

# Kimberly Area School District

## *Public Notices 2024-25*



Dear Kimberly Area School District Families and Staff,

As the Superintendent of the Kimberly Area School District, I would like to welcome you to the 2024-25 school year!

Each year we are required to provide notification of certain policies, procedures, programs, and general information regarding the Kimberly Area School District.

Information is distributed in several different formats based on State, Federal and School District policy requirements. This document is one of the many ways that we share important information. It contains summaries of certain policies and other content. District policies are updated often to reflect current laws and are available in their entirety by accessing the school district's website.



Other required information may be found in student and parent handbooks, staff handbooks, posted in our buildings, published as a notice in the newspaper, included in school newsletters, as a direct mailing to families, or in other formats. If you need information that is not included here, or have additional questions, please contact someone at your school or the District Administrative office.

Together, we will provide an exceptional public education experience for your child.

Proud to be a Papermaker,

Robert S. Mayfield, Ed.D.  
Superintendent of Schools



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[www.facebook.com/KimberlyAreaSchoolDistrict](https://www.facebook.com/KimberlyAreaSchoolDistrict)



Visit our website at:  
[www.kimberly.k12.wi.us](http://www.kimberly.k12.wi.us)

**STUDENT AND STAFF NONDISCRIMINATION NOTICE (SEE FULL POLICIES 1422, 1662, 2260, 2260.01, 2264, 3122, 3362, 4122, 4362, 5517, and 8913)**

The Board is committed to providing an equal educational opportunity for all students in the District. The Kimberly Area School District does not discriminate on the basis of race, color, religion, national origin, ancestry, creed, pregnancy, marital status, parental status, sexual orientation, sex (including gender status, change of sex or gender identity), or physical, mental, emotional, or learning disability ("Protected Classes") in any of its student programs, activities, or employment.

All courses, including career and technical education courses (CTE), are available without discrimination-based race, color, religion, national origin, ancestry, creed, pregnancy, marital status, parental status, sexual orientation, sex (including gender status, change of sex or gender identity), or physical, mental, emotional, or learning disability ("Protected Classes").

**Reporting Procedures**

Students, parents, and all other members of the School District community are encouraged to promptly report suspected violations of this policy to an administrator, supervisor, or other District official. Any teacher, administrator or other District employee or official who receives such a complaint shall file it with the CO as soon as possible.

Members of the District community, including students or Third Parties, who believe they have been discriminated/retaliated against are entitled to utilize the complaint process set forth below. District Compliance Officers. The following individuals shall serve as the District's Compliance Officers (COs):

Dawn Ludwig  
Director of Human Resources (920) 788-7900  
425 S. Washington Street  
PO Box 159  
Combined Locks, WI 54113  
dludwig@kimberly.k12.wi.us

Tim Fosshage  
Director of Pupil Services (920) 788-7900  
425 S. Washington Street  
PO Box 159  
Combined Locks WI 54113  
tfosshage@kimberly.k12.wi.us

**Complaint Procedure - All**

Complaints must include the following information to the extent known: a description of the alleged violation, the identity of the Respondent; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Pursuant to Title IX, 34 C.F.R. 106.9, Section 504, 34 C.F.R. 104.8, Title II, 28 C.F.R. 35.106. A complaint or appeal may also be made to the U.S. Office for Civil Rights – Region V in Chicago or by email to:

OCR.Chicago@ed.gov  
Chicago Office  
Office for Civil Rights, U.S. Department of Education  
Citigroup Center  
500 W. Madison Street, Suite 1475  
Chicago, IL 60661-4544  
Telephone: 312-730-1560 FAX: 312-730-1576 TDD: 877-521-2172

**Complaint Procedure Special Education**

Discrimination complaints relating to the identification, evaluation, educational placement, or the provision of free appropriate public education of a student with a disability shall be processed in

accordance with established appeal procedures outlined in the District's Special Education Handbook.

### **Complaint Procedure – Federal Programs**

Discrimination complaints relating to programs specifically governed by federal law or regulation shall be referred directly to the State Superintendent of Public Instruction.

### **TITLE IX NOTICE OF NONDISCRIMINATION (SEE FULL POLICY 2264)**

The Kimberly Area School 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 and its regulations, including in admission and employment. Inquiries about Title IX may be referred to the District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. Any individual who believes they have been subjected to discrimination on the basis of sex, hereinafter referred to as the "complainant," may file a complaint, either orally or in writing with a Title IX Coordinator. The following individuals shall serve as the District's Title IX Coordinators:

Dawn Ludwig - staff complaints  
Director of Human Resources  
Kimberly Area School District  
425 S. Washington Street, PO Box 159  
Combined Locks WI 54113  
(920) 788-7900  
mailto:dludwig@kimberly.k12.wi.us

Denise Weyenberg – student complaints  
Director of Continuous Improvement  
Kimberly Area School District  
425 S. Washington Street, PO Box 159  
Combined Locks, WI 54113  
(920) 788-7900  
mailto:dweyenberg@kimberly.k12.wi.us

### **DIRECTORY DATA (SEE FULL POLICY 8330)**

Directory Data has been designated as a student's address and grade level. The District may disclose Directory Data without parental consent unless the District has been notified of an opt out in writing within 14 days after receipt of this annual public notice, or the student's enrollment into the District if it occurs after this notice.

It is the District's intent to make directory data available, upon request, to students and their parents. The District will accept requests to amend the student's school records they are believed to be inaccurate or misleading. Parents and students have a right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education. Student records shall be forwarded to other schools if the student seeks enrollment in those schools.

Any parent or eligible student that refuses to allow disclosure of directory data may waive the refusal to disclose directory data obtained during the course of the student's participation in extracurricular activities.

In accordance with Federal and State law, the Board shall release the names, addresses, telephone listings and electronic mail addresses of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request in writing that the student's name, address, telephone listing and school provided email address not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces." The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

The Board shall not collect or use personal information obtained from students or their parents for the purpose of marketing or for selling that information. Directory data shall not be provided to any organization for profit-making or marketing purposes.

### **BULLYING (SEE FULL POLICY 5517)**

The Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between

members of the school community. Bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse.

The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property, including at any of the school buildings or other property used exclusively or in part, whether leased or owned by the District, for the purpose of school-related functions or events; or while traveling to or from school or to and from school-sponsored functions or events; in transporting vehicles arranged for by School District officials.

The policy applies as well during activities that occur off school property if the student or employee is at any school-sponsored, school-approved, or school-related activity or function, such as field trips or athletic events where students are under the supervision of school authorities, or where an employee is engaged in school business, or where there is otherwise a connection to the school such that the conduct at issue affects or is intended to affect the student's educational environment. (see also Policy 3362.01 - and Policy 4362.01 - Threatening Behavior Toward Staff Members)

If the investigation finds that bullying has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include student discipline, including, but not limited to reprimand, suspension, or possible expulsion. Further, the result of an investigation that finds that bullying has occurred may result in discharge for employees, the exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

#### **CONTROVERSIAL ISSUES IN THE CLASSROOM (SEE FULL POLICY 2240)**

The Board recognizes that a course of study or certain instructional materials may contain content and/or activities that some parents find objectionable. If after careful, personal review of the program lessons and/or materials, a parent indicates to the school that either content or activities conflicts with their religious beliefs or value system, the school will honor a written request for their child to be excused from particular classes for specified reasons. The student, however, will not be excused from participating in the course or activities mandated by the State and will be provided alternative learning activities during times of parent requested absences.

#### **RELIGION IN THE CLASSROOM (SEE FULL POLICY 2270)**

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the District's students, not for its conformity to religious principles. Students should receive unbiased instruction in the schools, so they may privately accept or reject the knowledge thus gained, in accordance with their own religious tenets if any. Accordingly, no student shall be exempted from completion of a required course of study on the grounds that components of the instruction interfere with the free exercise of his/her religion. However, if after careful personal review of the program's lessons and/or materials, a parent indicates to the school that either the content or activities conflict with his/her religious beliefs or value system, the school will honor a written request for his/her child to be excused from particular class periods for specified reasons. The student will be provided with alternate learning activities during the times of such parent requested absence.

#### **PROGRAM OR CURRICULUM MODIFICATIONS (SEE FULL POLICY 2451)**

The Board recognizes that the regular school program may not be appropriate for all students. Some students may need program or curriculum modifications to successfully meet the District's academic goals and/or graduation requirements. Any student's parent, or the student if the parent is notified, may submit a written request to the Director of Curriculum, to provide the student with program or curriculum modifications, which will be addressed according to District policy.

#### **STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION (SEE FULL POLICY 2416)**

The Board respects the privacy rights of parents and their children. No student shall be required, as a part of the school program or the District's curriculum, without prior written consent of their parents to submit

to or participate in any survey, analysis, or evaluation that reveals information concerning: A. political affiliations or beliefs of the student or their parents; B. mental or psychological problems of the student or their family; C. sex behavior or attitudes; D. illegal, anti-social, self-incriminating or demeaning behavior; E. critical appraisals of other individuals with whom respondents have close family relationships; F. legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; G. religious practices, affiliations, or beliefs of the student or the student's parents; or H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall establish procedures to provide parents with the opportunity to inspect any materials created by a third party used in conjunction with any such survey, analysis, or evaluation before the survey/ evaluation is administered or distributed by the school to the student.

Consistent with parental rights, the Board directs building and program administrators to notify parents in writing of any surveys, analyses, or evaluations, which may reveal any of the information, as identified in A-H above, in a timely manner, and which allows interested parties to request an opportunity to inspect the survey, analysis, or evaluation; and the administrator to arrange for inspection prior to initiating the activity with students; and B. allow the parents the option of excluding their student from the activity.

#### **INSTRUCTIONAL MATERIAL (SEE FULL POLICY 9130.01)**

Parents/Guardians or citizens with a concern or complaint regarding instructional materials (including library materials) are urged to discuss their concerns with school employees or the principal. Should the concern remain unresolved, the complaint process will be followed.

#### **STUDENT ASSESSMENT (SEE FULL POLICY 2623)**

Student achievement and needs shall be assessed in all areas of the curriculum in order to determine their progress and to assist them in attaining District goals. Assessments scheduled for the current school year can be found on the District's website.

#### **Parental Opt out of Assessments (students)**

The Board shall excuse any student from the State examination if the student's parent submits a statement in writing to the building Principal stating the parent is opting out of the examination(s).

#### **HOMELESS CHILDREN (SEE FULL POLICY 5111.01)**

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

The District shall regularly review and revise its policies, including school discipline policies that impact homeless students, including those who may be a member of any of the Protected Classes (Policy 2260). Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include those who meet any of the following criteria: A. share the housing of other persons due to loss of housing, economic hardship, or similar reason; B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations; C. live in emergency or transitional shelters; D. are abandoned in hospitals; E. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or F. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian. The District will provide services to homeless students that are comparable to other students in the District. Please contact Jonathan Peterson, homeless liaison for the Kimberly Area School District, for additional information about the rights and services described above. Mr. Peterson can be reached at (920) 739-3578.

## **FOOD SERVICES (SEE FULL POLICY 8500)**

Substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a health care provider who has prescriptive authority in the State of Wisconsin has provided medical certification that the student's medical condition restricts their diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b. To qualify for such substitutions, the medical certification must identify: the student's medical condition or symptom and the major life activity affected by the disability; an explanation of how the condition or symptom affects the student's diet; and the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

On a case-by-case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who provide a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs, but which does not comply with the requirements above. To qualify for such consideration and substitutions the medical statement must identify: the medical or dietary need that restricts the student's diet; and the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

The District may provide a student with a substitute meal without any certification provided that the meal still meets the USDA meal pattern for reimbursement.

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

**Negative Account Balances:** Students will be permitted to purchase meals from the District's food service using either cash on hand or a food service account. A student may be allowed to incur a negative food service account balance subject to the following conditions. The Superintendent shall determine the manner of determining permissible account balances by grade level. A student shall not be permitted to purchase a la carte items without sufficient account balance or cash on hand.

Students that are receiving free or reduced-price meals will be permitted to purchase a USDA approved meal if the student has the necessary funds with him/her to purchase the meal, regardless of whether the student has a negative account balance. A student that has exceeded the permissible negative balance amount in their account and does not have cash on hand sufficient to purchase a meal will be provided an alternative meal, subject to USDA guidelines applicable to alternative meals.

The Superintendent shall, in coordination with the District's food services, assure that any alternative meals provided to any student receiving paid or reduced-price meals that is either claimed for reimbursement or charged to the student account, meets all of the requisite USDA guidelines for alternative meals.

## **CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION OBTAINED THROUGH CHILD FIND ACTIVITIES**

The Kimberly Area School District is required to locate, identify, and evaluate all children, with disabilities, including children with disabilities attending private schools in the school district, and homeless children. The process of locating, identifying, and evaluating children with disabilities is known as child find. This agency conducts the following child find activities each year: Annually, the district conducts developmental screening of preschool children. Each child's motor, communication, cognitive, and social skills are observed at various play areas.

The information is used to provide the parent with a profile of their child's current development and to provide suggestions for follow-up activities. Parents learn about community services available to them. The information from the screening is also used to determine whether a child should be evaluated for a suspected disability. When school staff reasonably believes a child is a child with a disability, they refer the child for evaluation by a school district Individualized Education Program (IEP) team. The school district gathers personally identifiable information on any child who participates in child find activities.

Parents, teachers, and other professionals provide information to the school related to the child's academic performance, behavior, and health. This information is used to determine whether the child needs special education services.

This notice informs parents of the records the school district will develop and maintain as part of its child find activities. This notice also informs parents of their rights regarding any records developed. The school district maintains several classes of pupil records:

**Progress Records:** include grades, courses the child has taken, the child's attendance record, immunization records, required lead screening records, and records of school extra-curricular activities. Progress records must be maintained for at least five years after the child ceases to be enrolled.

**Behavioral Records:** include such records as psychological tests, personality evaluations, records of conversations, written statements relating specifically to the pupil's behavior, tests relating specifically to achievement or measurement of ability, physical health records other than immunization and lead screening records, law enforcement officers' records, and other pupil records that are not "progress records." Law enforcement officers' records are maintained separately from other pupil records. Behavioral records may be maintained for no longer than one year after the child graduates or otherwise ceases to be enrolled, unless the parent specifies in writing that the records may be maintained for a longer period of time. The school district informs parents when pupil records are no longer needed to provide special education. At the request of the child's parents, the school district destroys the information that is no longer needed.

**Pupil Physical Health Records:** include basic health information about a pupil, including the pupil's immunization records, emergency medical card, a log of first aid and medicine administered to the pupil, an athletic permit card, a record concerning the pupil's ability to participate in an education program, any required lead screening records, the results of any routine screening test, such as for hearing, vision or scoliosis, and any follow-up to the test, and any other basic health information, as determined by the state superintendent. Any pupil record relating to a pupil's physical health that is not a pupil physical health record is treated as a patient health care record under sections 146.81 to 146.84, Wisconsin Statutes. Any pupil record concerning HIV testing is treated as provided under section 252.15, Wisconsin Statutes.

The Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), and section 118.125, Wisconsin Statutes, afford parents and students over 18 years of age ("eligible students") the following rights with respect to education records: The right to inspect and review the student's education records within 45 days of receipt of the request. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to those disclosures allowed by the law. The exceptions are stated in 34 CFR 99.31, Family Educational Rights and Privacy Act regulations; Sec. 9528, PL107-110, No Child Left Behind Act of 2001; and section 118.125(2) (a) to (m) and sub. (2m), Wisconsin Statutes. Disclosure without consent is permitted to school officials with legitimate educational interests. The right to obtain a copy of the policy on student records. The right to challenge Board noncompliance with a parent's request to amend the records through a hearing. The right to file a complaint with the U. S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520

## **NOTICE OF SPECIAL EDUCATION REFERRAL & EVALUATION PROCEDURES**

Upon request, the Kimberly Area School District is required to evaluate a child for eligibility for special education services. A request for evaluation is known as a referral. When the district receives a referral, the District will appoint an Individualized Education Program (IEP) team to determine if the child has a

disability, and if the child needs special education services. The district locates, identifies, and evaluates all children with disabilities who are enrolled by their parents in private (including religious) schools, elementary schools and secondary schools located in the school district.

A physician, nurse, psychologist, social worker, or administrator of a social agency who reasonably believes a child brought to them for services is a child with a disability has a legal duty to refer the child, including a homeless child, to the school district in which the child resides. Before referring the child, the person making the referral must inform the child's parent that the referral will be made. Others, including parents, who reasonably believe a child has a disability may also refer the child, including a homeless child, to the school district in which the child resides. Referrals must be in writing and include the reason for the referral. A referral may be made by contacting:

Timothy Fosshage  
Director of Pupil Services  
Kimberly Area School District  
425 S Washington St.  
Combined Locks WI 54113  
PHONE: (920)-788-7900

### **STUDENT USE OR POSSESSION OF INTOXICANTS, DRUGS, OR PARAPHERNALIA (SEE FULL POLICY 5530)**

It is the School District's policy to ensure all students have a safe environment to achieve their highest potential. In order to assure a safe environment, the School District will have "Zero Tolerance" for alcohol and other drug use or possession by students on school property and/or whenever students are at school sanctioned activities. The District shall have "Zero Tolerance" for alcohol and other drugs or possession by employees who are acting under the scope of their employment duties.

Student violation of this policy or refusal to submit to required breath testing for the presence of alcohol will result in disciplinary action which may include: A. application of approved school disciplinary practices and procedures; B. notification of law enforcement officials; C. notification of parents/guardians or legal custodians; D. notification of co-curricular advisors and the Athletic Director; E. notification of the Superintendent or designee; F. suspension from school; G. recommendation for expulsion.

The Board prohibits the use, possession, concealment, or distribution of any drug and any drug-paraphernalia at any time on District property or at any District-related event.

### **ASBESTOS MANAGEMENT NOTIFICATION**

Each primary and secondary school in the nation is required to develop a plan of management for all asbestos-containing building materials. The Kimberly Area School District has a goal to be in full compliance with this law and is following the spirit, as well as the letter of the law.

The Asbestos Management Plan is available for review in the school office. The annual report can be found on the District's website.

### **VIDEO SURVEILLANCE AND ELECTRONIC MONITORING (SEE FULL POLICY 7440.01)**

The Board has developed a policy that authorizes the use of video and audio surveillance and electronic monitoring equipment at various school sites throughout the District and on school buses.

### **WELLNESS POLICY NOTIFICATION (SEE FULL POLICY 8510)**

The Kimberly Area School District recognizes that good nutrition and physical activity are essential for students to maximize their full academic potential, reach their physical and mental potentials, and achieve lifelong health and well-being. The District Wellness Coordinator is Dave Lamers, who can be contacted at (920)730-0924.