

Policy and Legal Services Newsletter



"Miss Finch, my attorney has advised me that I'm not obligated to address the question of what I did on my summer vacation. Nonetheless, I would like to respond."

SEPTEMBER 2020

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Policy and AP Changes

ATTENDANCE IN THE REMOTE LEARNING ENVIRONMENT

has its challenges, but state law still requires teachers to verify a student's attendance and the district to have a written plan about how attendance will be taken in the remote environment. The district's plan is called our learner validated enrollment plan and it is outlined in the newly created Section III of the [S-4: Administrative Procedures, Student Attendance and Exemption from School](#). The highlights of the plan (for taking attendance while fully remote) are:

1. Teachers are expected to take and reconcile attendance each day.
2. Students will be required to complete an assignment that demonstrates their understanding of the days' learning.
3. Teachers will record attendance weekly but will be able to update the attendance logs for any student completing the required assignment(s) within ten school days. Once ten school days has passed, the student will be marked absent for any day during which they did not demonstrate attendance.

For more information about the district's learner validated enrollment plan, please refer to Section III of the S-4: Administrative Procedures or contact Dr. Tiffany Hall.

Due dates related to the **administrator evaluation process** have been **changed**, and the process to request a formal review of a summative evaluation has been clarified in [the P-10: Administrative Procedures, Personnel Evaluations and Surveys](#). For more information about the changes in due dates, refer to Sections II.F and II.G, and information about the formal review process can be found in Section I.G.2. Logan Hall is an excellent resource for all your questions related to evaluations, so be sure to reach out to him if you cannot find the answer in the administrative procedures. Fall

Have any of your parents or community members ever needed a reasonable accommodation for their disability in order to access your building? In order to ensure that our stakeholders are aware that we will provide reasonable access accommodations, we have added a new Section IV to our [G-12: Administrative Procedures, Americans with Disabilities Act](#). Site administrators are responsible for receiving and acting on those requests, so thank you in advance for your assistance in making sure our buildings are accessible for all our stakeholders. For more information on reasonable accommodations, please refer to the G-12: Administrative Procedures, or contact Mozelle Orton.

Have you ever had **students driving other students** to practice, games, or other events? Previously the district had a G-8 form that allowed parents to authorize their student to ride with another student. Based on advice from the district's insurer, Risk Management, we are eliminating that form and no longer taking any role in this practice (hear no evil, see no evil, speak no evil). Risk Management felt that we were taking on liability by playing even a limited role in this practice. So one less form for you and your staff (YAY)!!! The requirements associated with this form have also been deleted from [G-8: Administrative Procedures, Transporting Students](#). If you have any further questions about student transportation, please contact Kelly Orton.

What is the condition of your school's fields? To ensure that our fields stay in good condition, at least once a year the auxiliary staff will meet with staff at each school to assess the condition of the fields. Remember, if any group who is renting a field wants to stripe or modify it in any way, the work – if approved – needs to be performed by the appropriate district staff. For questions about field conditions or field rentals, please refer to Section III of the [C-4: Administrative Procedures, Community Use of Facilities](#), or contact Paul Schulte.

ARRESTED? CITED? CHARGED? CONVICTED? Those can be very serious and sometimes terrifying events, and while the last thing on your mind may be telling your employer, please be aware that state law requires all employees to report certain arrests, citations, charges, and convictions to their employer within 48 hours of the event. In this district, the superintendent and executive director of human resource services are designated as the individuals who need to receive that information. Additionally, state law requires that the district notify the Utah Professional Practices Advisory Commission of instances of educator misconduct. For more information about these issues, please refer to the newly created Sections VIII and IX of the [G-23: Administrative Procedures, Background Check and Employee Self-Reporting Requirements](#), or contact Mozelle Orton.



Keep or Toss?

The Records Appraisal and Management Program at the Utah State Board of Education has put together a Records Management - Quick Disposition Guide to help you get familiar with what records you need to **keep** and what records you can **Toss**. The guide gives an overview of how long you need to keep records.

You can find the guide here: <https://schools.utah.gov/file/36017cfc-b8b0-45d9-8d02-a8e42c4d04bc>.

As always, please contact me if you ever have questions regarding records retention.

Jillian Norton, GRAMA Officer and Legal Support
jillian.norton@slcschools.org or 801.578.8348

Wonder where you can find USBE's new Educator Standards? Well they moved to Utah Admin. Code R277-217, but we have also included them in the newly expanded Section III of the [P-1: Administrative Procedures, Ethical Standards and Codes of Conduct](#). Section III includes expansive lists of educator conduct that is either required and prohibited as prescribed by USBE. Please check out these new standards in the administrative procedures, and feel free to reach out to Mozelle Orton if you have any questions.

As an administrator were you overwhelmed with your student travel supervision requirements? (Now you are probably longing for some travel 😊.) Well to make things a little easier on administrators, we are now allowing administrators to designate an experienced teacher to supervise student groups who are travelling, *but* the designation cannot be last minute, the teacher must have experience supervising student groups, and the teacher must be listed as the administrator's designee on all applicable I-19 forms, including I-19D. For more specifics on this process, please refer to Section III of the [I-19: Administrative Procedures, Overnight and Extended Trips or Activities](#), or contact Roberto Muñoz.



Compliance Corner

Title IX Changes

In August, the Department of Education's new Title IX regulations related to sexual harassment went into effect. These regulations have changed how the district will handle allegations of sexual harassment that fall within the parameters of Title IX. Some important changes include the following:

- The use of a single-investigator/decision maker model is prohibited under the new regulations. As a result, [Board Policy G-19: Discrimination, Harassment, Sexual Harassment, and Retaliation Prohibited](#) has been updated and now includes two administrative procedures, G-19.A. and G-19.B.
 - The G-19.B. Administrative Procedures describe the process that will be followed when a claim of sexual harassment is made.
- Sexual harassment now has a very limited definition under Title IX (See, Definitions, Administrative Procedures, [G-19.A.](#) and [G-19.B.](#))
- The regulations require that the district dismiss Title IX complaints of sexual harassment in certain circumstances, including when the allegations (even if true) that will not meet the new definition; the alleged action(s) did not occur during a district program or activity; and/or did not occur in the United States. The regulations also outline other circumstances in which a dismissal should be considered.
 - Dismissed complaints WILL BE investigated under another more appropriate Board Policy.
- One administrator from each school will serve as the school's Deputy Title IX Coordinator and will work with the district's Title IX Coordinator, Tina Hatch, to appropriately respond to complaints of sexual harassment.
- Students who have been accused of wrongdoing MAY NOT be removed from the educational environment without an appropriate threat/risk assessment to determine whether the student poses a threat to other individuals.
- An informal process (i.e. mediation and/or restorative justice) is available to the parties involved in the complaint.
- The Investigator will provide all relevant evidence, including witness statements with names, to the parties involved in the complaint prior to writing the investigative report.
- A Decision-Making Panel will receive the investigative report and will determine whether the responding party is responsible for the behavior alleged in a complaint.

The new Title IX sexual harassment investigative process is outlined in the following flowchart (a Spanish version is forthcoming): <https://www.slcschools.org/departments/policy-and-legal-services/compliance-and-investigations/title-ix/documents/title-ix-flowchart/english/>

Any individual who feels they have been sexually harassed, or who has witnessed an incident that they feel is sexual harassment, may file a complaint at any time in person, by phone, via email, or through the online form and/or complaint button.

Please send questions regarding the new process to the attention of Tina Hatch at tina.hatch@slcschools.org.

Thanks,

Tina Hatch

Compliance Officer/Title IX Coordinator