



Wilson Central School

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WWW.WILSONCSD.ORG

WILSON CENTRAL SCHOOL DISTRICT WILSON, NEW YORK

District Shared Decision Making Team

February 26, 2025

Agenda

1. Welcome/Introductions/Sign-In
2. Review of Minutes of 12/18/24
3. Educational Study Council Grants-Update
4. ESC Grant Application- Review Changes
5. New Club Proposals- 4th Grade Morning Homework Club
6. District Goals-Update
 - a. Building Level SDMT Update
 - b. 2024-2025 Goals
 - c. CDEP Action Plans
7. Review and Comment on Policy 5840- Artificial Intelligence (AI)
8. Review and Comment on Policy 1221- Student Serving As Ex Officio Member Of The School Board
9. Review and Comment on Policy 7554- Equal Educational Opportunities
10. Review and Comment on Policy 3421- Title IX Policy 2020 Version
11. Review and Delete Policy 3421- Title IX Policy 2024 Version
12. Review and Delete Policy 7555- Educational Services for Married/Pregnant Students



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13. Superintendent's Conference Day Plan Update- 3/7/25

14. Curriculum Committee Report-

15. Round Table-

Shared Decision Making Team

Meeting Minutes

December 18., 2024

Attendance: T. Carter, K. Peck (Virtual), J. Wilkie (Virtual), M. Shank (Virtual), A. Townsend, A. Seeley, B. Hart, J. Woolson, J. Hardy (Virtual), J. Lepsch, P. Glagovich, S. Harvey

Mr. Carter brought the meeting to order at 3:32 pm in person and Google Meet.

Novr Minutes Review-Accepted with following changes. -**Approved**

- "Educational Study Grant- Should say "No grants for this month", not "this school year".
- Last month's Plants Club, should be Middle School Plant Club

New Business

Educational Study Grant

- No grants so far this school year
- *\$5317.05*-Current amount available

New Club Proposal

- High School Plant Club- Proposed by Karin Maurer-Move to BOE to be approved

District Goals-

- CDEP Action Plans-
- 2024-2025 Goals-
- Building Level SDMT-
 - a. WES- Academic-Reading Curriculum AIS Math, Culture-Anchor Goals and Expectations- Character Education based
 - b. HS- 2nd meeting for the year. Culture and Academic/AIS- create was to get students more involved both in and out of school. Talking about a service day. Inviting Club Advisors to the January meeting
 - c. MS-Scott was not able to attend to report

Policies- Additions are in blue, omissions are in red

- Policy 5840-Artificial Intelligence (AI)-Tabled
- Policy 7133- Education of Students in Temporary Housing- *Moving to BOE for adoption*
 - a. On page 5- k)-change development to learning
 - b. Change of pronouns from he or she to they
- Policy 8530- Child Abuse and Maltreatment *Moving to BOE for adoption*
 - a. Delete on page 2- "Retaliatory Personnel Action" definition
 - b. Change of pronouns from he or she to they
- Policy 7533- Hazing of Students *Moving to BOE for adoption*
 - a. Board of Education to District
 - b. Last paragraph to reference relevant policies

- Policy 7534- Dignity for All Students
 - a. Additions on page 1 in blue.
 - b. Grammatical corrections and pronoun changes from he or she to they throughout the policy.
 - c. Page number change from 5 to 6

Curriculum Committee

- High School Electives have been added to the District Website. There are mini-ads for each elective

Roundtable

- Amy Seeley- Teachers who are refusing to call students by their preferred name, after a student has requested to not be called by their birth name. Are these teachers not following the policy or law? They are not following the policy or law. Is it intentional? In this instance it is being done intentionally. Tim will send out an email reminding the entire district of the policy and attach the policy. Need to make sure everyone knows of the changes. Perhaps a google document of them.

Meeting adjourned @ 3:59pm

Next Meeting: December 18, 2024 @3:30

Submitted by,

Kate Peck

Wilson Central School

District Incentive Grant Application

The Wilson Shared Decision Making Team Grant Committee, a combined effort of the Wilson Teachers' Association and the Wilson Central School District Board of Education, sponsors this grant program.

Purpose: To provide professional staff members with monetary support to develop innovative projects/**strategies** activities that meet District Staff Development goals and improve/refine current programs and instruction in Grades K-12.

Examples Include, **But Not Limited To:**

- To help purchase supplies/materials for projects or activities. For example:
 - cultural events
 - **Special areas units**
 - **STEAM (Science, Technology, Engineering, Art and Mathematics)**
 - **Materials for new instructional approaches**
 - **science experiments**
 - **classroom plays**
 - community projects
 - **before or after-school enrichment** that benefit your classroom, a specific group of students, or the entire school
- To fund school visitations to observe or study programs/**strategies**
- **To provide technological instructional support, such as web-site access**
- **To cover the cost of one-day conferences/workshops not otherwise funded by the school district**
- **To fund in-house release time to meet for planning district level goals**
- **To support the formation of teacher study groups interested in pursuing staff development related goals**
- To help cover the cost of instruction related to special programs or guest speakers

This grant is unable to fund items like:

- Field trips
- Furniture
- Everyday supplies/items that can be purchased in your yearly school budget

Application: **Grant applications will be emailed to you, by request. Fully completed, typed forms should be done online using the link on the Wilson Central Schools website www.wilsoncsd.org.** The process of reviewing, approving, and administering grant funds will be completed by the SDMT Grant Committee, which meets monthly.

***Note:** The SDMT Grant Committee will consider only one-time expenses that arise during the school year and were not in the original budget. The SDMT Grant Committee will fund each idea only once during your teaching career in Wilson. Repeated expenditures for the same project in future years must be budgeted with your principal. Only one grant of similar idea or plan will be considered per grade (Building) level, per year. All grant requests must be submitted by May 1st of each school year.



EXTRA-CURRICULAR CLUB PROPOSAL FORM

FEB 14 2025

Wilson Central
School District

Congratulations on your decision to propose a student club! By taking an active role in the Wilson Middle/High School community, you are helping to improve students' educational experiences. Below you will find the necessary information needed for consideration of a club proposal. Please be sure to fill in all the required information along with any additional pertinent documentation for consideration and return the form to your Building Principal. Once your proposal has been received by the Building Principal it will be sent to the Superintendent. If approved by the Superintendent, the Board of Education makes final approval of new clubs. New club advisors will receive a letter of approval.

Applicants are advised that new clubs will operate the first year at a compensation of 2% as referenced in 20.4.2 of this Collective Bargaining Agreement. Upon successful completion of one year and review of the club by the District Level Shared Decision Making Team, recommendations for any adjustments to the stipend will be put forth to the Superintendent.

Name of Proposed Club: 4th Grade Morning Homework Club

Name of Faculty Member Proposing Club: Amy Calhoon, Marissa Jowdy, Elise Kundt

Faculty Member's Signature: [Signature]

Contact for Club Officer (Email and Phone):
acalhoon@wilsoncsd.org 716 628 4838

Club Mission/Brief Description of Proposed Club:

Our mission is to provide extra help to students on homework, corrections and other academic needs. Marissa Jowdy and Elise Kundt will also be assisting.

Number of Anticipated Club Participants

8-15

Anticipated number of meetings/sessions/events (per school year):

3xs a week for 40 weeks

Frequency of club meetings: 3xs a week

Number of Advisor(s) expected: 4

Please provide an overview of your experience/proficiency/background pertaining to proposed club:

We are all teachers in 4th grade

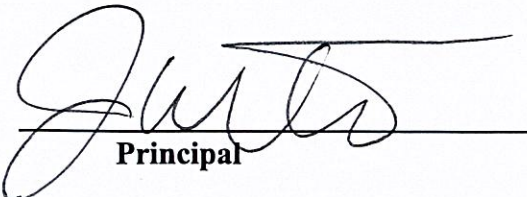
Meeting Location: Classrooms

Events/Trips Planned: none at this time

Are there any anticipated additional considerations related to this club? (i.e., travel/bus, special equipment, etc.):

Will there be any funding requirements/fundraising associated with this club? If yes, please provide an explanation.

no


Principal

Superintendent

Board of Education Approval

Board Action: Approved _____ Denied _____ Date _____

SUBJECT: ARTIFICIAL INTELLIGENCE (AI)**Overview**

The emergence of artificial intelligence (AI) technologies, especially generative AI (GenAI), pose unique challenges and opportunities for learning environments. As these technologies integrate deeper into everyday life, the District must proactively address the implications of AI usage to ensure it enhances educational outcomes without compromising academic integrity or equity. This policy outlines the District's commitment to responsible AI integration in educational practices, balancing innovation with the core values of the District's educational mission. Further, it sets forth guidelines designed to evolve as new technologies and methodologies emerge, ensuring the District remains at the forefront of academic excellence and technological responsibility.

Scope and Application

This policy applies to all District students, personnel, volunteers, and contractors. It integrates with, and complements, existing policies on data privacy, acceptable use, and student conduct. This policy aims to provide clear guidelines on the use of AI within the District's schools, ensuring that its application supports the District's educational goals and adheres to its privacy and security standards.

Definitions

- a) Generative AI (GenAI) represents a dynamic subset of AI technologies that can create new, human-like content from extensive data training sets. This content spans across text, images, audio, and more, often mimicking human creativity and adaptability.
- b) Traditional AI refers to systems that operate on fixed algorithms and predefined rules without altering their behavior based on new data after their initial deployment.

Risks and Limitations

The use of GenAI comes with some risks and limitations which include, but are not limited to:

- a) Hallucinations/Confabulations

GenAI can generate plausible, but false or inaccurate, information, a phenomenon known as a hallucination/confabulation.

(Continued)

SUBJECT: ARTIFICIAL INTELLIGENCE (AI) (Cont'd.)**b) Biases**

GenAI tools learn from data created by people, which means any biases, prejudices, and stereotypes in that data can be reflected in the outputs produced by GenAI. For example, GenAI has been found to generate images and text that reinforce existing gender and racial biases. It is essential to recognize that these biases exist and to critically assess the outputs of GenAI tools to prevent the perpetuation of stereotypes and unfair treatment.

The impact of GenAI biases is particularly significant in the context of Diversity, Equity, and Inclusion (DEI) initiatives. DEI initiatives aim to create environments where all individuals have equal opportunities and are treated with respect and fairness. Biased AI outputs can undermine these goals by perpetuating inequality and exclusion, which can be detrimental to the educational mission of the District.

GenAI can also suffer from response bias, where the AI generates answers tailored to what it predicts the user wants to hear based on its training data or specific tuning.

c) Copyright

GenAI may pose copyright issues as it may have used copyrighted material within its training data without explicit permission from the copyright holders. As a result, there are unsettled legal questions about the ownership and copyright status of GenAI's outputs, which can closely mimic or incorporate elements of existing copyrighted works.

Data Privacy and Security

Information entered into GenAI may be accessible to others due to data sharing or breaches. All users should exercise caution when utilizing GenAI. Under no circumstances should any sensitive, copyrighted, confidential, or proprietary information be entered into GenAI or any other AI platform, consistent with relevant state and federal laws and District policy. This includes, but is not limited to, data protected by:

- a) Family Educational Rights and Privacy Act (FERPA);
- b) Education Law Section 2-d (Unauthorized Release of Personally Identifiable Information);
- c) Labor Law Section 203-d (Employee Personal Identifying Information);
- d) State Technology Law Section 208 (Notification of Security Breach of Private Information).

Further, if the information would not be disclosed in response to a Freedom of Information Law (FOIL) request, it should not be entered into GenAI.

(Continued)

SUBJECT: ARTIFICIAL INTELLIGENCE (AI) (Cont'd.)**Student Use**

**Option 1 — If the District permits teachers to allow the use of GenAI, retain all the language in option 1 and delete all language in option 2.*

The District permits teachers to determine whether students in their class may use GenAI for assignments. However, the District recognizes that disparities in access to GenAI technologies may exist and will work with teachers to ensure that no student is disadvantaged by their inability to use or decision not to use GenAI.

If teachers allow their students to use GenAI, they are expected to communicate their expectations regarding the use of GenAI clearly to their students. Further, the teacher must discuss the appropriate and responsible use of GenAI with the students. This includes talking to students about the risks and limitations of GenAI, emphasizing how students are accountable for the accuracy of their work, and, when relevant, ensuring proper citation of sources.

Student use of GenAI that conflicts with teacher instruction, District policy, regulation, procedure, or other document, such as the District's Code of Conduct, may result in investigation and/or disciplinary action.

**Option 2 — If the District does not permit the use of GenAI, retain all the language in option 2 and delete all language in option 1.*

~~The District prohibits students from using GenAI to complete academic assignments. Student use of GenAI that conflicts with this policy and/or the District's Code of Conduct may result in an investigation and/or disciplinary action.~~

District Personnel/Student Use

District personnel/**students** may utilize GenAI in accordance with this policy. However, regardless of the tools used to enhance their work, personnel/**students** are ultimately responsible for the accuracy and integrity of all work they produce. AI is intended to support, not replace, an employee's/**student's** responsibility for their own work.

Training, Awareness, and Support

The District will provide training, awareness, and support to teachers in navigating the evolving use of GenAI in the classroom. This may include professional learning opportunities, workshops, and resources to enhance teachers' proficiency and confidence in using GenAI to enrich student learning. The goal is to equip teachers with the knowledge to critically assess GenAI technologies and guide students in understanding the complexities associated with these tools. Additionally, the District may extend training, awareness, and support regarding GenAI to other District personnel who may benefit from understanding and utilizing GenAI in their roles.

**Customize to District*

(Continued)

SUBJECT: ARTIFICIAL INTELLIGENCE (AI) (Cont'd.)**Compliance with Other Documents**

When using GenAI, all personnel and students must comply with all applicable laws, regulations, and District documents. This includes Education Law Section 2-d, which requires the District to ensure that whenever it enters into a contract or other written agreement with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District, the contract or written agreement will include provisions requiring that confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

Applicable District documents may include the District's policies on data security and acceptable use, as well as the District's *Code of Conduct*.

NOTE: Refer also to Policies #3310 -- Public Access to Records
#3320 -- Confidentiality of Computerized Information
#5672 -- Information Security Breach and Notification
#5673 -- Employee Personnel Identifying Information
#5674 -- Data Networks and Security Access
#5676 -- Privacy and Security for Student Data and Teacher and Principal Data
#6410 -- Staff Acceptable Use Policy
#7240 -- Student Records: Access and Challenge
#7315 -- Student Acceptable Use Policy (AUP)
#7316 -- Student Use of Personal Technology
#8271 -- Internet Safety/Internet Content Filtering
#8350 -- Use of Copyrighted Materials
District *Code of Conduct*

Adoption Date:

Bylaws

SUBJECT: STUDENTS SERVING AS EX OFFICIO MEMBERS OF THE SCHOOL BOARD

~~The School District may offer to the voters once every two years, on the same date as the annual School District budget vote, a separate referendum to decide whether the School District shall allow a student, as established pursuant to law, to serve on the School Board as an ex officio, non-voting member.~~

~~— Provided that District voters have voted in favor of having a student serve as a member of the School Board, the School District will allow a District high school student (to be selected in accordance with the provisions enumerated below) to serve as an ex officio member of its Board of Education. This ex officio student member of the Board shall be entitled to sit with Board members at all public meetings of the Board and participate in all Board hearings and meetings.~~

~~— The ex officio student member shall serve for only one year, will be a senior at the high school, and will have attended such high school for at least two years prior to selection, and shall have been in good standing for a period of not less than two years prior to the appointment to the Board of Education. The High School Principal will verify that each student interested in the position meets the requirements outlined in the policy. A student interested in serving as an ex officio member of the Board must file an application, be nominated by a petition which is signed by at least 25 high school students, and selected through a school-wide election representative on a public ballot.~~

~~— This ex officio student member of the Board would not have a vote, would not be allowed to attend executive sessions, and would not be entitled to receive compensation of any form for participating at Board meetings.~~

The Board will have at least one ex officio student Board member. Ex officio student Board members will be entitled to sit with Board members at all public meetings and hearings of the Board and may participate in other Board activities and responsibilities at the discretion of the Board. However, ex officio student Board members will:

- a) Not be allowed to vote;
- b) Not be allowed to attend executive sessions or any other meetings or hearings not open to the public; and
- c) Not be entitled to receive compensation of any form for participating at Board meetings.

Ex officio student Board members will serve on the Board for a term of one year, commencing July 1 and ending June 30.

(Continued)

Bylaws

SUBJECT: STUDENTS SERVING AS EX OFFICIO MEMBERS OF THE SCHOOL BOARDSelecting Ex Officio Student Board Members

To be designated as an ex officio student Board member the student must have attended a District high school for at least one year prior to selection.

The ex officio student members of the Board may be any of the following:

- a) The student that has been duly elected as student president of the high school;
- b) A student duly elected by the student body;
- c) A student selected by the high school student government;
- d) A student selected by the high school principal;
- e) A student selected by the Superintendent; or
- f) A student selected by a majority vote of the Board.

The District will take into consideration the number of high schools within the District and provide a mechanism which allows for fair representation among the schools.

Education Law Sections 1702(3) and (3-a), 1804(12) and (12-a), and 2502(10) and (10-a), and 1804(12)

Adopted: 12/9/03;
Revised 11/9/21; 8/9/22;

Students

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES**Overview**

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses the provision of equal educational opportunities to students. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Consistent with this commitment and in accordance with law and regulation, the District provides equal opportunity for students and does not discriminate against any student enrolled in (or any candidate for admission to) its programs and activities on the basis of any legally protected class or category including, but not limited to: race; color; religion; disability; national origin; sexual orientation; gender identity or expression; military status; sex; age; marital status; pregnancy; parental status; weight; ethnic group; or religious practice. Further, the District provides equal access to its facilities to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 (as a patriotic society).

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of discrimination. The District will promptly respond to reports of discrimination, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)).

Educational Services for Married/Pregnant Students

The opportunity to participate in all of the programs and activities of the District will not be restricted or denied because of pregnancy, parenthood, or marriage. Pregnant students will be encouraged to remain and participate in District programs. The forms of instruction provided to these students may include any or all of the following:

- a) Remain in school with provisions for special instruction, scheduling, and counseling as needed;
- b) Receive home instruction;
- c) Attend BOCES programs.

The Superintendent or designee, in consultation with student services staff, the school physician, and the student's personal physician, may make program modifications which are feasible and necessary to accommodate the special needs of these students.

(Continued)

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES (Cont'd.)**Reporting Allegations of Discrimination**

In order for the District to enforce this policy, and to take corrective action as warranted, it is essential that students who believe that they have been a victim of discrimination, as well as any other person who has knowledge of or witnesses any possible discrimination, immediately report the alleged conduct or incident. Reports of discrimination may be made orally or in writing to any District employee including, but not limited to, a teacher, building principal, or CRCO.

All District employees who witness or receive an oral or written report of discrimination must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Additionally, District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's Code of Conduct.

Grievance Process for Complaints of Discrimination

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of discrimination and will promptly take appropriate action to protect students from further discrimination.

Various District policies and documents address discrimination. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 - Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff such as the District's Title IX Coordinator(s) and/or Dignity Act Coordinator(s) (DAC(s)) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

If an investigation reveals that discrimination has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

(Continued)

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES (Cont'd.)

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of discrimination.

Complaints of retaliation may be directed to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Where appropriate, follow-up inquiries will be made to ensure that the discrimination has not resumed and that those involved in the investigation have not suffered retaliation.

Age Discrimination Act of 1975, 42 USC Section 6101 et seq.
Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq.
Equal Educational Opportunities Act of 1974, 20 USC Section 1701 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 790 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC Section 2000c et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
28 CFR Part 35
34 CFR Parts 100, 104, 106, 110, and 270
45 CFR Part 86
Civil Rights Law Sections 40, 40-c, and 47-b
Education Law Sections 10-18, 313, 2801, 3201, and 3201-a
New York State Human Rights Law, Executive Law Section 290 et seq.
8 NYCRR Section 100.2
9 NYCRR Section 466 et seq.

NOTE: Refer also to Policies #3281 -- Use of Facilities by the Boy Scouts of America and Patriotic Youth Groups
 #3410 -- Code of Conduct
 #3420 -- Non-Discrimination and Anti-Harassment in the District
 #3421 -- Title IX and Sex Discrimination
 #7550 -- Dignity for All Students
 #7551 -- Sexual Harassment of Students
 District *Code of Conduct*

Adopted: 2/9/99

Revised: 9/14/04; 7/14/09; 3/13/18; 11/12/24

SUBJECT: TITLE IX POLICY AGAINST SEXUAL HARASSMENT AND SEX DISCRIMINATION

I. TITLE IX NOTICE OF NON-DISCRIMINATION

In compliance with Title IX of the Education Amendments of 1972, the Wilson Central School District ("the District") does not discriminate on the basis of sex in the educational programs or activities it operates, including employment and admissions, and it is required by Title IX and its attendant regulations not to discriminate in such a manner. All forms of sex-based discrimination, including sexual harassment, are strictly prohibited by the District. Inquiries regarding Title IX may be referred to the Title IX Coordinator(s) or to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

II. TITLE IX SEXUAL HARASSMENT POLICY

While all forms of sex-based discrimination are prohibited in the District, the primary purpose of this policy is to address *sexual harassment as defined in Title IX and its attendant regulations* that occurs within an education program or activity of the District, and to provide a grievance process for investigating and reaching a final determination regarding responsibility for a formal complaint of sexual harassment. The Title IX Grievance Process ("Grievance Process") is set forth below in Section IV. While the District must and will respond to all reports it receives of sex discrimination or sexual harassment, the Grievance Process herein is initiated only with the filing of a formal complaint which alleges sexual harassment in violation of Title IX. Please refer to the definitions below in Section II.A for an explanation of what constitutes a formal complaint of sexual harassment.

The Superintendent shall have overall responsibility for implementing this Policy, and shall annually appoint at least one Title IX Coordinator as that position is described in Section II.B below. Below please find contact information for the District's Title IX Coordinator(s):

Title IX Coordinator(s)

- **School Business Administrator, 374 Lake St., Wilson, NY 14172, 716-751-9341, ext. 121**
- **High School Principal, 374 Lake St., Wilson, NY 14172, 716-751-9341, ext. 114**

(Continued)

SUBJECT: TITLE IX POLICY AGAINST SEXUAL HARASSMENT AND SEX DISCRIMINATION (cont'd.)

A. Definitions

"Actual knowledge" – notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or to any District official with authority to institute corrective measures on behalf of the District, or to any District employee (other than a "Respondent" or alleged harasser).

"Complainant" – an individual who is alleged to be the victim of conduct that could constitute sexual harassment, whether or not that person files a report or formal complaint.

"Days" – all references to "days" shall mean calendar days unless otherwise specified. If a deadline falls on a weekend or holiday, the deadline shall be extended to the next regular business day.

"Decision-Maker" – the person tasked with the responsibility of making determinations regarding responsibility. The Superintendent of Schools shall be responsible for designating the Decision-Maker on a case-by-case basis, in consultation with the Title IX Coordinator. Neither the investigator nor the Title IX Coordinator may serve as the Decision-Maker.

"Determination regarding responsibility" – the formal finding by the Decision-Maker on each allegation of sexual harassment contained in a formal Complaint that the Respondent did or did not engage in conduct constituting sexual harassment under Title IX.

"Education program(s) or activity(ies)" – refers to locations, events or circumstances over which the District exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.

"Formal Complaint" – a document filed by a Complainant, the Complainant's parent/guardian, or the Title IX Coordinator, alleging sexual harassment against a Respondent, and requesting that the District investigate the allegation of sexual harassment. The phrase "document filed by a Complainant" includes the complaint form included below, or a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.

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

"Sexual Harassment" – conduct on the basis of sex (including, without limitation, gender, sexual orientation and/or gender identity) that occurs in the District's education programs or activities that satisfies one or more of the following:

(Continued)

SUBJECT: TITLE IX POLICY AGAINST SEXUAL HARASSMENT AND SEX DISCRIMINATION (cont'd.)

- (1) An employee of the District conditioning the provision of an aid, benefit, or service of an education program or activity on an individual's participation or refusal to participate in sexual conduct irrespective of whether the conduct is welcomed by the student or other employee (i.e. *quid pro quo* sexual harassment);
- (2) Unwelcome sex-based/related conduct determined by a reasonable person to be so severe, pervasive **and** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- (3) Sexual assault, dating violence, domestic violence, or stalking as defined in state or federal law (*see e.g.* 20 U.S.C. § 1092(f)(6)(A)(v); 34 U.S.C. § 12291(a)(10); 34 U.S.C. § 12291(a)(8); 34 U.S.C. § 12291(a)(30)).

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex. The context of behavior can make a difference between conduct falling within the technical definition of sexual harassment under Title IX, and conduct of a sexual nature that is offensive or hostile in itself but which does not rise to the level defined above. District policies prohibit both, but for purposes of its Title IX obligations, the District must address reports or complaints of conduct which may constitute sexual harassment as defined above in accordance with this Policy and the grievance procedures set forth herein. Unless otherwise specified, all references to "sexual harassment" in this Policy refer to sexual harassment as defined above. Please note, however, that conduct that otherwise satisfies that definition does not fall within the scope of this particular Policy if the conduct occurred (1) outside the United States or (2) under circumstances in which the District did not have substantial control over both the harasser/Respondent and the context in which the harassment occurred.

"Supportive Measures" – non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Examples may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, leaves of absence, mutual restrictions on contact between the parties, and other similar measures.

"Title IX" of the Educational Amendments of 1972 - No person in the United States shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Sex discrimination under Title IX includes sexual harassment and sexual violence

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SUBJECT: TITLE IX POLICY AGAINST SEXUAL HARASSMENT AND SEX DISCRIMINATION (cont'd.)

B. Title IX Coordinator

The Title IX Coordinator shall be responsible for coordinating the District's efforts to comply with its responsibilities under Title IX. In this regard, the Title IX Coordinator shall receive general reports and formal complaints reports of sexual harassment (as well as other forms of sex discrimination), and shall coordinate the District's responses to such reports or complaints so that the same are prompt and equitable. In addition to any other specific responsibilities assigned under this Policy, or as assigned by the Superintendent, the Title IX Coordinator will be responsible for:

1. Identification and implementation of supportive measures;
2. Signing or receiving formal complaints of sexual harassment;
3. Coordinating with District and school-level personnel to facilitate and assure implementation of investigations, and remedies, and helping to assure that the District otherwise meets its obligations associated with reports and formal complaints of sexual harassment;
4. Coordinating with the Superintendent with respect to assignment of persons to fulfill the District's obligations, both general and case specific, relative to this Policy (e.g., investigator, Decision-Maker, etc., which may involve the retention of outside counsel or other third party personnel);
5. Coordinating with District and school-level personnel to assure appropriate training and professional development of employees and others in accordance with Section II.C of this Policy; and
6. Helping to ensure that appropriate records are kept and maintained in connection with this Policy.

In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason, the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case. In such instances, "Title IX Coordinator" shall include the acting Title IX Coordinator.

C. Training

All District employees shall receive training relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.

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Title IX Coordinators, investigators, Decision-Makers, any individuals who decide appeals or who facilitate an informal resolution process, must receive training on:

- The definition of sexual harassment;
- The scope of the District's education program or activity;
- How to conduct an investigation and the Grievance Process, including appeals and the informal resolution process, as applicable; and
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.

Decision-Makers, including individuals who decide appeals, must also receive training on issues of relevance of questions and evidence, including when questions about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

Also, investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, Decision-Makers, individuals who decide appeals and individuals who facilitate an informal resolution process must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment. The training materials for the individuals identified in this paragraph shall be made publicly available on the District's website.

D. Confidentiality

The District will respect the confidentiality of a Complainant and Respondent as much as possible, however, some information may need to be disclosed to appropriate individuals or authorities. All disclosures shall be consistent with the District's legal obligations and the necessity to investigate allegations of sexual harassment and take appropriate action in response thereto. Examples of required disclosures include:

1. Information to either party to the extent necessary to provide the parties due process during the Grievance Process;
2. Information to individuals who are responsible for handling the District's investigation and determination regarding responsibility to the extent necessary to complete the District's Grievance Process;
3. Mandatory reports of child abuse or neglect; and

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4. Information to the Complainant's and the Respondent's parent/guardian as required by this Policy and/or the Family Educational Rights and Privacy Act ("FERPA").

Additionally, any supportive measures offered to the Complainant or the Respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

Except as specified above, the District shall keep confidential to the extent permitted by law the identity of (1) any individual who has made a report or complaint of sex discrimination or sexual harassment; (2) any Complainant or Respondent; (3) any individual who has been reported to be the perpetrator of sex discrimination; and (4) any witness.

E. Retaliation Prohibited

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate in any investigation of an act alleged in this Policy is strictly prohibited. The District further prohibits any other intimidation, threats, coercion or discrimination against anyone for the purpose of interfering with any right or privilege secured by Title IX. Charging an individual with Code of Conduct violations that arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, also constitutes retaliation and is strictly prohibited.

However, charging an individual with a violation of the Code of Conduct or other applicable policy or rule for making a materially false statement in bad faith, or for submitting materially false information in bad faith, in the course of a grievance proceeding does not constitute retaliation. Please note that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Complaints of retaliation in connection with this Policy will be handled in accordance with District Policy #7531-Sexual Harassment of Students, #6121 Sexual Harassment in the Workplace, #3420 Non-Discrimination and Anti-Harassment in the School District, 3232 Complaints and Grievances by Students, #7534 Dignity for all Students, and the Code of Conduct. Individuals who are found to have engaged in retaliation may be subject to disciplinary action.

F. Conflict of Interest

No person designated as a Title IX Coordinator, investigator, Decision-Maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of

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interest or bias for or against Complainants or Respondents generally, or against an individual Complainant or Respondent.

G. Dissemination and Notice

The District shall publish on its website this Policy, and shall prominently display on its website the contact information for the Title IX Coordinator(s) and the Title IX Notice of NonDiscrimination (*see* Section I, above). The District shall also publish that information in any student or employee handbooks that it may produce. The District shall take any other steps that may be necessary in order to notify students, parents or legal guardians of students, employees, applicants for admission or employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District of this Policy, the Title IX Coordinator's contact information and the District's notice of non-discrimination.

H. Records and Record Keeping

The District will maintain the following for a period of seven (7) years:

1. Records of each sexual harassment investigation, including any:
 - a. Determination regarding responsibility, including dismissal;
 - b. Disciplinary sanctions imposed on the Respondent; and
 - c. Remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity.
2. Any appeal and its result;
3. Any informal resolution and its result; and
4. All materials used to train the Title IX Coordinator(s), investigations, Decision-Maker(s), and any person who facilitates an informal resolution process;

In addition, when the District obtains actual knowledge of sexual harassment as defined herein, the District shall create and maintain for a period of seven (7) years the following:

1. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, as well as documentation:
 - a. Explaining why the District's response was not deliberately indifferent; and
 - b. That it took measures designed to restore or preserve equal access to the District's education program or activity;

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2. In the event that no supportive measures were provided to the Complainant, documentation of the reason(s) why such a response was not clearly unreasonable in light of the known circumstances.

Please note that documentation of certain reasons or measures taken shall not limit or preclude the District in the future from providing additional explanations or detailing additional measures taken.

II. COMPLAINTS OF SEX DISCRIMINATION OTHER THAN SEXUAL HARASSMENT

Any individual seeking to report allegations of sex discrimination other than sexual harassment is encouraged to file a formal complaint form with the Title IX Coordinator, or contact the Title IX Coordinator. A copy of the formal complaint form is included below. For discriminatory or harassing conduct which does not meet the definition of sexual harassment under this Policy, the District's response will be governed by other applicable laws and policies, such as Board Policy #7531-Sexual Harassment of Students, #6121 Sexual Harassment in the Workplace, #3420 Non-Discrimination and Anti-Harassment in the School District, 3232 Complaints and Grievances by Students, and #7534 Dignity for all Students and the Code of Conduct. All reports or complaints of sex discrimination, including sexual harassment, are encouraged to be submitted to the Title IX Coordinator, who will determine the applicable process through which the allegations will be handled.

III. REPORTS OF SEXUAL HARASSMENT, FORMAL COMPLAINTS AND DISTRICT RESPONSES *Please note that a report does not initiate the Grievance Process. That process is begun only upon the filing of a formal complaint, as explained further below.*

Any person may report sexual harassment whether relating to her/himself or another person. **However, if any District employee – other than the employee harasser, or the Title IX Coordinator – reasonably believes a student has been discriminated against based on sex or who receives information of conduct which may constitute sexual harassment under this Policy, he/she shall immediately inform the Title IX Coordinator** of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

A report of sexual harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Additionally, while the District encourages reports of sexual

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harassment to be made directly to the Title IX Coordinator, the report may be made to any District staff member, including, for instance, a guidance counselor, teacher or principal.

If a Title IX Coordinator is the alleged Respondent, the report or formal complaint may be made to a different Title IX Coordinator if the District has designated more than one Title IX Coordinator, or directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that report/complaint, or delegate the function to another person.

A. District Response to Report of Sexual Harassment

The District will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The District shall treat Complainants and Respondents equitably by offering supportive measures to the Complainant and by following the Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a Respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

As soon as reasonably possible after receiving a report of alleged sexual harassment from another District employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the Complainant to:

- Discuss the availability of and offer supportive measures, as well as inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint;
- Consider the Complainant's wishes with respect to supportive measures; and
- Explain to the Complainant the process for filing a formal complaint.

B. Formal Complaints and Disciplinary Action

Pursuant to federal regulations and this Policy, a formal complaint that contains an allegation of sexual harassment and a request that the District investigate the allegations is required before the District may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a person accused of sexual harassment. Once a formal complaint of sexual harassment is received by the Title IX Coordinator, he/she shall commence the Grievance Process set forth below in Section IV. The process for filing a formal complaint is explained below in Section IV.A. If a formal complaint is filed, no disciplinary action may be imposed against a Respondent for conduct which may constitute sexual harassment until the Grievance Process has been completed. If no formal complaint is filed, no disciplinary action may be imposed against a Respondent based upon conduct that would constitute sexual harassment under this Policy.

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C. Emergency Removal and Administrative Leave

At any point after receiving a report or formal complaint of sexual harassment, the Title IX Coordinator (or other District official charged with a specific function under this Policy or applicable regulations, such as the investigator or Decision-Maker, for example) may request the Superintendent to direct that an individualized safety and risk analysis be performed to determine whether a Respondent student is an immediate threat to the physical health or safety of any person arising from the allegations of sexual harassment. In the event that the safety and risk analysis determines that the Respondent student does present such a threat and removal is therefore justified, the District may remove the Respondent student on an emergency basis, provided that such removal is in full compliance with the IDEA, a student's IEP and or 504 plan if applicable. Such emergency removal shall not be disciplinary. However, the District must provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal, and shall continue to offer educational programming until a final determination is made pursuant to the Grievance Process.

The Title IX Coordinator shall keep the Superintendent of Schools informed of any employee Respondents so that he/she can make any necessary reports to the New York State Education Department. In appropriate cases, the Superintendent may place an employee Respondent on non-disciplinary administrative leave until a final determination on responsibility is made pursuant to the Grievance Process.

IV. GRIEVANCE PROCESS

PURPOSE: The purpose of these procedures is to secure prompt and equitable resolutions of formal complaints of sexual harassment, and to treat both Complainants and Respondents equitably in the process. **These procedures apply only to formal complaints alleging sexual harassment prohibited by Title IX.** Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the District's efforts to comply with its responsibilities related to the Grievance Process. These procedures shall be followed prior to the imposition of any disciplinary sanctions or other actions that are not supportive measures against the Respondent unless otherwise noted herein.

A. Process for Filing a Formal Complaint of Sexual Harassment

The Title IX Grievance Process is initiated by way of a formal complaint filed by the Complainant, the Complainant's parent/guardian, or the Title IX Coordinator. A formal complaint should be filed with the Title IX Coordinator. The Complainant may file a formal complaint or choose not to file a formal complaint and simply receive the supportive measures. If the Complainant does not file a formal complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the Grievance Process against the Respondent is not clearly unreasonable in light of the

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known circumstances, or in other cases where, in the exercise of good judgment, the Title IX Coordinator determines that a Grievance Process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment. If the formal complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to Respondents and Complainants.

Although there is no time limit *per se* to filing a formal complaint, **a Complainant must be participating in or attempting to participate in the education program or activity of the District at the time of filing.** Delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

At a minimum, a formal complaint must:

1. contain the name and address of the Complainant;
2. describe the alleged sexual harassment;
3. request an investigation of the matter; and
4. be signed by the Complainant or otherwise indicate that the Complainant is the person filing the formal complaint.

The formal complaint may be filed with the Title IX coordinator in person, by mail, or by email. A complaint form is included below and may be obtained from the Title IX Coordinator or on the District's website. A written narrative may be attached to the complaint form explaining the nature of the formal complaint. The complaint form or narrative should contain information that describes the conduct and identifies with reasonable particularity the Complainant(s), the Respondent(s), and any witness(es) to the alleged conduct.

B. Initial Steps and Notice of Formal Complaint

Following receipt of a formal complaint:

1. The Title IX Coordinator will provide notice to the Complainant and to the Respondent (if known), as well as to any other known parties, of the following:
 - a. this Grievance Process, including any informal resolution process;
 - b. the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. "Sufficient details" shall include to the

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- c. extent known identities of persons involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident(s);
 - d. a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the Grievance Process;
 - e. that each party has the right to have an advisor of his or her choice who may be, but is not required to be, an attorney;
 - f. that each party is entitled to inspect and review evidence; and
 - g. any provisions in the District's Code of Conduct or other applicable District policies, rules or collective bargaining agreements that prohibit knowingly making false statements or knowingly submitting false information in the course of the grievance procedures.
- 2. The Title IX Coordinator will contact the Complainant to discuss and offer supportive measures as appropriate.
- 3. The Title IX Coordinator may contact the Respondent to discuss, and/or impose, nondisciplinary supportive measures.
- 4. The Title IX Coordinator will examine the allegations in the formal complaint to determine whether the allegations, if assumed to be true, are sufficient to sustain a finding of sexual harassment under this Policy.
 - a. If the Title IX Coordinator was not involved with preparing the formal complaint, the Title IX Coordinator will contact the Complainant to discuss the allegations in the formal complaint and whether amendment is appropriate. In the event that amendment is appropriate, the Title IX Coordinator shall immediately provide notice of the additional allegations to the parties whose identities are known.
 - b. If the allegations set forth in the formal complaint are insufficient to sustain a finding of sexual harassment under this Policy, the complaint shall be dismissed. Please refer to Section IV.H, below, for additional details regarding dismissal, including additional grounds on which a formal complaint must/may be dismissed.

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5. If the formal complaint is not dismissed, then the Title IX Coordinator will consult with the Superintendent with regard to designating an appropriate investigator and DecisionMaker, both of whom must be properly training and otherwise qualified.

C. Miscellaneous Provisions

1. Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Grievance Process, the manner of transmittal may be by hand delivery, electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof. However, hand delivery to the District will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, Decision-Maker(s), etc.).
2. Legal Privileges. Nothing in the Grievance Process shall require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege (e.g. medical records, attorney-client privileged information, etc.), unless the person or entity holding such privilege has waived the privilege.
3. Additional Allegations. If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that were not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known
4. Consolidation of Complaints. The District may consolidate formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one Respondent; or by more than one Complainant against one or more Respondents; or by one party against the other party. When the District has consolidated formal complaints so that the Grievance Process involves more than one Complainant or more than one Respondent, references to the singular "party", "Complainant", or "Respondent" include the plural, as applicable.

D. Timeframe of Grievance Process.

The District shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the Grievance Process will be concluded through at least the determination regarding responsibility within ninety (90) days after filing the formal complaint. In more complex cases,

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where a determination regarding responsibility cannot reasonably be made within that time frame, additional time may be required in order to complete a fair and thorough investigation, or to complete other aspects of the Grievance Process.

Delays and Extensions of Time. At any stage of the Grievance Process, the District may for good cause allow for temporary delays or extensions of time upon request of either party, or on its own initiative. Examples of good cause may include such things as availability of parties or witnesses; school or school administrative office holidays or vacations; school recess periods; referral back to an earlier stage of the grievance process; concurrent law enforcement or other agency activity; or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Title IX Coordinator, Superintendent or any other individual appointed to play a role in the Grievance Process will provide written notice to the parties of the delay/extension and the reason(s).

E. Investigation

The Title IX Coordinator will coordinate the investigation in accordance with his or her duties as Title IX Coordinator. The investigator designated by the District shall conduct the investigation. The investigator may but is not required to be a District employee so long as the investigator is appropriately trained and does not have a conflict of interest or other bias prohibited by this Policy. The investigation shall include the following:

1. An objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence, and shall not make credibility determinations based on a person's status as a Complainant, Respondent or witness;
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
3. Provide an equal opportunity for the parties to present witnesses and other inculpatory and exculpatory evidence, and not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
4. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied by an advisor of their choice. However, the District, including the investigator, may establish restrictions regarding the extent to which an advisor may participate in the proceedings as long as the restrictions apply equally to both parties.

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5. Provide, to a party (e.g., Respondent or Complainant, and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate.
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, regardless of whether the evidence may or may not be relied upon in reaching a determination regarding responsibility.
7. Prior to completion of the investigative report, the District, through the Title IX Coordinator, must send to each party as well as each party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have 10 days from transmission of same to submit a written response, which the investigator will consider prior to completion of the investigative report.
8. The investigator must prepare a written investigative report that:
 - a. Fairly summarizes relevant evidence;
 - b. Identifies allegations potentially constituting sexual harassment;
 - c. Describes the procedural steps taken from receipt of the formal complaint through the preparation of the investigative report, including notifications to the parties, interviews with parties and witnesses, site visits and any methods used to gather other evidence; and
 - d. Addresses any witness credibility issues, if applicable.
9. The completed investigative report shall be provided in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any, and to the Decision-Maker. The Title IX Coordinator shall ensure that the report is provided to the appropriate individuals. In transmitting the report to the parties and their advisors, if any, the parties shall be notified in writing that they have ten (10) days from the date on which the report is transmitted to:
 - a. submit a written response to the report, if they desire;
 - b. submit written, relevant questions that the party wants asked of any party or witness, if they desire; and

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- c. that any such written response or relevant questions must be sent directly to the Decision-Maker, along with the Decision-Maker's contact information.

F. Determination Regarding Responsibility and Decision-Maker

The determination regarding responsibility of Respondent shall be made by the DecisionMaker. In addition to allowing the parties an opportunity to submit a written response to the investigation report as well as relevant questions, per the above, the Decision-Maker shall adhere to the following in rendering a determination regarding responsibility:

1. In event the Decision-Maker decides to exclude a question posed by a party as not relevant, the Decision-Maker must explain that decision to the party.
2. The Decision-Maker will provide the relevant questions to the party/witness, with copies to each party, and shall provide at least five (5) days for written responses, which responses shall be provided to each party.
3. After the parties have received responses to their initial questions, the Decision-Maker will provide five (5) days for additional, limited follow-up questions and five (5) days for written responses to same. The Decision-Maker may but is not required to provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
4. The Decision-Maker may not make any credibility determinations based on the person's status as a Complainant, Respondent or witness. The Respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
5. In rendering his or her determination regarding responsibility, the Decision-Maker shall apply a preponderance of evidence standard, which requires evidence establishing that it is more likely than not that Respondent engaged in sexual harassment in violation of this Policy.
6. The Decision-Maker shall issue a written determination regarding responsibility within fifteen (15) business days after the close of the period for responses to the last round of follow-up questions. The written determination must include:
 - a. Identification of the allegations potentially constituting sexual harassment;
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the determination regarding responsibility, including any

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- c. notifications to the parties, interviews with parties and witnesses, site visits and methods used to gather evidence;
 - d. Findings of fact supporting the determination;
 - e. Conclusions regarding the application of the District's Code of Conduct or other policies, rules or regulations to the facts;
 - f. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the Respondent is responsible for sexual harassment); any disciplinary sanctions or remedies that are imposed or that are recommended to be imposed; and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to Complainant; and
 - g. The District's procedures and permissible bases for Complainant or Respondent to appeal (*see* Section IV.I, below).
7. The Decision Maker shall provide his or her determination regarding responsibility to the Title IX Coordinator, the Superintendent and the parties simultaneously.
8. The determination regarding responsibility shall become final on the date on which an appeal would no longer be considered timely, or if an appeal is timely filed, when the District provides the parties with the written determination of the result of the appeal.

G. Remedies Upon Final Determination Regarding Responsibility

- 1. Remedies must be designed to restore or preserve equal access to the District's education program or activity. Remedies may include supportive measures and/or disciplinary sanctions, as appropriate under the circumstances.
- 2. Disciplinary sanctions against an employee Respondent may include any sanction available for the discipline of employees, up to and including dismissal, in accordance with any applicable collective bargaining agreement as well as any applicable state or federal laws or regulations.
- 3. Disciplinary sanctions against a student may include any available discipline or sanction, up to and including expulsion, pursuant to the District's Code of Conduct and any other applicable policies or rules, and in accordance with any applicable state or federal laws or regulations.

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H. Dismissal of a Formal Complaint

1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Does not fall within the scope of this policy (e.g. the allegations do not constitute sexual harassment as defined herein), even if proved;
 - b. Did not occur in the District's education program or activity; or
 - c. Did not occur against a person in the United States.
2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination regarding responsibility stage(s):
 - a. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The Respondent is no longer enrolled or employed by the District; or
 - c. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations therein.
3. Prior to dismissal of a formal complaint, the person responsible at that stage shall consult with the Superintendent.
4. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.
5. NOTE: The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other applicable policies, rules or Code of Conduct of the District. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

I. Appeals Process

1. Complainant(s) or Respondent(s) may appeal from a determination regarding responsibility, or from a dismissal of a formal complaint or any allegations therein, on the following bases only:
 - a. Procedural irregularity that affected the outcome of the matter;

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- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - c. The Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.
- 2. Appeals for any other reason, or upon any determination regarding responsibility not included in the written appeal, will not be heard.
- 3. An appeal must be filed within seven (7) days from the date on which the determination regarding responsibility is transmitted to the parties. An appeal must be submitted in writing to the Title IX Coordinator, with a copy to the Superintendent of Schools, and shall state with particularity the basis(es) for the appeal as well as all information and evidence in support of the basis(es) identified. Appellants should include with the appeal any documentary or electronic evidence in support of the appeal. Any supportive measures shall remain in place during the pendency of an appeal unless a change in circumstances warrant modifications to those measures.
- 4. Following receipt of the appeal, the Title IX Coordinator shall notify all parties in writing of the appeal, any deadlines associated with the appeal process, and the individual who will decide the appeal (i.e. the Superintendent or a member of the District's Administration who is not the Title IX Coordinator, investigator or Decision-Maker, who does not have a conflict of interest, and who underwent the training specified in this Policy). The non-appealing party(ies) shall also be provided a copy of the appeal and any information submitted in connection with the appeal.
- 5. Either party may submit a written statement in response to the appeal, whether in support of or challenging the outcome. Any such written statement must be received by the Title IX Coordinator, with a copy to the individual who will decide the appeal, within seven (7) days from the date on which the appeal was transmitted to the nonappealing party(ies). Each party which submits a written statement shall simultaneously provide a copy to the other party(ies) and to the Title IX Coordinator.
- 6. The individual who will decide the appeal, in rendering a decision on the appeal, shall consider the record as well as any statements or information submitted by the parties in connection with the appeal.
- 7. The individual who will decide the appeal shall issue a written decision within ten (10) business days after the deadline for either party to submit a written statement in response to the appeal. The written decision shall describe the result of the appeal and the

(Continued)

Community Relations**SUBJECT: TITLE IX POLICY AGAINST SEXUAL HARASSMENT AND SEX DISCRIMINATION (cont'd.)**

8. rationale. The decision may deny or grant the appeal, in whole or in part, and may but is not required to refer an appealed issue back to a prior point in the Grievance Process, if appropriate under the circumstances. The written decision shall be provided to both parties as well as the Title IX Coordinator.

J. Informal Resolution

At any time prior to reaching a determination regarding responsibility, but only after a formal complaint has been filed, the District may offer an optional informal resolution process (e.g. mediation) that does not involve a full investigation and adjudication of the formal complaint. In order to do so, the District must:

1. Provide written notice to the parties disclosing:
 - a. The allegations of the formal complaint;
 - b. The requirements of the informal resolution process, including that the parties will be precluded from resuming a formal complaint arising from the same allegations in the event that an informal final resolution is agreed to during the informal resolution process, and that any party has the right to withdraw from the informal resolution process and resume the Grievance Process with respect to the formal complaint at any time prior to agreeing to an informal final resolution;
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and
2. Obtain the parties' voluntary written consent to the informal resolution process.

In no event may the District offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

If the parties consent to the informal resolution process, the District will attempt to complete that process within thirty (30) days. If at any point during the informal resolution process it is determined that the allegations are unlikely to be resolved, the District reserves the right to resume the Grievance Process.

(Continued)

FORMAL COMPLAINT OF SEX DISCRIMINATION OR SEXUAL HARASSMENT

Instructions: This form will be used to evaluate and process your complaint in accordance with District Policy #3421 **Title IX Policy Against Sexual Harassment and Sex Discrimination**, and other applicable policies, rules or procedures established by the District. Please include as much detail as possible. If additional space is needed in response to any question please attach additional pages as necessary. You may also include and submit with this form any materials or evidence you believe are relevant to your allegations. Please note that by signing below, you are verifying that the information contained herein is true and accurate, and that you are requesting that the District conduct an investigation into the allegations.

Once completed, please sign where indicated at the bottom and submit this form along with any additional materials to the Title IX Coordinator at **374 Lake St., Wilson, NY 14172**. If you have any questions or require assistance in completing this form, please feel free to contact the Title IX Coordinator directly at (716) 751-9341, ext 121 or 114.

Name of Complainant: _____

If the Complainant is not the victim, please describe relationship to the victim: _____

Address: _____

Phone Number: (____) _____ Email: _____

Name of Victim: _____ Grade: _____

Name of Respondent: _____

Respondent's relationship to the District:

☐ Student ☐ Employee ☐ Other (please describe): _____

Location of Incident(s): _____

Description of the incident(s) of sex discrimination or sexual harassment, including dates, times, locations and any other information you believe to be relevant to the complaint:

Witnesses:

(Continued)

1. _____ Contact Info: _____ 2.
_____ Contact Info: _____ 3.
_____ Contact Info: _____

Have you previously reported these allegations, verbally or in writing, to any employees of the District or to law enforcement? If yes, please identify any such individual(s), when you informed each individual, and describe any outcome or resolution:

If there is a particular remedy or other corrective action you are seeking, please describe it here:

I understand that by signing this formal written complaint form, I affirm that all of the information set forth above is true and accurate to the best of my knowledge, and that I am requesting that the District investigate the allegations.

Complainant

Date

Received by: _____
Title IX Coordinator

Date

***Note:** If, after reviewing this form and any related materials submitted herewith, the Title IX Coordinator determines that the conduct alleged (i) does not constitute sexual harassment as defined by Title IX even if proved, (ii) did not occur in the District's education program or activity, or (iii) did not occur against a person in the United States, then the formal complaint will be dismissed and will not proceed under the District's Title IX Grievance Process. However, the dismissal of a formal complaint under Title IX does not preclude the District from conducting an investigation or taking other action under other applicable policies, rules or Code of Conduct of the District, as appropriate.

For District Use Only

(Continued)

Formal complaint initially received on: _____

Formal complaint initially received by: _____
(*name and title*)

If not received by the Title IX Coordinator, indicate the date on which the formal complaint was forwarded to the Title IX Coordinator:

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION~~

Overview

~~— The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses complaints of sex discrimination, including sexual harassment, made under Title IX of the Education Amendments Act of 1972 and its implementing regulations (Title IX). It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.~~

~~— The District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in employment. The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of sex discrimination, including sexual harassment, made by students, employees, the District's Title IX Coordinator, or other individuals who are participating or attempting to participate in the District's education program or activity.~~

~~— Inquiries about Title IX may be directed to the District's Title IX Coordinator, the United States Department of Education's Office for Civil Rights, or both.~~

Relationship to Other District Documents

~~— In addition to complying with this policy, District employees must comply with any other applicable District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*. This includes, but is not limited to, the District's Dignity for All Students (DASA) policy which requires District employees to make an oral report promptly to the Superintendent or principal, their designee, or a Dignity Act Coordinator (DAC) not later than one school day after witnessing or receiving an oral or written report of harassment, bullying, and/or discrimination of a student. Two days after making the oral report, DASA further requires that the District employee file a written report with the Superintendent or principal, their designee, or a DAC.~~

~~— The dismissal of a complaint of sex discrimination under Title IX does not preclude action under another related District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.~~

Definitions

~~— For purposes of this policy, the following definitions apply:~~

a) ~~— "Complainant" means:~~

- ~~1. — A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

2. ~~A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.~~
- b) ~~"Complaint" means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.~~
- e) ~~"Disciplinary sanctions" means consequences imposed on a respondent following a determination under Title IX that the respondent violated the District's prohibition on sex discrimination.~~
- d) ~~"Party" means a complainant or respondent.~~
- e) ~~"Peer retaliation" means retaliation by a student against another student.~~
- f) ~~"Pregnancy or related conditions" means:~~
1. ~~Pregnancy, childbirth, termination of pregnancy, or lactation;~~
 2. ~~Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or~~
 3. ~~Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.~~
- g) ~~"Relevant" means related to the allegations of sex discrimination under investigation as part of the grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.~~
- h) ~~"Remedies" means measures provided, as appropriate, to a complainant or any other person the District identifies as having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the District's education program or activity after the District determines that sex discrimination occurred.~~
- i) ~~"Respondent" means a person who is alleged to have violated the District's prohibition on sex discrimination.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

- j) ~~"Retaliation" means intimidation, threats, coercion, or discrimination against any person by the District, a student, an employee or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing—including in an informal resolution process, grievance procedures, and in any other actions taken by the District under Title IX. This does not preclude the District from requiring an employee or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing.~~
- k) ~~"Supportive measures" means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:~~
- ~~1. Restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or~~
 - ~~2. Provide support during the District's grievance procedures or during the informal resolution process.~~

~~What Constitutes Sex Discrimination under Title IX~~

~~Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.~~

~~Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex (including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity), that is:~~

- a) ~~Quid pro quo harassment which is an employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;~~
- b) ~~Hostile environment harassment which is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:~~

(Continued)

~~Community Relations~~

~~SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

- ~~1. The degree to which the conduct affected the complainant's ability to access the District's education program or activity;~~
 - ~~2. The type, frequency, and duration of the conduct;~~
 - ~~3. The parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;~~
 - ~~4. The location of the conduct and the context in which the conduct occurred; and~~
 - ~~5. Other sex-based harassment in the District's education program or activity; or~~
- ~~e) Specific offenses:~~
- ~~1. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;~~
 - ~~2. Dating violence meaning violence committed by a person:~~
 - ~~(a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and~~
 - ~~(b) Where the existence of such a relationship will be determined based on a consideration of the following factors:~~
 - ~~(1) The length of the relationship;~~
 - ~~(2) The type of relationship; and~~
 - ~~(3) The frequency of interaction between the persons involved in the relationship;~~
 - ~~3. Domestic violence meaning felony or misdemeanor crimes committed by a person who:~~
 - ~~(a) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the District, or a person similarly situated to a spouse of the victim;~~
 - ~~(b) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;~~
 - ~~(c) Shares a child in common with the victim; or~~
 - ~~(d) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

4. ~~Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:~~
- ~~(a) Fear for the person's safety or the safety of others; or~~
 - ~~(b) Suffer substantial emotional distress.~~

~~Title IX Coordinator~~

~~*The District has designated and authorized the following District employees to serve as its Title IX Coordinators:~~

~~**School Business Administrator**
374 Lake St., Wilson, NY 14172
businessoffice@wilsonesd.org
716-751-9341 Ext. 121~~

~~**High School Principal**
374 Lake St. Wilson, NY 14172
titleix@wilsonesd.org
716-751-9341 Ext. 114~~

~~As required by Title IX, the District has designated Business Administrator and High School Principal to retain ultimate oversight over the District's effort to comply with its responsibilities under Title IX and ensure the District's consistent compliance with its responsibilities under Title IX:~~

~~The District may delegate, or permit the Title IX Coordinators to delegate, specific duties to one or more designees.~~

~~Where appropriate, a Title IX Coordinator may seek the assistance of the District's Civil Rights Compliance Officer(s) (CRCO(s)), DAC(s), or other appropriately trained individual in investigating, responding to, and remedying complaints of sex discrimination, including sexual harassment.~~

~~Grievance Procedures for Complaints of Sex Discrimination~~

~~The District has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX.~~

(Continued)

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

All District employees, are required to notify the Title IX Coordinator when they have information about conduct that reasonably may constitute sex discrimination under Title IX.

Making a Complaint of Sex Discrimination

~~—The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the District investigate and make a determination about alleged discrimination under Title IX:~~

- ~~a) — A complainant;~~
- ~~b) — A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or~~
- ~~c) — The Title IX Coordinator, after making a determination;~~

~~—A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of the person subjected to the sex-based harassment, or if the Title IX Coordinator initiates a complaint consistent with Title IX.~~

~~With respect to complaints of sex discrimination other than sex-based harassment, the following individuals also have a right to make a complaint:~~

- ~~a) — Any District student or employee; or~~
- ~~b) — Any person other than a student or employee who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.~~

~~—If the Title IX Coordinator is initiating a complaint, they will notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures.~~

~~—The District may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.~~

~~It is anticipated that, in most cases, the District will decide to dismiss or investigate a complaint within ten (10) business days after receiving a complaint.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

~~—— If a complainant or respondent is a student with a disability, the Title IX Coordinator must consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision, if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, throughout the District's implementation of grievance procedures.~~

Basic Requirements of Title IX Grievance Procedures

- ~~a) The District will treat complainants and respondents equitably;~~
- ~~b) The District requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.~~
- ~~e) The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.~~
- ~~d) The District has established timeframes for the major stages of the grievance procedures, including, for example, the decision whether to dismiss or investigate a complaint (i.e., evaluation), investigation, determination, and appeal, if any.~~
- ~~e) The District has established a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay.~~
- ~~f) The District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.~~
- ~~g) The District will objectively evaluate all evidence that is relevant and not otherwise impermissible — including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

~~The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used); regardless of whether they are relevant:~~

- ~~1. Evidence that is protected under a privilege recognized by federal or state law unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;~~
- ~~2. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and~~
- ~~3. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.~~

Dismissal of a Complaint

~~The District may dismiss a complaint of sex discrimination if:~~

- ~~a) The District is unable to identify the respondent after taking reasonable steps to do so;~~
- ~~b) The respondent is not participating in the District's education program or activity and is not employed by the District;~~
- ~~c) The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or~~
- ~~d) The District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the District will make reasonable efforts to clarify the allegations with the complainant.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

~~— Upon dismissal, the District will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.~~

~~— The District will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent that the dismissal may be appealed.~~

~~When a complaint is dismissed, the District will, at a minimum:~~

- ~~a) Offer supportive measures to the complainant as appropriate;~~
- ~~b) If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and~~
- ~~c) Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the District's education program or activity.~~

Appeals of Dismissals

~~— Appeals must be submitted in writing to the Title IX Coordinator within ten (10) business days of the notice of the dismissal. Dismissals may be appealed on the following bases:~~

- ~~a) Procedural irregularity that would change the outcome;~~
- ~~b) New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and~~
- ~~c) The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.~~

(Continued)

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

If the dismissal is appealed, the District will:

- ~~a) Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;~~
- ~~b) Implement appeal procedures equally for the parties;~~
- ~~c) Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;~~
- ~~d) Ensure that the decisionmaker for the appeal has been appropriately trained;~~
- ~~e) Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and~~
- ~~f) Notify the parties of the result of the appeal and the rationale for the result.~~

It is anticipated that the notice of the result of the appeal will be issued within thirty (30) days after the appeal is commenced.

Notice of Allegations

~~Upon initiation of the District's Title IX grievance procedures, the Title IX Coordinator will notify the parties, whose identities are known, of the following:~~

- ~~a) The District's Title IX grievance procedures and any informal resolution process;~~
- ~~b) Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the District;~~
- ~~c) Retaliation is prohibited; and~~
- ~~d) The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

~~If the District provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.~~

~~———— If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the District will notify the parties, whose identities are known, of the additional allegations.~~

Investigation

~~———— The District will designate an investigator. The investigator may be the Title IX Coordinator or another District employee. The District may also outsource all or part of an investigation to appropriate third parties.~~

~~———— The District will provide for adequate, reliable, and impartial investigation of complaints. The District will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible. The burden is on the District — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.~~

~~———— The District will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. The District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:~~

- ~~a) — The District will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the District provides a description of the evidence, the District will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;~~
- ~~b) — The District will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and~~
- ~~c) — The District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of this information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.~~

~~———— It is anticipated that most investigations will be completed within forty five (45) business days after receiving a complaint.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~~~Questioning the Parties and Witnesses~~

~~—The District hereby enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. The investigator and decisionmaker are permitted to ask relevant and not otherwise impermissible questions and follow up questions of the parties and witnesses, including questions challenging credibility during individual meetings with a party or witnesses.~~

~~Determination Whether Sex Discrimination Occurred~~

~~—The District will designate a decisionmaker. After an investigation and evaluation of all relevant and not otherwise impermissible evidence, the District will:~~

- a) ~~Use the *preponderance of the evidence standard of proof*, to determine whether sex discrimination occurred.~~

~~The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.~~

- b) ~~Notify the parties in writing of the determination whether sex discrimination occurred under Title IX, including the rationale for the determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable. It is anticipated that the notice of determination will be issued within fifteen (15) business days after the conclusion of the investigation.~~

- c) ~~Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.~~

- d) ~~If there is a determination that sex discrimination occurred, require the Title IX Coordinator to, as appropriate:~~

- ~~1. Coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;~~
- ~~2. Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any disciplinary sanctions; and~~
- ~~3. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

- ~~e) Comply with the grievance procedures before imposing any disciplinary sanctions against a respondent.~~
- ~~f) Not discipline a party, witness, or others participating in the District's grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.~~

Appeal of Determinations

~~Either party may appeal a determination whether sex discrimination occurred. This appeal process, at a minimum, is the same as the District offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.~~

~~Appeals must be submitted in writing to the Title IX Coordinator within 30 days of the notice of the determination. Determinations may be appealed on the following bases:~~

- ~~a) Procedural irregularity that would change the outcome;~~
- ~~b) New evidence that would change the outcome and that was not reasonably available when the determination whether sex-based harassment occurred was made; and~~
- ~~e) The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.~~

~~The bases on which a party is seeking an appeal should be specifically stated in the party's written appeal.~~

~~If the determination is appealed, the District will:~~

- ~~a) Notify the parties of any appeal;~~
- ~~b) Implement appeal procedures equally for the parties;~~
- ~~c) Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations;~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

-
- ~~d) — Ensure that the decisionmaker for the appeal has been appropriately trained;~~
 - ~~e) — Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and~~
 - ~~f) — Notify the parties of the result of the appeal and the rationale for the result.]~~

~~It is anticipated that the notice of the result of the appeal will be issued within Thirty (30) days after the appeal is commenced.~~

~~Informal Resolution~~

~~At any time prior to determining whether sex discrimination occurred, the District may offer to a complainant and respondent an informal resolution process. The District will not offer an informal resolution process to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of a student or when the process would conflict with federal, state, or local law.~~

~~The District has the discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or when a complaint of sex discrimination is made, and may decline to offer informal resolution despite one or more of the parties' wishes. The District will not require or pressure parties to participate in an informal resolution process.~~

~~If available, appropriate, and requested by all parties, the Title IX Coordinator will initiate the informal resolution process.~~

~~When the District provides the parties an informal resolution process, it will, to the extent necessary, require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.~~

~~Supportive Measures~~

~~The Title IX Coordinator will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the District's education program or activity or provide support during the District's Title IX grievance procedures or during the informal resolution process.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

~~Supportive measures may vary depending on what the District deems to be reasonably available. For complaints of sex-based harassment, these measures may include, but are not limited to: counseling; extensions of deadlines and other course-related adjustments; increased security and monitoring of certain areas of the District; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.~~

~~The District may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or may continue them beyond that point. A complainant or respondent may, within five (5) business days, seek modification or reversal of the District's decision to provide, deny, modify, or terminate supportive measures applicable to them. Such request will be submitted to the Title IX Coordinator who will assign an impartial employee, including an employee who made the challenged decision and has authority to modify or reverse the decision if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. Each party must also be provided with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.~~

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

~~Supportive measures are confidential. District employees must not disclose information about any supportive measure to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or if another exception applies under applicable law or regulation.~~

Disciplinary Sanctions and Remedies

~~After a determination that sex-based harassment occurred, the District may impose disciplinary sanctions on a respondent. Disciplinary sanctions will be imposed in accordance with any applicable District policy, procedure, handbook, or Code of Conduct.~~

~~Disciplinary sanctions that may be imposed on a District employee include, but are not limited to: a verbal warning; a written warning; required training; demotion; suspension; and termination.~~

~~Disciplinary sanctions that may be imposed on a District student include, but are not limited to: a verbal warning; writing assignments; changing of seating or location in a classroom; detention; removal from extracurricular activities, including athletics; suspension; and expulsion.~~

~~After a determination that sex-based harassment occurred, the District may provide remedies to the complainant and other persons identified as having had equal access to the District's education program or activity limited or denied by sex discrimination.~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

~~Since remedies are generally designed to restore or preserve access to the District's education program or activity for a particular person, they will generally be individualized and highly fact-specific.~~

~~Examples of remedies that may be provided to a District employee include, but are not limited to: making changes to work locations; and providing counseling.~~

~~Examples of remedies that may be provided to a District student include, but are not limited to: ensuring safe movement between classes; making changes to class schedules and extracurricular activities to ensure the complainant and respondent are separated; and providing counseling.~~

Extension of Timeframes

Reasonable extensions of timeframes are allowed on a case-by-case basis for good cause with written notice of any extension to the parties that includes the reason for the delay.

~~The Title IX Coordinator will evaluate any requests for a reasonable extension of timeframes on a case-by-case basis. If good cause for the extension is found, the Title IX Coordinator will provide written notice to all parties, including the reason for the delay and the new anticipated timeframe. In instances where the Title IX Coordinator is the individual requesting an extension, the Superintendent or designee will evaluate the request to determine if good cause exists.~~

Training

~~The District will ensure that all individuals within the District receive the appropriate Title IX training promptly upon hiring or when their position changes in a way that affects their Title IX responsibilities, with training also provided annually thereafter. This training will not rely on sex stereotypes.~~

The District will provide training as follows:

a) ~~All employees will be trained on:~~

- ~~1. The District's obligation to address sex discrimination in its education program or activity;~~
- ~~2. The scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment; and~~
- ~~3. All applicable notification and information requirements.~~

b) ~~Along with the general training provided to all employees, all investigators, decisionmakers, and other persons who are responsible for implementing the District's grievance procedures or have the authority to modify or terminate supportive measures will be trained on the following topics to the extent related to their responsibilities:~~

- ~~1. The District's obligations to respond to sex discrimination;~~
- ~~2. The District's grievance procedures;~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

- ~~3. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and~~
 - ~~4. The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under the District's grievance procedures.~~
- ~~e) Along with the general training provided to all employees, all facilitators of an informal resolution process will be trained on the rules and practices associated with the District's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.~~
 - ~~d) Along with the general training provided to all employees and the more specific training provided to those responsible for implementing the District's grievance procedures and facilitators of an informal resolution process, all Title IX Coordinators and designees will be trained on their specific responsibilities, the District's recordkeeping system, recordkeeping requirements under Title IX, and any other training necessary to coordinate the District's compliance with Title IX.~~

Notification

~~—The District will provide a notice of nondiscrimination under Title IX to: students; parents, guardians, or other authorized legal representatives of District students; employees, applicants for employment; and all unions and professional organizations holding collective bargaining or professional agreements with the District.~~

~~—The notice will prominently include, at a minimum, the following:~~

- ~~a) A statement that the District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in employment;~~
- ~~b) A statement that inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, the Office for Civil Rights, or both;~~
- ~~c) The name or title, office address, email address, and telephone number of the District's Title IX Coordinator;~~
- ~~d) How to locate this policy which contains the District's Title IX nondiscrimination policy and grievance procedures; and~~

(Continued)

Community Relations

SUBJECT: ~~TITLE IX AND SEX DISCRIMINATION (Cont'd.)~~

- e) ~~How to report information about conduct that may constitute sex discrimination and how to make a complaint of sex discrimination under Title IX.~~

~~The District will include this notice on its website and in each handbook, catalog, announcement, bulletin, and application form it provides to the individuals and entities referenced above, as well as in any materials used for recruiting employees.~~

~~If necessary, due to the format or size of a publication, the District may instead include a statement that the District prohibits sex discrimination in any education program or activity that it operates and that individuals may report concerns or questions to the Title IX Coordinator, and provide the location of the notice on the District's website.~~

Recordkeeping

~~The District will maintain for a period of at least seven years:~~

- a) ~~For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures and the resulting outcome.~~
- b) ~~For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, records documenting the actions the District took to meet its obligations.~~
- c) ~~All materials used to provide training. The District will make these training materials available upon request for inspection by members of the public.~~

~~20 USC Section 1681, et. seq.
34 CFR Part 106
Education Law Section 13
8 NYCRR Section 100.2~~

Adoption Date: 2/23/21
Revised: 12/10/24

FORMAL COMPLAINT OF SEX DISCRIMINATION OR SEXUAL HARASSMENT

Instructions: This form will be used to evaluate and process your complaint in accordance with District Policy #3421 Title IX Policy Against Sexual Harassment and Sex Discrimination, and other applicable policies, rules or procedures established by the District. Please include as much detail as possible. If additional space is needed in response to any question please attach additional pages as necessary. You may also include and submit with this form any materials or evidence you believe are relevant to your allegations. Please note that by signing below, you are verifying that the information contained herein is true and accurate, and that you are requesting that the District conduct an investigation into the allegations.

Once completed, please sign where indicated at the bottom and submit this form along with any additional materials to the Title IX Coordinator at **374 Lake St., Wilson, NY 14172**. If you have any questions or require assistance in completing this form, please feel free to contact the Title IX Coordinator directly at (716) 751-9341, ext 121 or 114.

Name of Complainant: _____

If the Complainant is not the victim, please describe relationship to the victim: _____

Address: _____

Phone Number: (____) _____ Email: _____

Name of Victim: _____ Grade: _____ Name

of Respondent: _____

Respondent's relationship to the District:

_____ ☐ Student _____ ☐ Employee ☐ Other (please describe): _____

Location of Incident(s): _____

Description of the incident(s) of sex discrimination or sexual harassment, including dates, times, locations and any other information you believe to be relevant to the complaint:

Witnesses:

1. _____ Contact Info: _____

2. _____ Contact Info: _____

3. _____ Contact Info: _____

~~Have you previously reported these allegations, verbally or in writing, to any employees of the District or to law enforcement? If yes, please identify any such individual(s), when you informed each individual, and describe any outcome or resolution:~~

~~If there is a particular remedy or other corrective action you are seeking, please describe it here:~~

~~I understand that by signing this formal written complaint form, I affirm that all of the information set forth above is true and accurate to the best of my knowledge, and that I am requesting that the District investigate the allegations.~~

Complainant _____ Date _____

Received by: _____

Title IX Coordinator _____ Date _____

~~*Note: If, after reviewing this form and any related materials submitted herewith, the Title IX Coordinator determines that the conduct alleged (i) does not constitute sexual harassment as defined by Title IX even if proved, (ii) did not occur in the District's education program or activity, or (iii) did not occur against a person in the United States, then the formal complaint will be dismissed and will not proceed under the District's Title IX Grievance Process. However, the dismissal of a formal complaint under Title IX does not preclude the District from conducting an investigation or taking other action under other applicable policies, rules or Code of Conduct of the District, as appropriate.~~

For District Use Only

Formal complaint initially received on: _____

Formal complaint initially received by: _____

Students

SUBJECT: ~~EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS~~

Overview

~~—The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses educational services for married/pregnant students. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.~~

~~—The opportunity to participate in all of the education programs and activities operated by the District will not be restricted or denied because of a student's current, potential, or past parental, family, or marital status.~~

~~—The District does not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. It does not constitute prohibited discrimination when the District allows a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of its education program or activity, provided the District ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.~~

Definitions

~~—For purposes of this policy, the following definitions apply:~~

- a) ~~"Parental status" means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:~~
 - 1. ~~A biological parent;~~
 - 2. ~~An adoptive parent;~~
 - 3. ~~A foster parent;~~
 - 4. ~~A stepparent;~~
 - 5. ~~A legal custodian or guardian;~~
 - 6. ~~In loco parentis with respect to such a person; or~~
 - 7. ~~Actively seeking legal custody, guardianship, visitation, or adoption of such a person~~

(Continued)

SUBJECT: ~~EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS~~
(Cont'd.)

b) ~~"Pregnancy or related conditions" means:~~

- ~~1. Pregnancy, childbirth, termination of pregnancy, or lactation;~~
- ~~2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or~~
- ~~3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.~~

Preventing Discrimination and Ensuring Equal Access

~~Under Title IX, the District must take specific actions to promptly and effectively prevent sex discrimination and ensure equal access to the District's education program or activity once the student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions. The Title IX Coordinator must coordinate these actions.~~

~~The District will not require supporting documentation for any of these actions unless the documentation is necessary and reasonable for the District to determine the reasonable modification to make or whether to take additional specific actions. Examples of situations when requiring supporting documentation is not necessary and reasonable include, but are not limited to:~~

- ~~a) When the student's need for a specific action is obvious, such as when a student who is pregnant needs a bigger uniform;~~
- ~~b) When the student has previously provided the District with sufficient supporting documentation;~~
- ~~c) When the reasonable modification because of pregnancy or related conditions at issue is allowing a student to carry or keep water nearby and drink, use a bigger desk, sit or stand, or take breaks to eat, drink, or use the restroom;~~
- ~~d) When the student has lactation needs; or~~
- ~~e) When the specific action is available to students for reasons other than pregnancy or related conditions without submitting supporting documentation.~~

(Continued)

Students

SUBJECT: ~~EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS~~
(Cont'd.)

Reasonable Modifications

~~The District will make reasonable modifications to the District's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the District's education program or activity. Each reasonable modification must be based on the student's individualized needs. In determining what modifications are required, the District must consult with the student. A modification that the District can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable modification.~~

~~—The student has discretion to accept or decline each reasonable modification offered by the District. If a student accepts the District's offered reasonable modification, the District must implement it.~~

~~—Reasonable modifications may include, but are not limited to: breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access; or other changes to policies, practices, or procedures.~~

Voluntary Access to Separate and Comparable Portion of the District's Education Program or Activity

~~—The District will allow the student to voluntarily access any separate and comparable portion of the District's education program or activity.~~

Voluntary Leaves of Absence

~~—The District will allow the student to voluntarily take a leave of absence from the District's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a student qualifies for leave under a leave policy maintained by the District that allows a greater period of time than the medically necessary period, the District must permit the student to take voluntary leave under that policy instead if the student so chooses.~~

~~—When the student returns to the District's education program or activity, the student must be reinstated to the academic status and, as practicable, to the extra-curricular status that the student held when the voluntary leave began.~~

(Continued)

~~Students~~

~~SUBJECT: EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS~~
~~(Cont'd.)~~

~~Lactation Space~~

~~—The District must ensure that the student can access a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.~~

~~Comparable Treatment to Other Temporary Medical Conditions~~

~~—To the extent consistent with law and regulation, the District will treat pregnancy and related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the District administers, operates, offers, or participates in with respect to students admitted to the District's education program or activity.~~

~~Certification to Participate~~

~~—The District does not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the District's class, program, or extracurricular activity unless:~~

- ~~a) The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;~~
- ~~b) The District requires such certification of all students participating in the class, program, or extracurricular activity; and~~
- ~~c) The information obtained is not used as a basis for discrimination prohibited by Title IX.~~

~~Notification~~

~~When a student, or a person who has a legal right to act on behalf of the student, informs any District employee of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee must promptly:~~

- ~~a) Provide that person with the Title IX Coordinator's contact information;~~
- ~~b) Inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity.~~

(Continued)

Students

SUBJECT: ~~EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS~~
(Cont'd.)

~~Additionally, the District must promptly inform the student, and, if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related condition and has a legal right to act on behalf of the student, of the District's related obligations under Title IX and provide the District's notice of nondiscrimination under Title IX.~~

~~34 CFR Part 106~~

~~Adoption Date: 11/12/24~~

The schedule for all WES/MS/HS faculty and staff for Friday, March 7th will be as follows:

7:30-7:55am - Refreshments in HS Cafeteria

8:00 - 8:55am - Keynote speaker [Charle Peck: Thriving Educator](#)

9:00 - 12pm - Three, 50 min breakout sessions. (1 session will be with Charle Peck; 2 are staff choice)

12pm- 3pm - Lunch/Work on your own

For the breakout sessions, please select your top three choices using **THIS FORM.**

A list of times, attendees, and locations will be assigned based on sign up responses.

The staff choice offerings have been designed from last year's feedback survey and recent requests.

Thank you,
Amy & Bonnie

Amy Seeley (she/her)
District AIS/Curriculum Facilitator
Wilson Central Schools
Wilson, New York 14172
716-751-9341 (ext. 245)