individuals provided for under [s.48.981, Stats].

The Darlington School District shall conduct review sessions for all staff regarding this policy on a yearly basis. Those persons who are mandatory reporters under s.48.981, Wis. Stats., shall be required to attend. All district staff will be given a copy of the child abuse and neglect reporting procedures each year.

MODEL PROCEDURES FOR REPORTING SUSPECTED CHILD ABUSE OR NEGLECT BY MANDATED DISTRICT REPORTERS

District staff who are required by law to make a report may consult with other District staff prior to making a report but may not delay the report beyond the time the student leaves the supervision of school staff on the day that the suspicion of abuse or neglect or threatened abuse or neglect occurs. At all times it shall be the aim of the district employee to make the report of their concerns to the child protection agency as quickly as possible; any delay would not be in the best interests of the child and is not the policy of the district.

District staff making a report of child abuse or neglect shall inform their building principal of their intention to do so. If the building principal is unavailable for any reason the individual making the report shall contact the next administrator in the chain of command. The building principal, or such other administrator that the staff person making the report contacts, shall support the staff member in their action and shall not attempt to delay, modify, or prevent any report of suspected child maltreatment.

District staff who wish may request consultation from other district staff members, such as pupil service staff, in the reporting process and the necessary follow-up.

The fact that a report of suspected child abuse or neglect has been made, including the name of the reporter, the name of the alleged victim, and the content of the report, shall be kept confidential from all staff and other persons not authorized under [s. 48.981, Stats], to have that information. Staff members who divulge such information to an unauthorized person or persons are liable for disciplinary action from the District as well as the penalties provided in [s.48.981, Stats].

Reports of suspected child abuse or neglect shall be made to one of the following community resources:

1. LAFAYETTE COUNTY HUMAN SERVICES

627 North Main
Darlington, WI 53530
776-4800

2. Lafayette County Sheriff's Dept.

626 Main Street
Darlington, WI 53530
776-4870 (Non-emergency)

3. Darlington Police Department

776-4980 (Non-emergency)

When making a report the District employee shall provide as much of the following information as possible.

1. The employee's name, position, relationship to the child, and school phone number.
2. The name, home address, and age of the child suspected of being maltreated.
3. The name, home address, work place, home phone number of the alleged victim's parents.
4. The names and ages of the alleged victim's siblings.
5. A brief description of why you believe the child is abused or neglected or is threatened with abuse or neglect, statements of the child made to the reporter or to others, and any surrounding circumstances and conditions in the home of which the reporter is aware.

Revised: October 21, 2013

EMPLOYEE AND/OR VOLUNTEER HARASSMENT AND BULLYING

The District does not tolerate harassment or bullying of employees and/or volunteers, as such actions are disruptive to the educational environment and detrimental to the staff's health and safety.

“Harassment” is defined as behavior toward an individual based, in whole or in part, on a person's sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital status, sexual orientation, disability, age or other protected status which has the purpose or effect of: (1) creating an intimidating, hostile or offensive work environment; (2) interfering with a person's work performance; or (3) otherwise adversely affecting a person's employment opportunities. Harassment can occur as a result of a single incident or a pattern of behavior.

“Sexual harassment” is defined as any unsolicited and unwelcome sexual advances, requests for sexual favors or other sexual conduct, either verbal or physical, directed at a person of the same or opposite gender as the harasser when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or advancement;
- submission to or rejection of such conduct by an employee and/or volunteer is used as the basis for employment decisions;
- such conduct has the purpose or effect of unreasonably interfering with an employee and/or volunteer's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of prohibited sexual harassment include, but are not limited to, the following: lewd or sexually suggestive comments; sexual flirtations; touching; advances or propositions; off-color language or jokes of a sexual nature; slurs and any other verbal, graphic, or physical conduct relating to an individual's gender; any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos, or cartoons.

“Bullying” includes, but is not limited to, physical intimidation or assault, extortion, oral or written threats, teasing, name-calling, put-downs, threatening looks, false rumors, false accusations, retaliation for reporting harassment or bullying, and similar activities.

All employees and/or volunteers are responsible for ensuring that harassment and bullying do not occur and for reporting alleged harassment or bullying. An employee and/or volunteer who believes he/she has been subjected to harassment or bullying by anyone, including supervisors, co-workers, students, or Board members, shall immediately report it in accordance with the District's employment and harassment discrimination complaint procedures. Any employee and/or volunteer who is aware of harassment/bullying, whether or not that employee and/or volunteer is a victim of same, also has an obligation to report it. All reports regarding employee and/or volunteer harassment or bullying shall be taken seriously, treated fairly and promptly and thoroughly investigated. Identities of the parties involved shall be kept confidential to the extent possible, consistent with legal requirements and District policy. No one shall attempt to restrain, interfere with, coerce, or take reprisal action against a complainant or witnesses during or after the presentation, processing, and resolution of a complaint.

Any employee and/or volunteer who violates this policy is subject to disciplinary action up to and including discharge. Disciplinary action against an employee and/or volunteer shall be in accordance with applicable state and federal law, administrative rules and District policy. In addition, supervisory employee and/or volunteers who fail to respond to harassment or bullying complaints or to act on their knowledge of violation of this policy will likewise be subject to disciplinary action, up to and including discharge.

This policy and related complaint procedures shall be published annually and distributed to all staff. District staff will be required to sign an acknowledgment of receipt of the policy and procedure on an annual basis. Training shall be conducted annually on this policy for all staff in the District.

Legal References:

Wisconsin Statutes

Section 111.31	[Declaration of fair employment policy]
Section 111.32(13)	[Definition of “sexual harassment”]
Section 111.36(1)(b)	[Sexual harassment]
Section 118.195	[Prohibition on discrimination against handicapped teachers]
Section 118.20	[Teacher discrimination prohibited]
Section 947.013	[Harassment]

Federal Statutes

Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
Equal Employment Opportunities Commission Guidelines (29 C.F.R. - Part 1604.11)

Cross References:

511-Rule	[Employee and/or volunteer Discrimination and Harassment Complaint Procedure]
Policy 522	[Staff Conduct]
Policy 522.7	[Staff Use of the Internet and Electronic Media]
Policy 523.4	[Staff Protection]

Approved: September 6, 2011

EMPLOYEE AND/OR VOLUNTEER DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURES

An employee and/or volunteer, former employee and/or volunteer or applicant for employment who believes that any part of the school organization has violated any law prohibiting discrimination or harassment based on a legally protected status in the workplace (including provisions prohibiting employer retaliation in connection with such laws) or that there has been a violation of the District's equal opportunity employment or harassment/bullying policy may bring forward a complaint as outlined below:

Informal Procedure

Anyone who believes he/she has a valid basis for a complaint may discuss the concern with the appropriate administrator prior to initiating a formal complaint. For purposes of this procedure, the "appropriate administrator" is defined as the following:

1. The building principal or District Administrator; or
2. If the complaint is against or involves the building principal or is against an individual to whom the principal reports, including a member of the School Board, the District Administrator; or
3. If the complaint is against the District Administrator, the Board President.

If the complaint is submitted to the building principal, District Administrator, or other administrator as identified above, that individual shall serve as, or designate, a complaint manager. The complaint manager shall be responsible for coordinating the processing of the complaint, including any attempt to mediate a possible resolution to the complaint, any investigation that may be necessary, and all communications with the individual(s) who submitted the complaint.

If the complaint is against the District Administrator or a Board member and is submitted to the Board President, that individual shall forward the complaint to the Board President, who shall hire outside legal counsel. Legal counsel shall determine, in consultation with the complaining party and the Board President, whether it is in the District's best interests to attempt to mediate a resolution to the complaint or to process the informal complaint under the steps of the formal complaint procedure, as identified below.

If the reply that the complainant receives is not acceptable to him/her, or if, for any reason, the individual does not feel comfortable attempting to resolve the matter informally as described in this section of the procedure, the individual may initiate the formal complaint procedure according to the steps listed below.

Formal Complaint Procedure

Step 1: The complainant shall submit a signed complaint to the District Administrator, who shall serve as or designate the complaint manager. Except as provided in the following paragraph, the District Administrator shall have responsibility to decide the merits of the case at Step 1, determine what actions will be taken (if any), and report in writing the resolution of the complaint to the complainant(s).

If the allegation is against the District Administrator, the complainant shall submit the Step 1 complaint either directly to the Board President, or to Board Clerk, who shall forward the complaint to the Board President. The Board President shall engage outside legal counsel as the complaint manager, who shall recommend either of the following to the Board President following an investigation into the matters raised by the complaint: (1) that the complaint lacks merit and that the Board President may communicate that conclusion and resolution to the complaining party; or (2) the complaint may have merit and/or that some degree of responsive or remedial action may be appropriate, and that legal counsel advises consultation with the full Board regarding such possible resolution. In conjunction with legal counsel, the Board President shall report in writing the resolution of the case to the complainant.

The District can usually respond most effectively to a complaint when a complaint is filed shortly after the occurrence of the event(s) giving rise to the complaint. In general, formal complaints under this procedure should be filed within 300 calendar days of the occurrence of the alleged unlawful, discriminatory, harassing or retaliatory act(s), or within 300 days after the last occurrence of an ongoing condition. While there is no absolute deadline for the filing of a complaint under this procedure, it is important for complainants to be aware that gaps in time of even less than 300 days can make it more difficult to engage in fact-finding and/or may limit the remedies that are reasonably available from the District. The District, acting through the complaint manager may determine that any complaint filed more than 300 days after the alleged act(s) occurred (or more than 300 days after the last occurrence of an ongoing condition) is not sufficiently timely to permit an investigation and/or possible remedy. A decision to dismiss a complaint because it is untimely may be appealed to the Board under Step 2, and the Board may either affirm the dismissal of the complaint for lack of a timely filing or remand the complaint for further processing.

Step 2: If the complainant is dissatisfied with the decision of the District Administrator (or Board President or Board), he/she may appeal to the Board within twenty-one (21) calendar days of the date that the Step 1 written decision is provided to the complainant. Such appeal shall be delivered to the District Administrator or (if the District Administrator is the alleged perpetrator) to the Board President or Hearing Officer. The individual receiving notice of the appeal on behalf of the School District shall immediately forward the appeal to the Board President, who shall arrange a meeting at which the Board will consider the appeal. If the Board issued the decision that is being appealed, the Board shall treat the appeal as a request for reconsideration.

External Agency or Court Filing: If the complainant is not satisfied with the Board's decision, or in lieu of utilizing the internal complaint procedures established by this procedure, the complainant may pursue alternate actions available under state or federal laws (e.g. appeal to State Superintendent of Public Instruction (for teachers and administrative personnel), filing of complaint with the Equal Rights Division of the Department of Workforce Development, the U.S. Office for Civil Rights - Region V and/or any court having proper jurisdiction). Any party with a complaint is solely responsible for determining the applicable outside agencies or courts with which a complaint may properly be filed and the applicable filing deadlines. Unless mandated by a state or federal law or regulation, pursuing an internal complaint under this procedure does not extend or toll the filing deadlines applicable to filing a complaint with an external agency or court. While it is not always necessary to pursue an internal complaint before filing a complaint with an external agency or court, all individuals are given notice that failure to follow an employer's internal procedures for giving

notice of incidents and complaints can, in some cases, affect the individual's ability to seek remedies from an external agency or court.

The District's responses to discrimination complaints shall be made within any timelines established by law.

Maintenance of Complaint Records

Records should be kept for each complaint filed and, at a minimum, should include the following:

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

Approved: September 6, 2011

INTERNET CONTENT

The internet provides a powerful tool for the Darlington Community School District. Creation of internet content can greatly enhance the educational experience as well as increase collaboration and communication with the community. Creators of internet content need to familiarize themselves with and adhere to the following policies and responsibilities. Failure to follow these policies or responsibilities may result in the loss of authorizing privileges or other more stringent disciplinary measures.

A. Content and Web Approval

The Superintendent, building principals or designees are responsible for initial web page approval. Internet content creators are responsible for monitoring their own webpages. Internet content will also be periodically monitored by district administration.

B. Subject Matter

All subject matter on web pages should relate to curriculum, instruction, school-authorized activities, general information that is appropriate and of interest to others, or it should relate to the District or the schools within the District or have educational value.

C. Ownership and Retention

All web pages and/or electronic information contained on or linked from the district website are the property of the district.

E. Students' Safeguards

1. Decisions on publishing student pictures (video or still) and audio clips are based on the supervising teacher's ability to obtain parental consent in writing for all children under age 18. Additionally, students age 18 or older must sign a consent form for their pictures to be included on a district web page. Consent indicates permission for the student's name and picture to be included on a district web page.
2. Documents may not include a student's phone number, address, e-mail address or any contact information, names of other family members, or names of friends.
3. Email addresses published on the district's website are restricted to staff members. No student email addresses will be published on the district's public website.
4. Web page documents may not include any information that indicates the physical location of a student at a given time other than attendance at a particular school or participation in activities.

F. School Board Policies

All documents on the Darlington School District's systems must conform to Board policies and regulations as well as established school guidelines. Copies of Board policies are available in all school offices and the district website. Persons developing or maintaining Web documents are responsible for complying with these and other policies. Some of the relevant issues and related Board policies include the following:

1. Electronic transmission of materials is a form of copying. As specified in District policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the District's equipment, including web server(s).

2. Documents created for the web and linked to the District Web pages will meet the criteria for use as an instructional resource.
3. Any links to District web pages that are not specifically curriculum-related will meet the criteria established in the District Acceptable Use of Networked Computers policy. Any other non-curricular materials should be limited to information about other youth activities, agencies, or organizations which are known to be non-sectarian, exclusively devoted to community interests or child welfare, are non-profit, and nondiscriminatory. Web page links may not include entities whose primary purpose is commercial or political advertising.
4. All communications via the District web pages will comply with the District Acceptable Use of Networked Computers policy and the District Code of Classroom Conduct policy. Offensive behavior that is expressly prohibited by this policy includes religious, racial, and sexual harassment and/or violence.
5. Any student information communicated via the District Web pages will comply with District policies in data privacy and public use of school records.
6. Any deliberate tampering with or misuse of District network services or equipment will be considered vandalism and will be handled in accordance with the District Code of Classroom Conduct and other related policies.

G. Technical Standards & Consistency

Each Web page added to the District Web site(s) must contain certain elements, which will provide general consistency for District web pages.

1. Each page will contain a link that returns the user to the appropriate point on the District Website.
2. The authorized teacher who is publishing the final Web page(s) for herself or himself will edit and test the page(s) for accuracy of links and check conformance with standards outlined in the policy.
3. All Web pages must be given a name which clearly identifies them.

H. Other

1. Internet content reflects an individual's thoughts, interests, and activities. Such content does not, in any way, represent individual schools or Darlington School District, nor is it endorsed or sanctioned by the individual school or the District. Concern about the internet content created by staff should be directed to the building principal of that school.

CONSENT FORM

The purpose of this consent form is to receive permission to use your child's picture on the Darlington School District's web site. Please be aware that information/pictures placed on the district's web site can be accessed world wide via the Internet.

I consent to the district using my son's/daughter's picture, with or without first name included, on the Darlington School District's web site.

Student's Name (please print):

Parent/Guardian's Signature or Student's Signature (if student is age 18):

Date:

Approved: December 20, 2005

Revised: October 1, 2012

Revised: August 5, 2013

COPYRIGHT POLICY AND REGULATIONS

The Darlington Community School District endorses the regulations set forth in the Federal Copyright Law (PL 94-553.) To the greatest extent possible, it will be the responsibility of students and district staff, including but not limited to student teachers, interns, and substitute teachers, to respect and conduct themselves within the spirit of this law. Furthermore, it will be the responsibility of district staff to model for students the appropriate use of both print and electronic forms of media. However, it is ultimately the responsibility of each individual to follow the guidelines set forth here. The school district will not assume responsibility for individuals who knowingly violate these guidelines.

BACKGROUND

Federal law makes it illegal to reproduce, distribute, adapt, perform, or display in any way copyrighted materials without authorization of the holder of the copyright. Severe penalties may be imposed for unauthorized copying or using of audio and graphic materials or computer software. There are however, certain exemptions. They fall under what is known as the "fair use" doctrine.

"FAIR USE" GUIDELINES

"Fair Use" means that reproduction of copyrighted materials is permissible for ... "teaching, scholarship, or research." To meet the Fair Use guidelines, there are four test standards that must be met in total:

- A. The Purpose and Character of the Use. The use must be for teaching and scholarship and must be for nonprofit reasons.
- B. The Nature of the Copyrighted Work. Staff may make single copies of: book chapters, articles from periodicals or newspapers, short stories, essays or poems, charts, diagrams, drawings, cartoons or pictures from books, periodicals or newspapers. It is acceptable to do this if the purpose is research, instruction, or preparation for instruction.
- C. The Amount and Substantiality of the Portion Used. In most circumstances, copying a whole work is not considered to be fair use. Copying a small portion is acceptable if these guidelines are followed.
- D. The Effect of the Use Upon the Potential Market For or Value of the Copyrighted Work. If economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies could lead to very severe penalties.

Further Clarification: Congress created additional guidelines to help teachers know under what circumstances they may invoke the "fair use" principle and make copies:

- A. Copying or displaying is at the "instance and inspiration" of the individual teacher.
- B. The inspiration and decision to use the work and the "moment of its use for maximum teaching effectiveness" are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

WORKS IN THE PUBLIC DOMAIN

- A. Any work published before 1923 is in the public domain.
- B. A work published between 1923 and 1963 has a 95-year term, providing the copyright was formally renewed in its 28th year.
- C. A work published between 1964 and 1977 automatically has a 95-year copyright.
- D. A work published after 1977 has a copyright term of the author's life plus 70 years.
- E. A work by a corporate (versus an individual) author published after 1977 has a 95-year copyright.
- F. A work published prior to 1964 and the copyright was not formally renewed entered the public domain after 28 years.
- G. Because of the 1998 Sonny Bono Copyright Term Extension Act, cartoon characters made for hire many years ago and due to pass soon into the public domain have had their copyright life extended.

PRINT MEDIA

Single Copy Guidelines: In addition to the "single copy" doctrine in point 2 under Fair Use above, there are Congressional guidelines that restrict this option:

- A. Copying may not be used to create, replace, or substitute for anthologies, compilations, or collective works. You cannot create your own books by gathering bits and pieces from other sources.
- B. Copying from works intended to be "consumable" is strictly prohibited. This includes workbooks, exercises, and standardized tests.
- C. Fragile pages may be photocopied for preservation reasons.

Multiple Copy Guidelines: Copying so that entire classes may have the needed material is permissible as long as certain guidelines are followed:

- A. Only one copy for each student may be made. Making extra copies in anticipation of future need due to loss or mutilation of the original is prohibited.
- B. Each copy must include a notice of copyright that reads like this:
"Copyright 1998, Seuss Publishing."
- C. The copies must actually be used in class for a specific activity or discussion. They may not be made and distributed solely for their cultural value.

Multiple copying must meet three guidelines:

1. Brevity
 - a. Poetry. You are limited to copying 250 words on no more than 2 pages. You may complete a sentence in the poem even if that brings the total to slightly more than 250 words.
 - b. Prose. If a complete article, story or essay is less than 2,500 words, it may be copied in its entirety. Copying of a play, a novel, or a letter is limited to 1000 words or 10% of the whole, whichever is less. No matter how short the work, one may copy an excerpt of 500 words. Unfinished lines may be copied even if the total goes over the allowed amount.
 - c. Pictures books are an exception. Only two pages of a picture book may be copied as long as those two pages are not more than 10% of the book.
 - d. Illustrations. One chart, graph, drawing, cartoon, diagram or picture may be copied per book or periodical issue. They may not be enlarged or modified in any way.
2. Spontaneity
 - a. The idea to make multiple copies must be initiated by the teacher, as it is that person's "inspiration."
 - b. For "fair use" multiple copying to apply under the spontaneity rule, the amount of time between the decision made to use the material and the moment that it will be used must be so brief that it would be unreasonable to expect a timely reply to a request for permission. Three weeks is the rule of thumb. If it has been less than three weeks, you may use it. If it has been more than three weeks, you must write for permission to use it. If you receive no answer, you may copy the item under the assumption that there is not sufficient time to send a second query. The teacher may not then use that copy in a later semester without first asking for permission.
3. Cumulative Effect
 - a. Multiple copies of any one item may be used for one course only. If there are two or more sections of one course, copies may be used for each section. The teacher may not use the same copies in a second course.
 - b. There are limits on how many copies may be made from a single source in a school term. A teacher may make copies of one short poem, article, story or essay OR two excerpts from the same author during the class term (one school year, 9 weeks or whatever the term for that particular class might be.)
 - c. If copies are made from a collective work of material by various authors, the teacher may take three or fewer items from that source during that term.
 - d. Periodical articles are limited to three or fewer taken from one periodical volume (not issue.)
 - e. No more than 9 items from periodicals may be copied in multiples during one class term.
 - f. There is one exception to the rules on copying from periodicals. Teachers may copy articles from current news periodicals such as Time or Newsweek, newspapers, and the current news sections of other periodicals. Currency has been interpreted to mean two weeks.

Circumstances whereby copies MAY NOT be made:

1. Copying may not be used to create, replace or substitute for anthologies, compilations, or collective works unless the work is created by a student.
2. Copying may not be done from works considered to be "consumable."

3. Copying may not substitute for the purchase of books or periodicals.
4. A higher authority may not direct copying.
5. The same teacher may not repeat copying of the same item from term to term.
6. No charge may be made to the student beyond the actual cost of the copy.

Vertical File: It is not within the law to make copies of magazine or newspaper articles for placement in the vertical file. The articles themselves must be placed in the file.

Students Copying for Projects: Students may make single copies of essays, poetry, short stories or articles if creating an anthology as part of a classroom assignment. This is similar to the student making the multimedia presentation. Only the student may keep the original. The teacher may not keep a copy.

Intra-Library Loan Copying: Intra-Library loan copying means among school libraries in one school district. It is acceptable to do this because the schools are under "common funding." The following guidelines must be met:

- A. A single copy may be made.
- B. The copy must be stamped "This material may be protected by Copyright Law."
- C. Systematic copying is never acceptable. This occurs when one school copies a periodical in its entirety and sends it to another school in order to save money.

Interlibrary Loan Copying: Interlibrary loans pertain to those made to or from outside the district. The following guidelines must be met:

- A. The lending library must stamp the copy "This material may be protected by Copyright Law."
- B. The rule of five is in effect for periodicals. The borrowing library may request no more than 5 articles for any one title from the last 5 years. The current year counts as one year, and then count backwards. Thus, for articles published between and including 1996 and 2000, no more than five may be requested on interlibrary loan from any one title. In other words, if you have requested 5 articles from Teen People for the year 1997, you cannot request any more from that title for that year.
- C. There is no limit on how many you can request from periodicals previous to the five-year cut off date.
- D. The borrowing library must keep records of what is borrowed.
- E. Articles from issues of a periodical that are missing from your collection do not fall under the rule of five. In other words, if you subscribe to National Geographic Magazine and an issue is missing, you may interlibrary loan the missing article.
- F. If the periodical is at the bindery, you may request interlibrary loans of articles that are temporarily not on your shelves.
- G. The rule of five is in effect for books also. Only five copies of sections of any one book may be requested in a year. If teachers request a total of five poems from a collection in any one year that is the limit on the number of poems they can have for that year.

- H. Out-of-Print books may not be copied without restriction. Out-of-Print is not the same as out of copyright. First, follow the usual copyright guidelines. Second, try to locate the copyright owner for permission if you want to do anything other than those things allowed by copyright guidelines. After a good faith effort to locate the owner, go ahead and copy and use the portions you wish. Do not anthologize or publish them or try to make money off of them.
- I. Photocopies made by libraries for interlibrary loan or for patrons in the library must be marked with a copyright notice such as this:
NOTICE: This material may be protected by Copyright Law. (Title 17, U.S. Code.)

Reserve Materials: Any library materials may be put on reserve with no restriction, but making copies to put on reserve is unacceptable.

- A. A single copy of a book, periodical article or a single poem may be put on reserve without restriction. If the single copy, especially of a periodical article, is to be used semester after semester, permission from the publisher must be obtained.
- B. If multiple copies are put on reserve, there should be no more than 6 copies of the article on reserve.
- C. Each copy must contain the standard copyright notice.
- D. The effect of the copying should not diminish the market for the original.

Photocopiers: The following standard copyright compliance warning notice will be posted on all district photocopiers, the wording of which is specified by law:

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of the copyright law.

PRINT AND ELECTRONIC MEDIA

Graphics and Copyright, Part 1: Making Copies:

- A. Making a single copy of a graph or illustration is legal if it is for personal research or study.
- B. Multiple copies of a single graphic for a class fall under "fair use" if the guidelines are followed:
 1. Copying must be at the instance and inspiration of the teacher.
 2. It must be so close in time to the required use that receipt of permission is impossible.
 3. The copy is for only one course in the school.
 4. There are not more than nine occurrences of multiple copying for that course.
 5. Not more than one graphic is copied per book or periodical.
- C. Adaptations of graphics are not legal. Teachers may not enlarge, modify, or convert the graphic to another medium. Examples are: using the opaque projector to enlarge a graphic for a bulletin board decoration; a coloring book picture is photocopied and used for a worksheet; an art teacher creates stuffed animals of popular picture book characters; a

cartoon from a magazine is used in a school produced newsletter; and do not even think of using Disney or Warner Brothers characters in any manner, including exact reproductions or adaptations.

- D. A composite multimedia work made from material in one format transferred to digital format is legal to make and use in the class for which they were created. The four tests of fair use must be applied. All materials used in this derivative work must be properly cited as taken from works of others.
- E. Use of materials for multimedia programs must follow certain numeric guidelines. In any one year or term, a teacher or student may use:
 - 1. Film, Video or Television Motion Media: Up to 10% or three minutes whichever is less.
 - 2. Music, Lyrics, and Music Video: Up to 10% but not more than 30 seconds from a single work or combinations from separate extracts of a work.
 - 3. Video combined with Music: Subject to the 30-second limitation for music.
 - 4. Illustrations, Cartoons, and Photographs: May be used in their entirety, only if no more than five images from a single artist or photographer are used in a single multimedia work. If the images are taken from a single collective work (varying artists), no more than 10% or 15 images may be used.
- F. One original and one copy may be made of the resulting multimedia program. If one copy is lost, stolen, or damaged an additional copy may be made. If more than one person creates the work, each may have one copy of it.
- G. A student may keep the multimedia work indefinitely; a teacher may keep the work for two years from the time of its first use. If the teacher wishes to use the material beyond these two years, permission must be obtained from all copyright holders represented in the work.
- H. To be on the safe side, teachers should purchase collections of clip art, music, and videos/DVDs sold expressly for student use in making multimedia presentations.
- I. It is not legal to make backup copies of film, video, or audio works. It is not legal to transfer the film to more modern formats, such as going from BETA to VHS or 16 mm to VHS. If the item breaks, you must repair it or purchase a replacement. However, the following escape clause may be applied. Even though 16mm equipment is not entirely obsolete, it is acceptable to copy a 16mm film to a DVD to make it easier to view. However, you must also make a good faith effort to purchase the item in a newer format (video or DVD.)

ELECTRONIC MEDIA

Graphics and Copyright, Part 2: Viewing Videos/DVD Recordings: Ordinarily a room full of people would constitute a group viewing a public performance of a video/DVD recording and would not fall under the "fair use" exemption. Such unauthorized performances cause film producers to lose revenue and thus are prohibited. Classroom use however falls under "fair use" if all four guidelines are followed:

- A. Instructors or pupils must present the performance.

- B. The performance must occur in the course of face-to-face teaching activities.
- C. The performance must take place in a classroom or similar place of instruction in a non-profit educational institution.
- D. The performance must be of a legally acquired or copied work.

The following conditions exist to comply with the above guidelines:

- A. Only the students and the teacher of the course may be the viewers.
- B. The showing must be directly related to the curriculum. It must be related to the lesson at hand, not related to a past or future lesson.
- C. Beware of loose or questionable links between videos/DVD recordings and lessons (e.g. showing the film Pocahontas within a study of Native Americans would not be legal because there are many more curriculum-appropriate materials available.)
- D. Videos/DVD recordings may not be shown for their "general cultural value," as a reward, or as part of an after-school event.
- E. Videos/DVD recordings must be shown in standard educational settings such as traditional classrooms, school auditoriums, gymnasiums, and libraries.
- F. Recordings must be paid for or borrowed from a library or acquaintance, or rented, in order to be considered to be legally acquired.
- G. In-house distribution systems, or linked televisions, are acceptable to use, as long as only the students enrolled in the class see or hear the program.
- H. Many audiovisual materials may be purchased with public performance rights (meaning their showing is not restricted by the four guidelines above.) Library media specialists must keep records of which materials have been purchased that way. Some suppliers provide blanket public performance rights in the prices of all the videos in their catalogs. Those may be shown without adherence to the four guidelines. Librarians need to keep track of this also. Public performance rights fees are negotiable with the vendor.
- I. The "home use only" sticker on a video/DVD recording does not mean you cannot show the presentation in the proper school setting; it simply may not be a public performance.
- J. Unless a video/DVD recording comes with public performance rights you cannot show it on a chartered commercial bus carrying students for a school-related function.

Graphics and Copyright, Part 3: Recording from Television:

- A. Programs may be freely recorded from regular broadcast television (not cable).
- B. Programs from cable channels such as Disney, Nickelodeon or Discovery may not be recorded without permission from the channel. Satellite programs have the same restriction.

- C. Library media specialists may do the recording of regular television broadcasts only upon a specific request from a teacher. A librarian may not record a program just because someone may very well ask for it in the future.
- D. Once a recording has been made, it may be kept for 45 consecutive days. It then must be erased. Students may watch it once for instruction and once for reinforcement during the first 10 school days that the recording is retained. During the remaining 35 days teachers may use the program for evaluation of it. If permission is granted by the copyright holder, the recording may be retained past the 45 days. Otherwise, it must be erased.
- E. The teacher or library media specialist may not record or request the recording of the same program multiple times without written permission from the copyright holder.
- F. Teachers who record programs at home must adhere to the same guidelines.
- G. The Association for Information Media and Equipment (AIME) is the industry watchdog and vigorously pursues school districts who flaunt recording copyright law. Clarification of television copyright laws may be sought at www.aime.org
- H. Library media specialists should create and maintain a log of all recorded programs.

Sound Recordings:

- A. Phonograph records, cassette tapes, compact discs, etc. are all copyrighted, even if there is not a copyright symbol on the item. The four tests of "fair use" apply.
- B. When considering musical recordings, copyright may be held by the music, the lyrics and the performance. ASCAP (www.ascap.com) and BMI (www.bmi.com) do most of the copyright clearances for music.

Software:

- A. Illegal copying of computer software is called "piracy." It is illegal for students or teachers to copy school owned software for use on personal computers at home.
- B. It is legal to make an archival or "backup" copy of the software.
- C. Multiple copies of user's manuals for the software may not be made. Quick reference cards may not be copied. It is appropriate to negotiate with the copyright holder for extra copies of these quick reference materials.
- D. Schools may not purchase single user copies of software and then install it on multiple computers. Huge fines can result from this form of piracy.
- E. Schools may not load the hard disk portion of the program needed from a single CD to speed up the access to the data on multiple machines.
- F. Multiple loading of one diskette is not legal. This means you cannot load the software on one machine, remove the diskette and load it on another machine. Multiple User packs at a discount price may often be purchased instead.

- G. Networking of software is not legal without negotiating a price with the seller.
- H. Some software is available for free on the Internet. It is said to be in the public domain and anyone may use it. Other software is called "shareware." This software is offered as a "try it before you buy it" situation and is copyrighted. Often the software will cease to work after the trial period expires. If it does not cease to work, users must submit payment for the software.
- I. The FBI investigates and enforces suspected software copyright violations. Software piracy is a felony. School districts must keep all receipts, authentication materials, and licenses to prove that they are in compliance.
- J. School districts must designate at least one staff person to oversee all software and to conduct software audits as necessary.

Databases/CD-ROMs:

Copying any portion of these to be included in student or teacher presentations is subject to fair use guidelines. Any image that is copied may not be altered or modified into anything other than the original intent of the creator.

Scanners:

Using an electronic scanner to convert print material to an electronic format is considered to be a copyright infringement unless it meets fair use guidelines or permission is granted from the creator.

Internet Websites:

A. For Students

Anything seen on the Internet is copyrighted by the person who created it. No notice of copyright needs to be on it. Students should always seek permission from the owner before copying graphics or other material from websites. If students incorporate portions of websites into their own work, the teacher may not keep the work. It must reside with the student.

B. For Teachers

A case may be made for "fair use" of items teachers find on the Internet. The following points apply:

1. If the use is educational, displaying a web page or making a transparency of some information found on the web is acceptable.
2. Facts cannot be copyrighted, so if the material is of a factual nature, it is acceptable to use. The more creative the material, the more it would be protected by copyright law.
3. The more of the item you use, the less protection you have. Capturing entire websites for offline use would not be considered legal.
4. The spontaneity rule applies also. If potential classroom display material is identified less than a week before its anticipated use, it is acceptable to use it, once. Any repeat use requires permission from the creator of the site.
5. Consider the following guidelines for intent: What will be the effect of the use of the website on the market for the work? Will advertising be deleted in the copying of a

website? That could deprive the sponsor of revenue. Will viewers be more likely to not return to the site if they've downloaded the whole thing? Even if it is a site for a nonprofit organization, the same reasoning applies. What if the organization plans to put the material in a book at some point? It would be cutting into their potential revenue if someone already has a copy they have downloaded off the Internet.

6. Using software that captures an entire website for off line use is questionable. Capturing 100% of a website violates fair use and robs the creator of conceivably any number of things that could rob that person of funding (low hit rate, for example, leading to sponsor canceling support.)

Email:

- A. The author of an email owns the content of that message. Copies of email messages may not be made and distributed without the permission of the author.
- B. Since the individual email message has probably never been "published," use of it does not fall under "fair use" guidelines.
- C. Email messages should not be forwarded to third parties, newsgroups, or listservs without permission from their owner.
- D. If a message is posted to a public forum, it is considered to be "published." It now falls to some extent under "fair use" guidelines. If the originator states that the message may not be distributed beyond the listserv posting, then it may not be redistributed. It is acceptable to quote a few sentences or paragraphs from one of these types of publications if you are not doing so for profit.

Online Instruction:

In compliance with the TEACH (Technology Education and Copyright Harmonization) Act of 2002, copyright law was broadened to include instructors' legal uses of copyrighted materials in online instruction available through accredited nonprofit educational settings. This includes teaching via interactive digital networks and through distance learning. Such materials include, but are not limited to print resources, still images, diagrams, charts, graphs, audio recordings, as well as video and DVD recordings. In some instances, instructors may use certain copyrighted materials during online instruction without paying royalties to or obtaining permission from copyright owners. At the same time, during online instruction, instructors must comply with certain limitations when displaying or performing copyrighted works. Thus, schools and instructors may not simply apply copyright regulations and fair use guidelines meant for classroom instruction to online instruction.

The display and performance of most types of works during online instruction is permitted without the consent of the copyright owner if:

- A. Online instruction is available through an accredited educational institution and overseen , directed by, or supervised by a qualified instructor.
- B. The material presented is intended for use only by those students officially enrolled in the course, regardless of their physical locations.

- C. Reasonable measures to prevent “retention of the work in accessible form by recipients of the transmission..... for longer than the class session” are utilized.
- D. "To the extent technologically feasible," the instructor’s transmission of materials to students employs reasonable measures that preclude unauthorized student retention and/or future distribution.
- E. The educational institution has copyright policies in place and provides students and staff members with information that "describes, and promotes compliance with, the laws of United States relating to copyright." The institution must also provide students with a notice that materials may be subject to copyright protection.

These guidelines do not allow for entire print textbooks to be digitized, nor does it apply to materials that are produced by the copyright owner specifically for online instructional sales. Educational institutions also have limited rights to retain the information and provide limited student access for the purpose of review.

In accordance with the TEACH Act, an instructor MAY:

- A. Convert information such as text, sound, or images into a format that can be stored, retrieved, and manipulated on a computer (digitize) for use during online instruction. If materials are already in digital format, the original version must be used.
- B. Retain and store digitized copyrighted materials on a secure server for the duration of the instructional period.
- C. Transmit the performance of the following in a digital format:
 - 1. an entire non-dramatic literary or musical work such as a poetry or short-story reading,
 - 2. reasonable and limited portions of all other audio and/or visual presentation such as films, DVDs, and videotapes, as well as any dramatic musical performance such as those limited above.
- D. Transmit and display material, including still images, via digital networks, in amounts comparable to those presented in typical, face-to-face classroom sessions.

In accordance with the TEACH Act, an instructor MUST:

- A. Inform students that the materials being displayed are copyrighted and that they may not revise the materials, save such materials to their computers, copy or distribute the materials.
- B. Take reasonable precautions to ensure that copyrighted materials covered by the TEACH Act are accessed only by enrolled students.
- C. Ensure that only enrolled students use a login and password when accessing online instructional materials.
- D. Ensure that the performance or display of materials is a regular part of a systematic instructional activity and that it is directly related and of material assistance to the curriculum.

In accordance with the TEACH Act, the instructor MAY NOT:

- A. Use copyrighted materials in a digital environment that have been developed and marketed specifically for instructional activities.
- B. Revise or alter materials that are already in a digital format.

The TEACH Act also added a new section of copyright law that authorizes educators to make necessary copies in order to display and perform works in a digital environment. The new section permits those authorized to perform and display works to copy digital works and digitize analog works in order to make authorized displays and performances so long as:

- A. The copies are retained only by the institution and used only for the activities previously authorized, and
- B. For digitizing analog works, no digital version of the work is available free from technological protections that would prevent the uses previously authorized.

Development of Intellectual Property:

Policy: It is the policy of the board of Darlington Community Schools to encourage its employees to create intellectual property such as, but not limited to, teaching materials, written documents, and computer software that may be produced for public sale. The school board agrees to waive its rights under the copyright law applicable to this property, whether said material was developed during personal time on the condition that copies are provided to the Darlington Community Schools gratis. This policy does not apply to property developed during periods when the employee is working on the project while being paid by the school district. Under these conditions, the work being developed becomes the property of the Darlington Community Schools.

Approved: December 20, 2005

ACCESS TO EDUCATIONAL TECHNOLOGY

The Board recognizes that educational technology is a valued resource for students and staff in the implementation of the District Curriculum. The District believes that all students should have access to educational technologies such as instructional television, distance learning, computer technology, telecommunications, etc. The Board is committed to providing appropriate hardware, software, professional development, and support to make this possible. The successful utilization of these technologies requires each staff member and student to use these tools for the express purpose of learning within the context of the District curricula. The District will establish technology plans that monitor the use of technology through the following criteria:

- Equity of access for all students and staff to technology.
- Training for students and staff in how to use technology effectively in the classroom.
- District support including coordination, application, and technical assistance for each school.

Legal Ref.: Sections 120.13(1) Wisconsin Statutes
943.70
947.0125
PL 94-553, 1976 Federal Copyright Law
Children's Internet Protection Act
Neighborhood Children's Internet Protection Act

Approved: December 15, 2009
Revised: October 1, 2012

600.12
TECHNOLOGY POLICY

FACULTY AND STAFF

A. EXPECTATIONS FOR STAFF USE OF INFORMATION TECHNOLOGY (IT) AND
COMMUNICATION RESOURCES

1. The Darlington Community School District expects staff to use information technology and communication resources in a responsible manner for education in accordance with established district policies and rules.
2. All employees are expected to become familiar with the Technology Policy for K-12 Students, and model and implement this policy for students.
3. All software, E-mail, voice mail, files, and other information or documents used, generated, transmitted, or received over district data, voice, or video networks are the property of the school district. The district retains the right to review, audit, intercept, access, and disclose all messages or information created, received, or sent over district data, voice, or video networks.
4. Policy or rule violations will result in appropriate disciplinary action (up to and including payment for damages on equipment or software, written reprimand, suspension without pay and possible discharge).
5. The administration shall create and monitor rules for use of information technology and communication resources and shall ensure that all district employees are provided with a copy of such rules.

B. USE OF INFORMATION TECHNOLOGY AND COMMUNICATION RESOURCES

Introduction

The Darlington Community School District provides access to communication and information resources to help employees do their job and be well informed. This includes Internet access, the e-mail system, telephones, and all other hardware and software connected to the district's voice, data, or video networks. These resources represent a considerable commitment of financial and human capital for telecommunications, networking, software, storage, etc. The following rules are designed to help everyone use the school district's technology resources wisely. User accounts and passwords will be granted to individual users to secure information and maintain accountability. Accounts are terminated when employment or the volunteer activity ends. Passwords and user names are the means by which individual access is granted and security is maintained.

1. To preserve security, users should protect passwords and change them periodically. Employees shall not share passwords or post them in public view. If a password is discovered, it will be changed immediately.
2. The use of unassigned passwords to gain access to another person's files is prohibited. No one except authorized district support personnel shall use another employee's user name and password without explicit administrative approval.
3. Employees shall log off the network when the computer is not in use. Computers should be shut down when users leave for the day, unless the computer is used by a 24-hour system.

4. Staff shall adhere to all applicable security procedures to ensure safety and confidentiality of data.

Electronic Mail (e-mail)

All e-mail on the schools district's networks should be thought of as being written under a Darlington Community School District letterhead. Employees should refrain from discussing topics or conveying opinions that they would not put in written form or share with a wider audience. Public record laws generally apply to electronic transmissions in the same manner as they would to paper records.

The following rules shall apply:

1. All messages and files created, sent or received using school district equipment, networks, or e-mail systems are the property of the school district.
2. No employee should have an expectation of privacy with respect to e-mail messages. The administration may access any e-mail for reasons including, but not limited to, the following: (a) to find lost messages; (b) to assist employees at their request in the performance of job duties; (c) to study the effectiveness of the e-mail system; (d) to comply with investigation into suspected criminal acts or violations of this policy; (e) to recover from system failures or other emergencies.
3. Employees shall contact their building administrator and Help Desk if they receive persistent or suspicious chain letters, a non-district virus alert, or inappropriate e-mail messages. Participation in chain e-mail letters is not allowed.
4. E-mail messages (sent, forwarded, or maintained) may not contain content considered offensive. Offensive content includes, but is not limited to, language or images that are (a) libelous, (b) obscene or sexually explicit, or (c) discriminatory or potentially creating a hostile environment. Employees may not read e-mail sent to another employee unless officially authorized by their supervising administrator or by the intended e-mail recipient.
5. E-mail messages shall not be used for private business ventures, personal gain, partisan or issue promotion or campaigning, or any illegal activity.
6. Users may not send e-mail messages with the sender's identity forged or send e-mail anonymously.

Internet

1. No employee should have any expectation of privacy as to his or her Internet usage on district equipment or networks. The district has a system in place that monitors and records all Internet usage. The district reserves the right to, at any time, review Internet activity and analyze usage patterns to assure that school district Internet resources are used to accomplish the district's mission of teaching, learning, and public service.
2. The district reserves the right to review, audit, intercept, access, block, and disclose all files and information stored in any area of the network, including all computers, in order to assure compliance with policy and these rules.
3. Illegal or offensive content may not be displayed, archived, stored, printed, distributed, transmitted, edited or recorded over district networks or using any district equipment. Offensive content includes, but is not limited to, language or images that are (a) libelous, (b) obscene or sexually explicit, (c) discriminatory, (d) potentially creating a hostile environment, or (e) inappropriate to an educational environment.

4. Employees shall not intentionally visit and/or search for Internet sites that contain or could reasonably be expected to contain any content prohibited in Internet rule 3 above, without prior clearance from a supervisor, and then such sites may be visited only for educational purposes. If such a site is inadvertently visited, an employee must provide his or her supervisor with a written description of the time, date, and address of the site, along with a brief explanation of how it was inadvertently visited. The supervisor and employee shall keep such written explanation on file as a response when district monitoring identifies the inappropriate visit and requires further explanation.
5. No employee may use the school district equipment, network or resources to download or distribute pirated or otherwise illegal software or data.
6. No employee may use the school district's equipment, network or resources to intentionally propagate any virus, worm, Trojan horse, trap-door program code, or other destructive program.
7. Users shall not use the district's equipment, network, or resources to download entertainment software or games, or to play games over the Internet, unless for specified educational purposes.
8. Employees may download only software with direct school district applications and/or use, and must arrange to have such software properly licensed and registered. Downloaded software must be used only under the terms of its license.
9. Employees may not add or remove a hard disc drive or other hardware storage devices from their assigned device without the authorization of their supervisor. Employees are also prohibited from formatting, reformatting, erasing or restoring a hard drive on their assigned device without the express authorization of their supervisor.
10. When students access the Internet, employees are accepting professional responsibility for supervising the student(s) and for ensuring that students understand and comply with rules 1-9 above as well as the K-12 Network Policy. Staff who knowingly allow students to breach any of the policies will be subject to a letter of reprimand and further sanctions according to A.4.
11. Employees who access the Internet may use assigned resources for occasional personal research (or browsing) during non-duty break times, or outside contracted work hours. Such use must not interfere with district business, congest the network, and all other Internet use rules must be followed.
12. Use of district resources for illegal activity can be cause for termination, consistent with applicable employee bargaining agreement and/or district policy.

Software

1. Prior to purchase, all software must approved by building administrator. Technology staff will support only properly licensed and approved district software.
2. Unauthorized software or data may not be run on any desktop computer or server. District technology staff members may delete unauthorized software and data on desktop computers or servers.
3. All software must be properly licensed. It is a violation of district policy to install unlicensed software on a district computer.
4. Computer games for employee recreational use are not allowed on district computers.
5. Software will be installed by designated technology staff. Staff may not install personal software or software downloaded from the Internet on district computers without administrative approval. The District will only support approved software.

A complete list of district-supported software can be obtained from administration or designee.

Supervision of Students Using School Computing Systems

1. All staff are expected to monitor student use of computers. Students may not use any computer system in a lab or classroom without adult supervision.
2. The Darlington Community School District recognizes the educational importance of internet resources. Administration will review requests and will unblock appropriate educational sites. Staff members who request access to such sites for their students are responsible for appropriate supervision of the activity.

Internet Safety and Education

The Darlington Community School District will provide Internet Safety education to its students regarding Social Networking Safety, Cyber bullying, and appropriate online behavior, through direct instruction and coaching while students are engaged in educational online activities.

Printers and Copiers

School printers and copiers are intended for educational purposes. All staff should strive to conserve paper. Staff may not use printers for personal copies without reimbursing the district. All staff are encouraged to use flash drives.

Legal Ref.: Chapter 19, subch. II and IV

Sections 118.125 Wisconsin Statutes

120.12(1)

943.70

947.0125

PL 94-553, Federal Copyright Law

Children's Internet Protection Act

Family Educational Rights and Privacy Act

Technology and Internet Safety Acceptable Use Agreement
For Adult Users

School Year: _____

I acknowledge that I will have access to the Internet through the Darlington Community School District computer system. I understand that the Darlington Community School District will provide filtering software/firewalls to prevent access to undesirable sites and content.

I have read and understand the following: Technology Policy-K-12 Students, Technology Policy-Faculty and Staff, and Technology Concerns for Students with Special Needs Policy. I agree to abide by and accept responsibility for the appropriate use of the technology offered by the Darlington Community School District. I understand that the inappropriate use of the technologies available may result in the loss of access privileges as described in the policies. I acknowledge that, when appropriate, payment for damages and/or repairs may be assessed to me. I acknowledge that, when applicable, law enforcement agencies may be involved in investigating illegal use of district technology and that this may result in legal action against me. And finally, I acknowledge that inappropriate use of the District's internet could result in the suspension, revocation, or limitation of computer use and/or other appropriate disciplinary actions, including suspension from employment, termination of employment, restitution and/or referral to law enforcement agencies.

Adult's Name (please print): _____

School: _____

Adult's Signature: _____

Date: _____

Approved: December 15, 2009
Revised: August 6, 2012
Revised: October 1, 2012
Revised: August 5, 2013

DIRECT DEPOSIT (Mandatory)

The District will pay employees through direct deposit to an account at a financial institution of the employee's choice. Employees will provide the District office with information needed to accomplish the direct deposit payroll process. Employees must enroll in direct deposit within fifteen (15) calendar days of the time of hire or rehire. Employees must participate in the direct deposit payroll process as a condition of new or continued employment unless otherwise prohibited by law. The district will allow up to two (2) checking and two (2) savings accounts for direct deposit.

Changes to information regarding direct deposit shall be received by the District office at least thirty (30) calendar days prior to the date of the change. The District will not be responsible for deposits made to a former account where the request for the change has not been timely provided to the District office.

Approved: July 5, 2011

PAYROLL

Payroll payments for all District employees shall be biweekly. Salaried employees' pay shall be distributed in equal payments biweekly. Hourly employees shall receive payment two weeks following the end of a pay period. Payroll payments will only be distributed by direct deposit.

Pay rates for new employees will be established by the district prior to the time work is performed. All documents required for payroll purposes must be provided to the District office on or before the due date for payroll processing.

If an employee believes that an error has been made regarding his or her compensation, the employee must contact the District office immediately. Reports of payroll errors will be promptly investigated. If it is determined that an error has been made and timely reported, the error shall be promptly corrected.

LEGAL REFERENCE: Wis. Stat. § 109.03

Approved: July 5, 2011

PERSONNEL RECORDS

A personnel file shall be maintained for each regular full-time and regular part-time employee in the District and may contain such information as applications, college credentials, transcripts, references, evaluations, and other pertinent employment information. The personnel file shall be maintained by the District office and shall be kept in a secured location. Materials shall not be removed from the personnel file without permission of the District Administrator or his/her designee. An employee may not add items to his/her personnel file without permission of the District Administrator or his/her designee, unless required by law.

Personnel records shall be maintained in accordance with state and federal laws and regulations and shall be retained in accordance with the District's record retention schedule. An employee shall have the right to review personnel records as permitted by state and federal laws.

Employees are hereby notified that the legal custodian of all records, including personnel records, is the District Administrator or his/her designee. The legal custodian is vested with full legal power to render decisions and to carry out the duties of the District under the Wisconsin Public Records Law. Requests by an employee to inspect or copy records concerning the employee will be handled by the legal custodian.

LEGAL REFERENCE: Wis. Stat. § 103.13
 Wis. Stat. §§ 19.31 to 19.39

Approved: July 5, 2011

FAMILY AND MEDICAL LEAVE POLICY

The District complies with all applicable laws concerning family and medical leave (FMLA). Employees may be eligible for leave under both the federal and state family and medical leave laws. There are different eligibility provisions for these laws, different rights under the laws, and different procedural requirements for employees to follow. The purpose of this policy is to briefly describe some of the rights and responsibilities of employees under these laws. However, this policy does not, nor is it intended to, spell out every right and responsibility under the two laws. If an employee has any questions or desires additional information, the employee should contact the District Administrator or designee. When both laws apply, the leaves under state and federal law will run concurrently and the provisions more beneficial to the employee will apply. Medical leaves that qualify under the FMLA will also run concurrently with leaves under short and long term disability policies, worker's compensation, and other laws, as applicable and as allowed by law.

To qualify for federal FMLA, employees must be employed by the District for a total of at least twelve (12) months and have actually worked at least 1,250 hours in the preceding 12-month period. To qualify for Wisconsin FMLA, employees must have been employed at least 52 consecutive weeks and have worked or been paid at least 1,000 hours in the preceding 52 weeks.

Employees on FMLA leave may not engage in any other employment that is inconsistent with the reason for the employee's FMLA leave.

The District will not use the requesting or taking of FMLA leave in compliance with the law as a basis for any adverse employment decision. Employees should direct any questions regarding FMLA leave to the District Administrator or designee.

GENERAL LEAVE RIGHTS

Federal FMLA. Under the federal FMLA, eligible employees are allowed up to 12 workweeks of unpaid leave per 12-month period for the following reasons (see also Military Family Leave below):

- The employee's own serious health condition that makes the employee unable to perform the functions of his or her position
- To care for the employee's spouse, child or parent with a serious health condition
- For the birth of the employee's child, or placement of a child for adoption or foster care with the employee
- For incapacity due to pregnancy, prenatal medical care or child birth

Wisconsin FMLA. The Wisconsin FMLA permits eligible employees to take unpaid leave for the following reasons:

- 2 weeks for the employee's own serious health condition
- 2 weeks to care for the employee's spouse, child, domestic partner, parent, parent-in-law, or parent of a domestic partner with a serious health condition
- 6 weeks to care for the employee's child after birth or adoption

The District will calculate the federal FMLA 12-month period as a fiscal year from July 1 to June 30. Under federal FMLA, leave for birth, adoption or foster care placement must be concluded within 12 months of the birth or placement for adoption or foster care. If both parents work for the District, the employees will share one 12 week leave for the birth or placement of a child.

The Wisconsin FMLA entitlement will run on a calendar year basis. Any leave for the birth or adoption of a child taken under Wisconsin FMLA must start within 16 weeks of the birth or adoption of the child.

Military Family Leave. The federal FMLA provides for military family leave. Several provisions of this FMLA policy (including employee notice provisions and certification requirements) apply to military family leave as well.

There are two types of military family leave.

Qualifying Exigency Leave. Eligible employees with a spouse, son, daughter or parent on covered active duty or called to covered active duty status may use their 12-week FMLA entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare or parental care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. The 12 weeks of leave afforded for a qualifying exigency is not in addition to the general 12 weeks afforded under the federal FMLA. An employee is entitled to no more than 12 total weeks of leave for any combination of personal, family or qualifying exigency military FMLA.

Service Member Care Leave. Eligible employees may also take up to 26 weeks of leave during a single 12-month period to care for an ill or injured service member who is the employee's spouse, parent, child, or "next of kin" who is a covered service member. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. The 26 weeks of leave afforded for service member care is not in addition to the general 12 weeks afforded under the federal FMLA.

Married Employees. Married employees who both work for the District are limited to no more than an aggregate of 26 weeks of leave between them for military family leave.

School Year Employees. If a school year employee is on leave at the end of one school year and the beginning of another, the leave will be considered consecutive, not intermittent, and the employee will be provided with any benefits over the summer vacation that he/she would normally receive if the employee had been working at the end of the school year. Summer vacation is not counted against a school year employee's FMLA leave entitlement.

DEFINITIONS OF "CHILD" AND "PARENT"

Under both state and federal FMLA laws, "child" means a biological, adopted or foster child, step child, legal ward, or a child for whom the employee provides day-to-day care. Also, the child must either be under age 18, or be 18 years or older and unable to care for him/herself because of a mental or physical disability or serious health condition. Under both state and federal laws, "parent" means biological parent, foster parent, adoptive parent, step parent or an individual who was responsible for the day-to-day care of the employee when the employee was a child. Under federal FMLA law, "parent" does not include parents of spouses or domestic partners. Under state FMLA law, "parent" includes parents of spouses or domestic partners.

SERIOUS HEALTH CONDITION

A serious health condition is an injury, illness, impairment or physical or mental condition that involves:

- Inpatient care in a medical care facility; or
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents a qualified family member from participating in school or other daily activities. Continuing treatment by a health care provider includes:
 - (1) A period of incapacity of more than three (3) consecutive full calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen or continuing treatment under the supervision of a health care provider (time limits apply to health care provider visits);
 - (2) Any period of incapacity due to pregnancy or prenatal care;
 - (3) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 - (4) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
 - (5) Any period of absence to receive multiple treatments by a health care provider or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.
(Under the Wisconsin FMLA, the requirement for more than three (3) consecutive calendar days of incapacity does not apply.)

NOTIFICATION AND CERTIFICATION

Whenever possible, employees must give at least 30 days written notice of the need for FMLA leave. When 30 days' notice is not possible, employees are expected to give as much written notice as is practical. Please see the District Bookkeeper for FMLA request forms. Normal call-in procedures must also be followed for all FMLA absences. If an employee does not specifically request family or medical leave, but requests leave for a reason that might qualify as family or medical leave, the District will provide the employee with a leave request form to fill out and return to the District Office as soon as possible in order to determine whether the leave requested qualifies as FMLA leave. The District may temporarily designate the leave as FMLA leave.

When requesting FMLA, employees must give sufficient information to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the District if the requested leave is for a reason for which FMLA leave was previously taken or certified.

The District may require an employee who is requesting FMLA leave to provide medical certification for the leave. Employees will have 15 days in which to provide the certification, except in extenuating circumstances. If an employee fails to provide adequate certification in a timely manner, the employee's leave request or continuation of leave may be delayed or denied altogether. The District may require a second medical opinion at its expense regarding a serious health condition from a health care provider of its choice. If the first two opinions differ, the District may obtain a third opinion at its expense from a mutually agreed upon health care provider. The third opinion shall be binding on the parties. Recertification and periodic reports regarding the employee's status and intent to return to work may also be required as allowed by law.

The District will inform employees who have requested leave whether they are eligible for leave, specify any additional information needed, and inform the employee of his/her rights and responsibilities. If the employee is not eligible for leave, the District will provide a reason for the ineligibility. The District will also inform eligible employees whether requested leave will or will not be designated as FMLA leave and the amount of leave that will be counted against the employee's leave entitlement.

INTERMITTENT LEAVE

An employee may take any leave covered by Wisconsin FMLA as intermittent leave, provided the employee provides notice as required by the law. The last increment of intermittent leave for the birth or adoption of a child under Wisconsin FMLA must begin within 16 weeks after the birth or placement for adoption of the child.

For leaves covered only by FMLA, an employee may take "intermittent" or "reduced schedule" leave, if medically necessary, for the employee's own serious health condition, to care for a spouse, parent, son, or daughter with a serious health condition, and to care for a covered service member with a serious injury or illness. Employees must make reasonable efforts to schedule leave for planned medical treatment so as to not unduly disrupt the District's operations. For medically necessary intermittent or reduced schedule leave that is foreseeable based on planned medical treatment for the employee, a family member, or a covered service member, the District may temporarily transfer an employee taking such leave to a position with equivalent pay and benefits if the new position better accommodates the leave. Military leave due to qualifying exigencies may also be taken on an intermittent basis. Employees may also take intermittent FMLA leave for the birth, adoption or foster placement of a child during the federal-only portion of their FMLA leave.

In addition, special rules apply to intermittent leave for "instructional" employees under the federal FMLA. The special rules apply to intermittent or reduced schedule leave, or leave near the end of a semester. "Instructional employees" are employees whose principal

function is to teach students in a class, small group, or individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. It does not include assistants or aides who do not actually teach nor does it include auxiliary personnel such as counselors, psychologists, or curriculum specialists, or non-instructional support staff. The special rules for “instructional” employees include:

- If an eligible employee needs intermittent leave or leave on a reduced leave schedule to care for a family member with a serious health condition, to care for a covered service member, or because of the employee’s own serious health condition, which is foreseeable based on planned medical treatment, and the employee will be on leave for more than 20 percent of the total number of working days over the period the leave would extend, in order to minimize the disruption to the educational process, the District may require the employee to choose either to:
 - take leave for a particular duration, not longer than the duration of the planned treatment. If the employee chooses this option, the entire amount of leave will be counted against his/her FMLA leave entitlement; or
 - transfer temporarily to an available alternative position, for which he/she is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave.
- If the employee does not give required notice of foreseeable leave to be taken intermittently or reduced leave schedule, the District may require the employee to take leave of a particular duration, or to transfer temporarily to an alternative position, or delay the taking of leave until the employee has given the necessary notice.
- If the employee begins a leave more than five weeks before the end of a semester, less than five weeks before the end of a semester, and less than three weeks before the end of a semester, special rules apply:
 - If the employee begins leave more than five weeks before the end of a semester, the leave will last at least three weeks, and the employee would return to work during the three-week period before the end of the semester, the District may require the employee to continue taking leave until the end of the semester.
 - If the employee begins leave during the five-week period before the end of a semester because of the birth of a son or daughter; the placement of a son or daughter for adoption or foster care; to care for a spouse, son, daughter, or parent with a serious health condition; or to care for a covered service member, the District may require the employee to continue taking leave until the end of the semester if the leave will last more than two weeks, and the employee would return to work during the two-week period before the end of the semester.
 - If the employee begins leave during the three-week period before the end of a semester because of the birth of a son or daughter; the placement of a son or daughter for adoption or foster care; to care for a spouse, son, daughter, or parent with a serious health condition; or to care for a covered service member, the District may require the employee to continue taking leave until the end of the semester if the leave will last more than five working days.

- If the District requires the employee to continue taking leave to the end of the semester, only the period of leave until the employee is ready and able to return to work will be charged against the employee's FMLA leave entitlement. However, the District will maintain the employee's group health insurance and restore the employee to the same or equivalent job including other benefits at the conclusion of the leave.

SUBSTITUTING PAID TIME OFF

During the portion of any FMLA leave covered by Wisconsin law, employees may elect to substitute, or not substitute, any accrued paid leave for unpaid FMLA leave. During the federal-only portion of an FMLA leave, an employee may substitute any paid leave the employee would be eligible to take in compliance with the District's normal paid leave policies. During the federal-only portion of an FMLA leave, the District may require employees to substitute accrued paid leave.

BENEFITS DURING LEAVE

An employee's coverage under group health plans (i.e., group health and dental coverage) will be maintained during the period of an FMLA leave as required by the Wisconsin and federal FMLA laws and in accordance with the applicable terms of the plans.

Employees who normally pay a portion of the premium for insurance coverage must continue to do so during the period of FMLA leave. If paid leave is substituted for unpaid leave, the employee's portion of the premium will be deducted from the employee's paycheck. For those employees on unpaid leave, payment arrangements must be made prior to the start of the leave, or as soon as practicable. A 30-day grace period will apply to premium payments. If payment is not made within the grace period, the employee's group health/dental insurance may be terminated.

If the District maintains an employee's insurance during an FMLA leave, and the employee does not return from FMLA leave, under certain circumstances the District will have the right to recover the total cost of the insurance premiums paid during the employee's leave, as allowed by law.

Use of FMLA cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave. Other benefit accruals may be suspended during the period of the leave and will resume upon return to active employment. An employee should check with the District Bookkeeper regarding other benefit continuation provisions.

RETURNING TO WORK AT THE END OF LEAVE

Employees who return to work from FMLA leave within the timeframes protected by the FMLA laws will be returned to their former position or, if that position is no longer available, an equivalent position with equivalent pay, benefits and other employment terms. If an employee wishes to return to work before his/her leave is to end, and work is available, the employee must notify the District Administrator at least 2 days prior to the desired return date. If an employee took FMLA leave for his/her own serious health condition, a fitness for

duty certification will be required before the employee may return to work. In such cases, an employee's return will be delayed until such a certification is received.

FAILURE TO RETURN TO WORK AT END OF FMLA-PROTECTED LEAVE

If an employee fails to return to work after the expiration of an FMLA-protected leave, the employee's rights under state and federal FMLA laws will no longer be in effect and the employee will be subject to immediate termination. If the employee's inability to return to work is due to the continuation, recurrence or onset of the employee's own serious health condition, or of the serious health condition of the employee's spouse, child or parent, the District will consider a request for a further unpaid leave. However, the employee must submit a written request for consideration of a further leave as soon as the employee realizes that he/she will not be able to return at the expiration of the FMLA-protected leave period. The District will consider each such request on a case by case basis. There is no guarantee that a further leave will be granted.

FAILURE TO MEET POLICY REQUIREMENTS

If the employee fails to meet the requirements of this policy for family or medical leave, the request for leave will be denied until the requirements are met.

See FMLA Posters, which follow this policy.

LEGAL REFERENCE: Federal Family and Medical Leave Act - 29 U.S.C. 2601, et. seq.
Federal Family and Medical Leave Act Regulations-29 CFR Part 825
Wisconsin Family & Medical Leave Act - Wis. Stats. § 103.10
Wisconsin Family & Medical Leave Act Regulations - Wis. Admin. Code DWD 225

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA, and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 - Revised February 2013

WISCONSIN FAMILY AND MEDICAL LEAVE ACT

Section 103.10, Wisconsin Statutes, requires that all employers with 50 or more employees display a copy of this poster in the workplace. Employers with 25 or more employees are required to post their particular leave policy.

Under state law all employers with 50 or more permanent employees must allow employees of either sex:

- ◆ Up to six (6) weeks leave in a calendar year for the birth or adoption of the employee's child, providing the leave begins within sixteen (16) weeks of the birth or placement of that child.
- ◆ Up to two (2) weeks of leave in a calendar year for the care of a child, spouse, domestic partner, as defined in § 40.02(21c) or 770.01(1) or parent or a parent of a domestic partner with a serious health condition.
- ◆ Up to two (2) weeks leave in a calendar year for the employee's own serious health condition.

This law only applies to an employee who has worked for the employer more than 52 consecutive weeks and for at least 1000 hours during that 52-week period. The law also requires that employees be allowed to substitute paid or unpaid leave provided by the employer for Wisconsin Family and Medical Leave. Employers may have leave policies, which are more generous than leaves required by the law.

A complaint concerning a denial of rights under this law must be filed within 30 days after the violation occurs or the employee should have reasonably known that the violation occurred, whichever is later.

For answers to questions about the law, a complete copy of the law, or to make a complaint about a denial of rights under the law contact:



STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION



201 E WASHINGTON AVE, ROOM A100
PO BOX 8928
MADISON WI 53708

Telephone: (608) 266-6860
TTY: (608) 264-8752

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203

Telephone: (414) 227-4384
TTY: (414) 227-4081

Website: <http://dwd.wisconsin.gov/er/>

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us.

ERD-7983-P (R-06/2014)

Approved: July 20, 2015

ALCOHOL AND DRUG FREE WORKPLACE

In order to protect the health, welfare and safety of students, employees and/or volunteers, no employee and/or volunteer shall engage in any of the following conduct in any school building or on school premises, in any school-owned vehicle, or off premises at any school-approved activity, event or function where students are under the jurisdiction of the District: Possess, manufacture, distribute, dispense, use, or be under the influence of alcohol, inhalants, any controlled substance, or substances represented as such. The sole exception to these prohibitions involves prescription medication prescribed to an employee and/or volunteer and used by the employee and/or volunteer in accordance with his/her doctor's instructions. In addition, the District does not condone the involvement of any employee and/or volunteer with illegal controlled substances, even when the employee and/or volunteer is not on District premises.

If the immediate supervisor has reasonable suspicion concerning an employee and/or volunteer's use of alcohol or controlled substances while on the job or if the immediate supervisor has reasonable suspicion that the employee and/or volunteer's job performance is impaired due to the recent use of alcohol or any controlled substance, the employee and/or volunteer may be asked to submit to alcohol and drug assessment testing, which will be done with procedures that ensure the confidentiality and privacy interests of the employee and/or volunteer.

Compliance with the District's policies and rules regarding alcohol or drug use is mandatory and is a condition of employment. Employees and/or volunteers who violate the District's policies or rules regarding these substances shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee and/or volunteer assistance programs, discipline or discharge from employment with the District, and referral to appropriate law enforcement officials for prosecution.

An employee and/or volunteer who is engaged in the performance of a federal grant shall notify the District Administrator of any criminal drug statute conviction for a violation occurring in the workplace. This notification shall be made within five days of such conviction, and the District Administrator will then notify the appropriate federal agency. After receiving notice from an employee and/or volunteer, the District shall either (1) take appropriate personnel action against the employee and/or volunteer, up to and including termination of employment, or (2) require the employee and/or volunteer to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency.

The District will inform employees and/or volunteers about the District's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and (if applicable) abuse programs, and the penalties that may be imposed upon employees and/or volunteers for drug abuse violations.

Legal References:

Wisconsin Statutes

Section 120.13	[School board powers]
Section 121.02(1)(i)	[Safe facilities]
Section 125.09	[Restriction on alcoholic beverages on school grounds]
Chapter 961	[Uniform Controlled Substances Act]

Federal Statutes

Drug-Free Workplace Act of 1988

Cross References:

Policy 522	[Staff Conduct]
Policy 523.11	[Employee and/or volunteer Alcohol and Drug Testing]
Policy 523.3	[Employee and/or volunteer Assistance Program]
Policy 526	[Personnel Records]
Policy 527	[Staff Complaints and Grievances]

Approved: September 6, 2011

TOBACCO USE BY STAFF ON SCHOOL PREMISES

Employees and/or volunteers shall not use tobacco products on District premises, in District vehicles, or in the presence of students at school or school-related activities.

Building principals shall be responsible for disseminating information regarding this policy prohibition, including posting appropriate signs on school premises.

Employees and/or volunteers violating this policy will be subject to disciplinary action, up to and including discharge, and referral to law enforcement authorities.

Legal References:

Wisconsin Statutes

Section 101.123 [Smoking prohibited]

Section 120.12(20) [School board duty to prohibit tobacco use on school premises]

Federal Laws

Pro-Children Act of 2001 [Smoking prohibited in indoor facilities providing education services to children]

Cross References:

Policy 522 [Staff Conduct]

Policy 527 [Staff Complaints and Grievances]

Approved: September 6, 2011

SECLUSION AND RESTRAINT

No individual who is employed by the District, under contract with the School Board as an independent contractor to provide services for the benefit of the schools, employed by a person/entity under contract with the School Board to provide such services (excluding law enforcement officers), or engaging in student teaching under the supervision of a District employee or independent contractor providing services for the benefit of the schools (hereinafter referred to as “covered individual”), may use seclusion or physical restraint on a pupil at school except in accordance with state law and this Policy.

A. Definitions.

1. “Seclusion” is the involuntary confinement of a pupil, apart from other pupils, in a room or area from which the pupil is physically prevented from leaving. If a pupil is not confined to an area from which he or she is physically prevented from leaving, seclusion does not include directing a pupil who is disruptive to temporarily separate himself or herself from the general activity in the classroom to allow the pupil to regain behavioral control and the covered individual to maintain or regain classroom order, or directing a pupil to temporarily remain in the classroom to complete tasks while other pupils participate in activities outside the classroom.
2. “Physical Restraint” is a restriction that immobilizes or reduces the ability of a pupil to freely move his or her torso, arms, legs, or head. It does not include briefly touching or holding a pupil’s hand, arm, shoulder, or back to calm, comfort or redirect the pupil, or the use of supportive equipment to properly align a pupil’s body, assist a pupil to maintain balance, or assist a pupil’s mobility, under the direction and oversight of appropriate medical or therapeutic staff.

B. Conditions for Use of Seclusion and Restraint.

Seclusion or physical restraint may be used on pupils at school only when a pupil’s behavior presents a clear, present and imminent risk to the physical safety of the pupil or others and it is the least restrictive intervention feasible. In addition, the following conditions apply to the use of seclusion and restraint in the District:

Seclusion – Conditions for Use.

1. A covered individual must maintain constant supervision of the pupil either by remaining in the room or area with the pupil or by observing the pupil through a window that allows the covered individual to see the pupil at all times.
2. The seclusion room or area must be free of objects or fixtures that may injure the pupil.
3. The pupil must have adequate access to bathroom facilities, drinking water, necessary medication, and regularly scheduled meals.

4. The seclusion can only be as long as necessary to resolve the clear, present, and imminent risk to the physical safety of the pupil or others.
5. The door connecting the seclusion room or area to other rooms or areas must not be capable of being locked.

Physical Restraint – Conditions for Use.

1. The degree of force used and the duration of the physical restraint may not exceed the degree and duration that are reasonable and necessary to resolve the clear, present, and imminent risk to the physical safety of the pupil or others.
2. There are no medical contraindications to the use of physical restraint.
3. Under no circumstances may the following maneuvers or techniques be used:
 - a. Those that do not give adequate attention and care to protecting the pupil's head.
 - b. Those that cause chest compression by placing pressure or weight on the pupil's chest, lungs, sternum, diaphragm, back, or abdomen.
 - c. Those that place pressure or weight on the pupil's neck or throat, on an artery, or on the back of the pupil's head or neck, or that otherwise obstruct the pupil's circulation or breathing.
 - d. Those that constitute corporal punishment.
 - e. Mechanical or chemical restraints.
4. A covered individual may only use physical restraint on a pupil if he/she has received the required training on the use of physical restraint under state law unless physical restraint is used in an emergency situation where all other limitations and restrictions have been satisfied, and the individual who has received training on the use of physical restraint is not immediately available due to the unforeseen nature of the emergency.

C. Physical Restraint Training.

1. In each school in the District, at least one covered individual will receive the requisite training under state law in the use of physical restraint.
2. Each school in the District will maintain a record of the training received by the covered individual including the period during which the training is considered valid by the entity that trained the covered individual.

D. Parental Notice and Written Report Requirements.

1. Whenever seclusion or physical restraint is used on a pupil at school, the school principal or his or her designee shall notify the pupil's parent or guardian as soon as practicable but no later than one business day after the incident. The notice shall advise the parent of the incident and of the availability of the written report.
2. The school principal or his or her designee shall prepare a written report including all information required by state law, in consultation with the covered individuals present during the incident, within two business days of the incident. The written report shall be retained as a record by the school and within three business days of the incident, the report shall be made available to the parent for review.
3. By September 1 of each school year, the principals at each District school will be required to submit to the School Board a report of the number of incidents of seclusion and of physical restraint in the school during the previous school year, and the total number of pupils involved in the incidents and the number of pupils with disabilities involved in such incidents.

E. Pupils with Disabilities.

The District shall not unlawfully discriminate in the use of seclusion or physical restraint between disabled and non-disabled pupils. The first time that seclusion or physical restraint is used on a child with a disability, the pupil's individual education program (IEP) team must convene as soon as possible after the incident. The IEP team shall review the pupil's IEP to ensure that it contains appropriate positive behavioral interventions and supports and other strategies to address behaviors that are of concern, and to revise the IEP if necessary.

F. Compliance.

Each building principal shall designate the covered individuals in the school who shall receive state-mandated training on the use of physical restraint and the individuals who are authorized to use seclusion as a behavioral intervention. The building principal shall be responsible for ensuring that covered individuals are informed of this policy annually and reminded that a violation may be deemed cause for disciplinary action, up to and including dismissal. The building principal shall also be responsible for overseeing policy compliance within his/her assigned school.

LEG REF: Sec. 118.305, Wis. Stats.
Sec. 115.787, Wis. Stats.

CROSS REF: Sec. 118.31, Wis. Stats.
Sec. 118.164, Wis. Stats.

Approved: April 21, 2014

USE OF FORCE BY SCHOOL PERSONNEL

The use of physical force by school personnel shall be exercised subject to all limitations in state and federal law, including limitations on the use of “seclusion” and “restraint” to situations where the pupil’s behavior presents a clear, present and imminent risk to the physical safety of the pupil or others and the seclusion or restraint is the least restrictive intervention feasible.

When the use of physical force is neither “seclusion” nor “physical restraint,” it shall be limited to that which may reasonably be determined as necessary for the immediate protection of physical well-being or public property. Such emergency situations may include the following:

- a. To quell a disturbance or prevent an act that threatens physical injury to any person;
- b. To obtain possession of a weapon or other dangerous object within a student’s control;
- c. To defend one’s self or others or for the protection of property in accordance with state statutes;
- d. To remove a disruptive student from school premises, a motor vehicle, or school-sponsored activity;
- e. To prevent a student from inflicting harm on him/herself; or
- f. To protect the safety of others.

Incidental, minor or reasonable physical contact designed to maintain order and control may also be used by school officials when necessary, provided the use of physical force complies with all requirements of state and federal seclusion and restraint law.

“Corporal punishment” means the intentional infliction of physical pain which is used as a means of discipline. “Corporal punishment” includes, but is not limited to, paddling, slapping or prolonged maintenance of physically painful positions, when used as a means of discipline. “Corporal punishment” does not include actions consistent with an individualized education program developed under s. 115.787 or reasonable physical activities associated with athletic training. Except as provided in paragraphs a through f, above, no official, employee or agent of the Darlington Community School District may subject a pupil enrolled in the school district to corporal punishment.

All employees and agents of the Darlington Community School District shall be apprised of this policy annually, and reminded that violation will be deemed cause for disciplinary action, up to and including dismissal.

LEGAL REFERENCE: Wisconsin Statutes:
 § 115.787
 § 118.305
 § 118.31
 § 939.48

Approved: April 21, 2014

SICK LEAVE BANK

This policy establishes guidelines for transferring sick time to individual employees who are experiencing life altering events that directly affect them or their child or spouse.

A Sick Time Bank will be created for all employees to access through the criteria stated.

Eligibility Criteria for receiving Sick Time

- a. All accumulated sick time, annual leave, compensatory time, and any eligible leave are exhausted from the employee's account;
- b. Unable to report to work due to or resulting from a serious personal illness or injury of a child and/or spouse who has a serious personal illness or injury;
- c. Not receiving any other form of compensation including social security disability benefits, long term or short term disability benefits, worker's compensation benefits, or compensation through the State Retirement Plan.
- d. For regular full-time employees receiving transferred leave, a "day" is defined as 7.5 hours for employees on a 37.5 work week schedule and 8 hours for employees on a 40-hour work week schedule.
- e. Regular part-time employees shall receive sick leave on a prorated basis equal to the percentage of their employment to full-time employment.
- f. Recipients shall continue to accrue leave and service in accordance with the provisions of the appropriate policies and guidelines, which shall be used prior to any donated leave.
- g. Regular part-time employees will donate leave equal to their accrual rate.
- h. The receiving employee may not exceed use of 120 days in a school year.

Approved: April 15, 2019

CASH IN LIEU OF HEALTH INSURANCE

All teachers and administrative support staff of the Darlington Community School District who demonstrate proof of health insurance with their spouse, significant other, or parent and elect not to take the District's health care benefits are eligible for cash in lieu of health insurance. The amount is \$4,000.00 per year or \$153.85 per pay period (26 pay periods) beginning with the first pay period in January or when you become eligible.

The health insurance must be of minimum value, meaning that the insurance covers at least 60% of the cost of the covered health care expenses, and otherwise qualifies under the Affordable Care Act. To qualify, minimum value health insurance coverage is required.

If you have qualifying minimum value health insurance coverage, please complete this form and return to the District Office by January 20 for verification and approval.

Please provide a copy of your health insurance card (front and back) along with this form.

Employee Name: _____

CERTIFICATION/PROOF OF HEALTH INSURANCE COVERAGE

Name of Policy Holder: _____

Health Insurance Company: _____

Health Insurance Company Phone Number: _____

Policy Number: _____

Employee Signature: _____

Date: _____

Approved: April 18, 2022

BACKGROUND CHECKS

The board recognizes that certain programs and activities can be enhanced by using volunteers, including parent volunteers, to assist the staff members responsible for conducting those programs and activities.

The District Administrator shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements.

Any individual who volunteers to work in the schools, or in any school-sponsored activity that includes direct interaction with or supervision of students, shall submit to a criminal history records check prior to being allowed to participate in any activity or program. Attending a field trip as a chaperone is an example of this type of situation.

Volunteers may be limited or excluded from participation if the background check reveals issues that disqualifies the volunteer from serving as a volunteer, including issues that could be reasonably related to child safety. This determination will be at the sole discretion of the District Administrator. If the volunteer disagrees with the determination of the District Administrator, the volunteer may submit a written appeal of this decision to the Board President within five (5) calendar days of the decision by the District Administrator. The Board may review this appeal at its discretion. Any decision by the District Administrator will stand during the time of any appeal.

Volunteers not directly interacting with or supervising students (ticket-takers, concession stand workers, etc.) may not be required to have a background check, based on the discretion of the District Administrator.

The District Administrator is to inform each volunteer that in accepting the role of volunteer, they agree to verification that a satisfactory background check may be conducted through appropriate state agencies or other applicable means.

Approved: August 21, 2023