



WASB POLICY MANUAL CHECKLIST

2021

Numerous federal and state laws and regulations require school districts to create and adopt policy and/or procedures/guidelines. The following list identifies some of those key policy requirements and other recommended policy topics. While WASB endeavors to keep this list current and to identify new items to add to the list when appropriate, no such list can be guaranteed to be comprehensive. Thus, the list should be understood to serve as a good place to start when reviewing school board policies.

(✓✓) = **MANDATED POLICY/PROCEDURE**

(✓) = **A law or rule, or an expert recommendation, requires the school district to take some action or to make some type of local decision. Policy can be the most appropriate vehicle for these local decisions.**

BOARD OF EDUCATION

- ✓✓ Filling School Board Vacancies [17.03, 17.26, 19.01, 120.05(1)(d), 120.06(4), 120.12(28)]

SCHOOL ADMINISTRATION

- ✓ Evaluation of Administrators [121.02(1)(q), PI 8.01(2)(q)]

INSTRUCTION

- ✓✓ Accommodating a Student's Religious Beliefs (may be addressed in equal educational opportunities policy) [PI 41]
- ✓ Curriculum Development/Improvement [118.015, 121.02(1) (k), (L), PI 8.01(2) (k), (L)]
- ✓✓ Student Privacy [Required of any school district receiving federal education funds - Title X, Part F, amending Section 445 of the General Education Provisions Act]
- ✓✓ Programs for Students with Disabilities [Chapter 115, Subchapter V; PI 11; Individuals with Disabilities Education Act; Section 504 of the Rehabilitation Act; Americans with Disabilities Act]
- ✓ Gifted and Talented Program [PI 8.01(2)(t) and 118.35]
- ✓✓ Programs for Disadvantaged Students (Title I Program) [parent and family engagement and comparability policy requirements - Title I of the Elementary and Secondary Education Act, as amended]
- ✓✓ Programs for English Learners [PI 13.05 – required for districts with one or more limited-English proficient students (English Learners); PI 13.12 – required for districts that must have a bilingual-bicultural program]

- ✓ Section 504 Plans and Services for Students with Disabilities [**Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, and Individuals with Disabilities Education Act**]
- ✓✓ Part-Time Public School Open Enrollment [**118.52 – Any student enrolled in a public high school may apply to take up to two courses at any time in another public school district. A school board is required to adopt a written policy that specifies criteria for accepting or rejecting such part-time open enrollment applications; A district could address part-time open enrollment and full-time open enrollment in the same policy or in separate policies.**]
- ✓✓ Early College Credit Program [**118.55 – School boards in districts with high school grades are required to establish a written policy governing the timing and method for recovering from a student, or the student’s parent/guardian, the student’s share of tuition required to be paid when the student is taking a non-comparable Early College Credit Program course for postsecondary credit only (25% of the allowable cost of tuition for the course). A school board may establish a written policy limiting the number of credits for which the school board will pay under the Early College Credit Program and Technical College Course Program [section 38.12(14) of the statutes] to the equivalent of 18 postsecondary semester credits per pupil.**]
- ✓ Technical College Course Program (“Start College Now” Program) – [**38.12(14), 118.55(7t) - A school board may establish a written policy limiting the number of credits for which the school board will pay under the Technical College Course Program [section 38.12(14) of the statutes] and the Early College Credit Program to the equivalent of 18 postsecondary semester credits per student.**]
- ✓✓ Grading Systems (policy must address high school grading and calculation of grade point average) [**118.13, PI 9.03(1)(f), HEA 9**]
- ✓✓ Promotion of Students from Kindergarten to 1st, 4th to 5th and from 8th to 9th Grades [**118.33(6)(a) and 118.33(6)(cm)1**]
- ✓✓ Graduation Requirements [**118.33, 121.02(1)(p), PI 18**]
- ✓✓ Assessment/Testing Programs [**115.787(2)(e), 118.13, 118.30, 121.02(1)(r) & (s), PI 8.01(2)(r) & (s), PI 9.03(1)(f), PI 13.05 and 13.09**]
- ✓✓ Student Records [**118.125, 118.126, 118.127, 938.396, Family Educational Rights and Privacy Act**]
- ✓✓ Selection and Adoption of Instructional Materials [**118.03(2), 118.13, 121.02(1)(h), PI 8.01(2)(h), PI 9.03(1)(e)**]
- ✓✓ Internet Safety and Acceptable Use [**Library Services and Technology Act or Title III of the Elementary and Secondary Education Act, as amended; Children's Internet Protection Act; Neighborhood Children's Internet Protection Act; Broadband Data Improvement Act of 2008**]
- ✓✓ Technology for Students with Special Needs [**Chapter 115, subch. V, Elementary and Secondary Education Act, as amended - required for districts submitting technology plans for approval to DPI**]
- ✓✓ Guidance and Counseling Program [**118.13, 121.02(1)(e), PI 8.01(2)(e), PI 9.03(1)(f)**]

- ✓✓ Extracurricular Activities (includes full participation of elementary school (K-8) students) [118.13, 120.12(23), PI 9.03(1)(a)]
- ✓ Student Fundraising Activities [103.23, 103.64, 118.12]
- ✓✓ Interscholastic Athletics [118.13, 120.12(23), PI 9.03(1)(a), (g) & (h)]

STUDENTS

- ✓✓ Equal Educational Opportunities (includes discrimination complaint procedures) [118.13, PI 9, Title IX, Title VI, Section 504, Americans with Disabilities Act, Age Discrimination Act of 1975]
- ✓✓ Sexual Harassment (includes grievance procedures) [Title IX of the Education Amendments of 1972 and its implementing regulations - 20 U.S.C. §1681 et seq. and 34 C.F.R. Part 106, Title VII of the Civil Rights Act of 1964 and its implementing regulations - 42 U.S.C. §2000e et seq. and 29 C.F.R. Ch. XIV, 111.31, 111.36, 118.13, 118.20 and PI 9] – *The new Title IX regulations, which went into effect 8/14/20, include specific responsibilities that school districts have related to responding to alleged or confirmed incidents of sexual harassment (including sexual assault and other forms of sexual violence) that may occur in the district's education programs and activities. These responsibilities include creating and implementing a formal Title IX grievance process to address formal complaints of sexual harassment; providing a Title IX notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the school district; and, ensuring that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process receive required training.*
- ✓ Full-Time Student [121.004(5), local policy is used for state membership count purposes]
- ✓✓ School Admissions [115.77, 118.13, 118.14, 118.33(6)(cm)2 (first grade admission), PI 9.03(1)(a)]
- ✓✓ Educating Homeless Children and Youths [McKinney-Vento Homeless Assistance Act, as amended by the Elementary and Secondary Education Act – *All school districts must have policies that remove barriers to enrollment and retention of homeless children and youths, including transportation, and prevent homeless children and youths from being stigmatized and segregated on the basis of their homelessness status.*]
- ✓✓ Educating Foster Care Children [Title I of the Elementary and Secondary Education Act, as amended, and the Fostering Connections to Success and Increasing Adoptions Act – *Districts are required to collaborate with child welfare agencies to ensure educational stability for children in foster care. Districts are specifically required to develop and implement clear written procedures, in collaboration with the local child welfare agency, governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged and funded for the duration of the child's time in foster care. Additionally, a district must designate a point of*

contact regarding children in foster care if notified by the corresponding child welfare agency.]

- ✓✓ Entrance Age (including early admission to kindergarten and first grade and exempting a child from the mandatory kindergarten requirement) [120.12(25); 118.33(6)(cm)2]
- ✓✓ Full-Time Public School Open Enrollment [118.51, PI 36.05(10)]
- ✓✓ Student Attendance [115.997(5)(e), 118.15, 118.155, 118.16, 118.162, 118.163, 118.165]
- ✓✓ Student Conduct [118.13, 120.13(1), 121.52(2), PI 9.03(1)(b)]
- ✓✓ Code of Classroom Conduct [118.164, 120.13(1)]
- ✓✓ Student Harassment [118.13, PI 9.03(1)(b)]
- ✓✓ Student Alcohol and Drug Abuse [**Required only if: (1) administering alcohol breath test to students (118.45); or, (2) it is a prerequisite for receiving a state or federal grant**]
 - ✓ Use of Electronic Communication Devices [118.258]
- ✓✓ Locker Searches [118.325]
- ✓✓ Bullying [118.46(2)]
- ✓✓ Student Discipline [118.13, 120.13(1), PI 9.03(1)(c)]
- ✓✓ Use of Physical Force by Staff [118.31]
 - ✓ Use of Seclusion and Physical Restraint [115.787(3)(b)1, 118.305, 118.31, **IDEA and related regulations**]
- ✓✓ Emergency Nursing Services [118.29, 121.02(1)(g), PI 8.01(2)(g)]
- ✓✓ Administering Medication to Students [118.29, 121.02(1)(g), PI 8.01(2)(g)]
- ✓✓ School Wellness [**Healthy, Hunger-Free Schools Act of 2010, 7 CFR Parts 210 and 220; “smart snack” and “wellness policy implementation” rules**]
- ✓✓ Student Scholarships and Awards, including Wisconsin Academic Excellence Scholarship and Technical Education Excellence Scholarship [39.41, 39.415, 118.13, PI 9.03(1)(d), HEA 9]

PERSONNEL

- ✓✓ Equal Opportunity Employment [111.31-111.395, 118.195, 118.20; Title IX; Titles VI and VII; Section 504; Americans with Disabilities Act; Immigration Reform and Control Act; Age Discrimination Act; Pregnancy Discrimination Act]
 - ✓ Employee Harassment [111.31-111.395; Title IX; Titles VI and VII; Section 504; Americans with Disabilities Act; and Age Discrimination Act]
- ✓✓ Sexual Harassment (includes grievance procedures) [Title IX of the Education Amendments of 1972 and its implementing regulations - 20 U.S.C. §1681 et seq. and 34 C.F.R. Part 106, Title VII of the Civil Rights Act of 1964 and its implementing regulations - 42 U.S.C. §2000e et seq. and 29 C.F.R. Ch. XIV,

111.31, 111.36, 118.13, 118.20 and PI 9] – Refer to the Sexual Harassment info in the STUDENTS section above for related information.]

- ✓✓ Aiding and Abetting of Sexual Abuse [**115.31; 118.07(4p); 20 U.S.C. 7926 – Districts receiving federal funds under the Elementary and Secondary Education Act, as amended, are required to adopt a policy prohibiting any school employee, contractor or agent from assisting another school employee, contractor or agent in obtaining a new job if he/she has knowledge of, or probable cause to believe that the other employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of the law. State law also expressly prohibits assisting such persons to obtain a new job. This prohibition could, for example, be included in a district policy addressing employment references and verification.]**
- ✓✓ Evaluation of Professional Staff Members [**121.02(1)(q), PI 8.01(2)(q)]**
- ✓✓ Alcohol and Other Drug Use by Staff Members [**Required only if: (1) covered by the Drug-Free Workplace Act of 1988; or (2) it is a prerequisite for receiving a state or federal grant]**
- ✓✓ Driver Drug and Alcohol Testing [**Omnibus Transportation Employee Testing Act of 1991 and its implementing regulations – School districts that own their own or lease school buses or assign employees to operate motor vehicles which require a commercial driver's license must adopt an alcohol and drug testing policy and procedures to correspond with federal requirements.]**
- ✓ Staff Development Opportunities [**121.02(1)(b), PI 8.01(2)(1)(b), PI 34]**
- ✓✓ Employee Grievance Procedure [**66.0509 (1m)**
- ✓ Employee Whistleblower Protections [**2 C.F.R. § 200.300, False Claims Act]**

FISCAL MANAGEMENT

- ✓ Student Activities Funds Management [**120.14, DPI auditor suggested]**
- ✓ Fund Balance [**GASB 54, DPI auditor suggested]**
- ✓✓ Federal Funds Management-Related Policies and Procedures [**2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Districts receiving federal funds are required to comply with all federal standards and requirements regarding the management and use of federal funds, including those related to the establishment of written policies and/or procedures addressing such topics as financial management and internal controls, procurement standards (purchasing), standards of conduct in purchasing and contracting (conflicts of interests), property and equipment management, and disposition of property.]**

SUPPORT SERVICES

- ✓ Safety Program [**118.07, 118.09, 118.10, 121.02(1)(i), PI 8.01(2)(i)]**
- ✓✓ Privacy in Locker Rooms [**175.22]**
- ✓ Student Transportation Services [**115.76(3), 121.52-121.58]**

- ✓✓ Food Services Management [115.34, 118.13, 120.10(6), 120.13(1), PI 9.03(1)(i), National School Lunch Act, as amended, USDA regulations 7 CFR Part 210, 220 and 245]
- ✓✓ Appeals of Eligibility for Free or Reduced-Price Meal Benefits [7 C.F.R §245.7 and under the standard “Permanent Agreement/Policy Statement” that a school food authority must agree to when contracting with the DPI to participate in a federally-subsidized food service program - *School districts participating in federally-subsidized school meal programs (e.g., National School Lunch Program, federal School Breakfast Program) are required to establish a hearing procedure under which (1) a family can appeal a decision made regarding an application for free or reduced price meals or free milk, and (2) the district can challenge the continued eligibility of a child for a free or reduced-price meal or for free milk.*]
- ✓✓ Meal Charges and Collection of Delinquent Payments – [U.S. Department of Agriculture (USDA) memos SP 46-2016, SP 47-2016 and SP 33-2017 - *NEW USDA requirement for school districts that participate in federally-subsidized school meal programs (National School Lunch Program and/or School Breakfast Program) to adopt a written policy or standards practice document (procedures) addressing local meal charges, including the collection of delinquent meal payments.*]
- ✓✓ Copyright [Technology and Copyright Harmonization [TEACH] Act; DPI also says copyright policy required as part of long-range library media plan under 121.02(1)(h) and computer literacy standard 121.02(1)(k) and PI 8.01(2)(h) and (k); 943.70; and U.S. Copyright Act (sections 106, 107 and 110)]

SCHOOL-COMMUNITY RELATIONS

- ✓✓ Access to Public Records [Chapter 19, Subchapters II and IV; 120.13(28)]
 - ✓ Tobacco Use on School Premises [101.123, 120.12(20), 134.66(1)(f), 139.75(12), 20 U.S.C. §§7971-7974]
- ✓✓ Weapons on School Premises [120.13(1)(bm) and (c), 948.605, 948.61, Gun Free Schools Act of 1994]
- ✓✓ Public Gifts to the Schools [118.13, 118.27, PI 9.03(1)(d)]
 - ✓ Public Solicitations/Promotions in the Schools [103.23, 103.64, 118.12]
- ✓✓ Handling Public Complaints about Instructional Materials (could be addressed in district’s selection and reconsideration of instructional materials policy; **does not have to be a separate policy**) [118.13, 121.02(1)(h), PI 8.01(2)(h), PI 9.03(1)(e)]
- ✓✓ Relations with Tribal Authorities (“Indian Policies and Procedures”) [20 U.S.C. § 7704 and 34 C.F.R. § 222.94] – *School districts that apply for federal impact aid under Title VII of the Elementary and Secondary Education Act, as amended, are required to establish “Indian Policies and Procedures” in consultation with the parents and guardians of Indian children. The IPPs must include a description of the specific procedures for how the district will meet each of the regulatory requirements under 34 C.F.R. § 222.94(b).*]

There may be other policies that are required by the federal or state government as part of specific grants that would not be listed on this WASB checklist. Additional policies may also be necessary to meet local community needs, interests or requirements.