Table of Contents

Organization, Philosophy, and Goals 5

School Board Organization 5

R0320 School Board Elections 5

R0321 School Board Officers 6

R0342 Nepotism, Conflict of Interest and Financial Disclosure 8

Meetings 11

R0410 Meetings 11

R0411 Meeting Agenda 12

General Administration 12

Religion 13

R1110 Religious Expression 13

Calendar Requirements 16

R1210 School Year and School Day 16

Equal Opportunity 18

R1300 Prohibition Against Harassment, Discrimination and Retaliation 18

R1301 Prohibition Against Sexual Harassment and Retaliation under Title IX 28

R1310 Civil Rights, Title IX, Section 504 39

School/Community Relations 46

R1405 Parent/Family Involvement in Education 46

R1420 Community Use of School Facilities 48

R1431 Code of Conduct - Adults 50

R1440 Research Requests 51

R1450 Public Access to District Documents 52

R1460 Community Involvement in Decision Making 54

Office Methods and Data Management 55

R1520 School District Annual Report 55

Private, State and Federal Programs Administration 57

R1620 Private, State and Federal Funding 57

R1621 Title I 58

Administrative Organization and Roles 62

R1720 Superintendent of Schools 62

Students 69

Nondiscrimination and Student Rights 64

R2110 Equal Education Opportunity/504 Procedural Safeguards 64

R2130 Harassment 69

R2170 Distribution of Noncurriculuar Publications by Students 82

Admission and Withdrawal 85

R2200 Student Records Request 85

R2230 Admission of Non-Tuition Students 86

R2240 Admission and Tuition - Non-Resident Students 89

R2250 Admission of Exchange Students 92

R2260 Homeless Students 94

R2270 Admission of Migrant Students 99

Attendance 100

R2310 Student Attendance 100

R2320 Part-time Attendance 102

R2330 Student Early Dismissal Procedures 104

R2340 Truancy and Educational Neglect Procedures 105

Student Academic Achievement 116

R2520 Promotion and Retention 116

R2525 Graduation Requirements 119

Discipline 120

R2610 Misconduct and Disciplinary Consequences 120
R2620 Firearms and Weapons in School 126
R2650.1 Student Drug Testing 129
R2653 Student Participation in Secret Organizations and Gangs 135
R2660 Detention 136
R2662 Suspension 137
R2663 Expulsion 140
R2664 Enrollment or Return Following Suspension and/or Expulsion 141
R2671 Student Discipline Hearings 143
R2672 Discipline of Students with Disabilities 145
R2673 Reporting of Violent Behavior 149
Student Welfare 152
R2710 Reporting Student Abuse 152
R2740 Student Safety 153
R2750-ADF District Wellness Program 156
R2760 Students in Foster Care 168
R2765 Transfer of Care and Custody 169
R2785 Student Suicide Awareness 171
Activities and Athletics 190
R2910 Student Publications 190
R2920 Interscholastic Activities and Athletics 198
R2921 Participation by Non-Traditional Students 202
R2940 Student Group Use of School Facilities 204
Student Services 176
R2850 Inoculations of Students 176
R2860 Students with Communicable Diseases 178
R2870 Administering Medicines to Students 181
R2875 Student Allergy Prevention and Response 186
Student Educational Records 106
R2400 Student Educational Records 106
R2410 Health Information Records 114
Financial Operation 205
Financial Management 205
R3100 Financial Management 205
R3110 Preparation of Budget 206
R3140 Banking Services 207
R3155 Payments from Federal Awards/Cash Management 208
R3160 Investment of District Funds 209
Procurement Standards - Federal Contracts 215
R3165 Preocurement Standards-Federal Contracts 215
Financial Management 222
R3166 Federal Awards - Allowable Costs 222
Payroll 225
R3230 Expenditures for Certificated Staff 225
Revenue 227
R3320 Tax Rate Hearing 227
R3330 Bonded Indebtedness 228
R3380 Sale/Lease of Real Property 229
Accounting and Reporting 230
R3440 Travel and Reimbursement 230
R3450 Sales Tax 232
Financial Disclosure 233
R3480 Bond Proceeds Reporting 233
Personnel Services 236
Employment 236

R4120 Employment Procedures **236**
R4130 Certified Staff Contracts **239**
Personnel Assignment and Transfer 240
R4220 Certificated Staff Duties, Schedules and Working Hours **240**
R4221 Support Staff Duties, Schedules and Working Hours **241**
Absences, Leave and Vacation 244
R4320 Personnel Leave **244**
R4321 Family and Medical Leave **250**
R4322 Domestic/Sexual Violence Victim Leave **251**
Professional Activities, Training and Professional Growth 263
R4411 Professional Development Program **263**
R4420 Conferences and Travel **265**
R4440 Mentoring **266**
Compensation 270
R4540 Group Insurance Benefits **270**
Separation 271
R4710 Resignation: Certificated Staff **271**
R4730 Nonrenewal/Termination: Probationary Teacher **273**
R4731 Termination of Contract: Permanent Teacher **275**
R4732 Termination of Employment: Administrators **277**
R4740 Reduction In Force: Certificated Staff **278**
R4741 Reduction in Force: Support Staff **280**
Staff Welfare 281
R4810 Sexual Harassment/Title IX **281**
R4820 Employees with Communicable Diseases **291**
R4830 Board/Staff Communications **292**
R4831 Collective Bargaining **293**
R4840 Conflict of Interest **298**
R4850 Staff Dispute Resolution (Grievance Procedure) **299**
R4871 Driver Drug Testing **302**
Support Services 313
Building and Grounds Management 313
R5110 Building and Grounds Maintenance and Inspection **313**
R5130 Energy Conservation Measures **314**
Safety, Security and Communications 316
R5210 Hazardous Materials **316**
R5230 Accident Reporting **317**
R5240 Weather, Earthquake and Fire Emergencies **319**
Inventory Management 322
R5410 Inventory Requirements **322**
Food Service Program 323
R5540 Food Safety **323**
Transportation 326
R5620 Student Transportation Services **326**
R5660 Field Trips **328**
R5661 Field Trip Tranportation in Private Vehicles/Common Carriers **331**
Data 332
R5710 Data Governance **332**
Instructional Services 338
Curriculum Services 338
R6145 Service Animals in Schools **338**
R6190 Virtual Education **340**
Instruction 343
R6230 Textbook Selection and Adoption **343**
R6231 Textbook Usage - Students **344**

R6241 Challenged Materials 345
R6250 Instruction for Students with Disabilities 349
R6255 Independent Educational Evaluation Procedures for Students with Disabilities Under the IDEA....352
R6270 Instruction for At-Risk Students 358
R6273 Instruction for Homeless Students....359
R6275 Homebound Instruction for Non-Disabled Students 363
Library, Media and Technology Services....366
R6310 School Libraries 366
R6320 Internet Usage 369
Office Methods and Data Management 375
R6531 Records Retention/Destruction 375
Facilities Development....376
Facilities Planning and Design....376
R7120 Procurement of Architects, Engineers and Land Surveyors 376
R7130 Construction Manager Selection 377
R7131 Design-Build Selection 379
R7132 Construction Manager Selection 383

ORGANIZATION, PHILOSOPHY AND GOALS **Regulation 0320**

School Board Organization

School Board Elections

December _____	**Pick up packet** Board Office Post Notice of Annual School Election in Schools, Public Library, and City Hall
December _____	**First day for filing by candidates** Board Office, - 8 a.m. - 5:00 p.m. (sixteenth (16th) week prior to election)
January _____	**Last day for filing** Board Office, - 8 a.m. - 5:00 p.m. (eleventh (11th) week prior to election)
February _____	**Certification of Candidates for Board of Education** to be signed by the Board Secretary and forwarded to Board of Election Commissioners. (Certification forms are to be in election headquarters no later than tenth (10th) week prior to election by 5 p.m.)[1]
April _____	**Election Day**

Poll watchers are not allowed for non-partisan election.

Board Adopted September 18, 2014
Board Updated August 15, 2019

[1] This date is also the ***withdrawal deadline*** for election.

ORGANIZATION, PHILOSOPHY AND GOALS **Regulation 0321**

School Board Organization

School Board Officers

President

It shall be the duty of the President to:

1. Preside when present at all Board meetings.

2. Appoint special committees of the Board. There shall be no standing committees.

3. Sign all warrants ordered drawn by the Board.

4. Sign all contracts or documents as appropriate by virtue of approval of the Board or by virtue of holder if the office of President.

5. Call special meetings of the Board when in the President's judgment meetings are necessary.

6. Perform any other duties authorized by the Board or by State law.

Vice-President

It shall be the duty of the Vice-President to perform all the duties of the President in case of the absence or disability of the President.

Secretary

It shall be the duty of the Secretary to:

1. Keep a complete, accurate and regular record of all proceedings of all regular and special meetings of the Board of Education.

2. Post all notices required by law when duly ordered by the Board.

3. Make and file all reports as required by law.

4. To be present at all regular and special meetings of the Board.

5. Sign all documents, orders, and reports required by law or as appropriate after approval of the Board.

6. Receive and acknowledge official correspondence of the Board.

7. Preside at meeting of the Board if both President and Vice-President are absent until a president Pro Tem can be chosen, or if a quorum is present.

8. Perform all other duties as authorized by the Board or State law.

Treasurer

It shall be the duty of the Treasurer to:

1. Act as custodian of all moneys belonging to the School District.

2. Sign all checks paid by the Board of Education.

Board Adopted September 18, 2014
Board Reviewed August 15, 2019

ORGANIZATION, PHILOSOPHY AND GOALS **Regulation 0342**
(Form 0342)

School Board Organization

Nepotism, Conflict of Interest and Financial Disclosure

Contractual and Business Relationships

No Board member or District employee may:

1. Perform a service, sell, rent or lease any property to the District for consideration of in excess of five hundred dollars ($500.00) value per transaction or five thousand dollars ($5,000.00) value per annum to him/her, or to their spouse, to a dependent child in his/her custody, or to a business with which member or employee is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and, in the case of personal property, competitive bidding, provided that the bid or offer accepted is the lowest received.

2. Attempt, for any compensation other than the compensation provided for the performance of his/her official duties, to influence the decision of the Board or the District on any matter.

Business Entities

No partnership, joint venture, or corporation in which any Board member is a partner having the lesser of a ten percent (10%) interest or a ten thousand dollar ($10,000) value partnership interest, or a co-participant or owner of outstanding shares of any class of stock with a fair market value equal to the lesser of ten percent (10%) of the outstanding shares or $10,000, shall:

1. Perform any service for the District for any consideration in excess of five hundred dollars ($500) per transaction, or five thousand dollars ($5,000) per annum, unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received.

2. Sell, rent or lease any property to the District where the consideration is in excess of five hundred dollars ($500) per transaction, or five thousand dollars ($5,000) per annum, unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received.

Use of Confidential Information

A Board member shall not use or disclose confidential information obtained in his/her official capacity in any manner with the intent to cause financial gain for himself/herself, any other person, or any business. This also precludes the use of mailing lists or the school mail for any communication other than that directly related to school matters. The term Confidential Information shall mean all information whether transmitted orally or in writing which is of such a nature that it is not, at that time, a matter of public record or public knowledge.

Acceptance of Gifts

A Board member shall not solicit or accept gifts, payments, or anything greater than a nominal value item or holiday gifts of nominal value from any person, organization, group or entity doing business or desiring to do business with the District.

Contact Between Vendors and Board Members

A Board member, if contacted by a vendor requesting information about the District's bidding procedures, whether of a general nature or with regard to a specific goods or service to be bid, shall provide the vendor with the name and business telephone number of the District's Business Manager. The Board member shall request that the vendor contact the Business Manager and direct all questions concerns to him/her.

Post Service/Employment

Neither a Board member, nor a District employee serving in an administrative capacity, may perform any service for consideration during one year after termination of his or her employment or office, by which performance he or she attempts to influence a decision of the Board of Education.

Financial Interest Statement

All Board members will disclose to the public all potential Board member and employee conflicts of interest including:

1. Transactions in excess of five hundred dollars ($500) per calendar year between a Board member, Superintendent, chief purchasing officer, or general counsel employed full time, and any person related within first degree consanguinity (see Form 0342) to such persons and the School District, excluding compensation received as an employee or payment of any tax, fee or penalty due to the District. Disclosure will include the dates and identities of the parties in the transaction.

2. Transactions between any business entity in which such individuals have a substantial interest[1] with a total in excess of five hundred dollars ($500), and the School District, excluding any payment of tax, fee or penalty due to the District or payment for providing utility service to the District. Disclosure will include the dates and identities of the parties in the transactions.

The Superintendent and chief purchasing officer will make written disclosure of the following:

1. The name and address of each employer who provided income of one thousand dollars ($1,000) or more to the Superintendent or chief purchasing officer.

2. The name and address of each sole proprietorship which the individual owned; the name, address and general nature of business conducted by each general partnership or joint venture in which he/she was a partner or participant; the name and address of each partner or co-participant in the partnership or joint venture unless the information is already filed with the Secretary of State; the name, address, and general nature of business or any closely held corporation or limited partnership in which the individual owned ten percent (10%) or more of any class of the outstanding stock or limited partner's units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system which the individual owned two percent (2%) or more of any class of outstanding stock, limited partnership units, or other equity interests.

3. The names and addresses of each corporation for which the individual served as director, officer, or receiver.

A certified copy of this regulation shall be sent to the Missouri Ethics Commission within ten (10) days of the adoption. Disclosure reports will be filed by May 1 for the preceding calendar year with the commission and the District's Board of Education, and the reports will be made available to the public during normal business hours.

The Board of Education shall readopt this policy biennially on or before September 15 of the calendar year.

*****

August 2016, Copyright © 2016 Missouri Consultants for Education
Board Adopted October 16, 2014
Board Updated October 20, 2016
Board Reviewed September 19, 2019

[1] "Substantial Interest" is defined as ownership by the individual, his/her spouse, or dependent children, either singularly or collectively, of ten percent (10%) or more of any business entity, or an interest having a value of ten thousand dollars ($10,000) or more, or receipt of a salary, gratuity or other compensation of five thousand dollars ($5,000) or more from any individual, partnership, organization or association within any calendar year.

ORGANIZATION, PHILOSOPHY AND GOALS **Regulation 0410**

Meetings

Meetings

The Board of Education permits its open sessions to be audio or video recorded subject to the following restrictions:

1. No additional artificial lighting may be used for a video recording.

2. Individuals wishing to video record an open session of the Board must locate themselves behind individuals attending the meeting.

3. No microphones may be placed on or near the tables where the Board and the administration are seated for purposes of individual audio recording.

4. Board meetings will not be interrupted to respond to questions or requests from individuals recording the meeting.

These guidelines are adopted to minimize disruption of Board meetings and to minimize any inconvenience to individuals attending the Board meetings.

Board Adopted November 20, 2014
Board Reviewed October 17, 2019

Meetings

Meeting Agenda

Order of Business

The President of the Board, upon taking the chair, shall call the members to order, on the appearance of a quorum. The order of business shall be as follows, unless changed by the President:

1. Call to Order
2. Announcements
3. Citizen Comments
4. Approval of Previous Minutes
5. Superintendent's Reports and Recommendations
6. Other Items
7. Adjournment

Parliamentary Procedure

In all matters not covered by the Rules of the Board, parliamentary procedure shall be governed by ***Robert's Rules of Order***.

Vote of Member

Unless excused every member present shall vote on all questions, and no member shall leave before the close of the session without permission of the president. Members may participate fully via videoconferencing. If the meeting is required due to a bona fide emergency, and if the nature of the emergency is stated on the record, members may also participate in roll call votes by other electronic means, including telephone.

Board Adopted November 20, 2014
Board Reviewed October 17, 2019

 Copyright © 2014 Missouri Consultants for Education

Religion

Religious Expression

In order to ensure clarity in application of the District's religious expression policy, the following guidelines have been developed and implemented.

Prayer During Noninstructional Time

Students are permitted to engage in religious expression during noninstructional time, i.e., before school, after school, during lunch and recess and while not engaged in school activities. Religious expressions permitted include Bible reading, prayer, scripture reading, saying grace before meals. However, the exercise of constitutional rights of religious expression may not be engaged in when the expression disrupts educational activities or school-sponsored activities. The decision to participate or not participate in religious expression is a matter of individual choice. No student will be permitted to harass or intimidate other students to participate or refrain from participating in religious expression.

Access of Student Religious Groups to School Media

Religious related student groups will be given the same access to school facilities and school communications as are given to other noncurricular student groups. For example, and to the extent that noncurricular student groups are permitted to advertise in school media, participate in school announcements, make use of student activity bulletin boards and hand out leaflets announcing group activities, religious related groups will be given the same privileges. In all instances, the District maintains the right to control the means and timing of such activities. In all such matters, the District neither favors nor disfavors religious related student groups or the activities sponsored by such groups.

Release Time for Religious Activities

Upon written parental request, students may be released from school to participate in off-premises religious instruction or to satisfy religious obligations. Students who are released from class for religious activities will not be penalized for missing school. However, such students will be responsible for all assignments and for the content of lessons missed. The District will not provide transportation to or from off-premises for religious observances and will not be responsible for the safety or welfare of students while away from school.

Religious Expression in Class Assignments

Students are free to express their personal beliefs about religion in homework assignments, artwork or other written or oral assignments.

Such assignments will be evaluated by teachers based upon academic standards of substance, quality and relevance. Students will neither be rewarded nor penalized because of the religious content or lack of religious content in their assignments.

Student Assemblies and Extracurricular Activities

Generally, school administrators will determine or substantially control the content of what is expressed at student assemblies and at extracurricular activities. In such cases religious expression will not be permitted as the religious expression may be attributed to the school or seen as an endorsement of a particular religious belief or expression. However, in instances where students are selected to speak at assemblies based upon neutral selection criteria and where the student speaker has primary control over the content of his/her oral presentation, the school will not restrict the student speech because of its religious or anti-religious content. In such cases, school authorities will publicly clarify that the content of the student's speech is the speaker's and not the school's.

Prayer at Graduation/Baccalaureate Ceremonies

Where students or other graduation speakers are selected on the basis of neutral criteria and retain control over the content of their speech, the content of the speech will not be restricted because of the religious or anti-religious content of the speech. The school disclaims responsibility for such speech - neither encouraging nor discouraging its content. However, neither District nor school officials may direct or encourage prayer at graduation or select speakers because of the expectation that such speakers will include religious expressions in their speech.

To the extent that the District makes its facilities and related services available to private groups, the District will provide similar access and on similar terms to private groups for a baccalaureate ceremony. The District and the school will not mandate student attendance nor participate in the organization of the ceremony. School employees are free to attend but will not be required to attend the private baccalaureate ceremony.

Religious Activities of School Employees

When not engaging in work-related activities, i.e., before school or during lunch, school employees may take part in religious activities such as prayer or Bible study. Such activities should be conducted in private in order to avoid the appearance that the employees are acting in their employment responsibilities. School employees are prohibited from encouraging or discouraging religious expression and from actively participating in religious expression with students.

Religious Emblems or Garments

School personnel shall not require students to remove religious emblems or garments if they are worn in a non-disruptive manner.

Certification of Compliance

The District will provide annual written certification of compliance that the District does not maintain any policy that prevents or denies participation in constitutionally protected prayer in public elementary and secondary schools. This certification will be provided to the Missouri Department of Elementary and Secondary Education on or by October 1 annually. A copy of the certification will be maintained in the District's administration office and will be available for public review.

Last Modified: July 11, 2005

Board Adopted December 16, 2005
Board Reviewed January 22, 2015
Board Reviewed December 19, 2019

Calendar Requirements

School Year and School Day

Alternative Methods of Instruction

Beginning in school year 2020-21, the District may use a DESE approved alternative method of instruction to compensate for certain hours lost due to exceptional and/or emergency circumstances. "Exceptional or emergency circumstances" include, inclement weather, a utility outage or an outbreak of a contagious disease.

Notification of Parents and Students

If the District utilizes such DESE approved alternative method of instruction plan, the District will notify students and parents on each day of the closure. In these circumstances, the District will ensure that each student receives assignments for that day in hard copy or receives instruction through virtual learning or another form of instruction.

Limitation on Utilization of Instruction Method

Alternative methods of instruction can be utilized for a maximum of thirty-six (36) hours during a school year. Days lost or cancelled beyond thirty-six (36) hours, will be made up in the scheduling of replacement days.

Application for Use of Alternative Methods of Instruction

The District's application to DESE will describe:

1. Manner in which the District intends to strengthen and reinforce instructional content.
2. Means of communicating to students and parents the decision to implement alternative methods.
3. Process for communicating the purpose and expectation of alternative changes.
4. Communication of proposed expectations.
5. Assignments and materials to be used.
6. Manner in which attendance will be determined.
7. Instruction methods to reach students electronically and to reach students without internet access.
8. Instructional methods for IEP students.
9. Role and responsibility of certified personnel to be available to communicate with students.

*****

August 2019, Copyright © 2019 Missouri Consultants for Education, LLC

Board Adopted October 17, 2019

GENERAL ADMINISTRATION **Regulation 1300**
(Form 1300)

Equal Opportunity

Prohibition Against Harassment, Discrimination and Retaliation

Harassment or discrimination because of an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic protected by law is prohibited in this District. The District also prohibits retaliation against a person who files a complaint of discrimination or harassment or participates in an investigation of allegations of harassment or discrimination.

This Regulation governs and outlines the procedure for filing a complaint by students, employees, parents, and patrons of the District alleging harassment, discrimination, or related retaliation based on a protected classification under the laws identified in Policy 1300 (outside of Title IX). A complaint regarding sexual harassment or related retaliation of a student or employee under Title IX and that is alleged to have occurred on or after August 14, 2020, should be filed in accordance with the procedures outlined in Regulation 1301. A complaint regarding the identification, evaluation, educational program, or placement of a child with a disability under Section 504 of the Rehabilitation Act of 1973 should be filed in accordance with the procedures outlined in Regulation 2110.

DISTRICT'S COMPLIANCE OFFICER

The following person has been designated as the District's Compliance Officer to handle inquiries or complaints regarding the District's non-discrimination policies:

Chris Healy
510 East Avenue
Grant City, MO 64556-8312
(660) 564-3389
chealy@wc.k12.mo.us

The District has designated the Compliance Officer with the responsibility to identify, prevent, and remedy unlawful discrimination and harassment in the District. The Compliance Officer is in charge of assuring District compliance with this Policy and Regulation, Title VII of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; as well as other state and federal nondiscrimination laws. See Regulation 1301 for the individual(s) designated by the District to be the Title IX Coordinator with the responsibility to identify, prevent, and remedy unlawful harassment and related retaliation in accordance with Title IX of the Education Amendments of 1972.

The Compliance Officer will:

1. *Receive complaints of discrimination or harassment based on an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic protected by law.

2. Oversee the investigative process.

3. Assess the training needs of District staff and students in connection with the dissemination, comprehension, and compliance with this Regulation.

4. Arrange for necessary training required for compliance with this Regulation.

5. Insure that investigations are conducted by an impartial investigator.

6. In the event the complaint is about the Compliance Officer or Compliance Officer's immediate supervisor, the District will consider appointment of an outside investigator.

*If any complaint involves allegations against the Compliance Officer, the Complaint shall be filed directly with the Superintendent, unless the Superintendent is the Compliance Officer, or President of the Board of Education.

DEFINITIONS

For the purpose of this Regulation, the following terms are defined:

Compliance Officer: The District employee(s) designated by the Board of Education to coordinate the District's compliance with District policy, Missouri statutes, and federal laws regarding discrimination, harassment and retaliation based on an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic or any other characteristic that is protected by law.

Day: A calendar day. All timeframes and deadlines may be extended by the District for good cause, including but not limited to Board-approved holiday breaks and building closures.

Disability: A physical or mental impairment that substantially limits a major life activity.

Discrimination: Adverse conduct directed at an individual or group based on race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law. The encouragement, cooperation, coercing, or support of adverse conduct that is based on race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law is discrimination.

Harassment: Harassment is conduct, including but not limited to, intimidation, ridicule or insult, toward an individual or group because of race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law and is so severe or pervasive that it:

- Affects an individual's ability to work in, participate in, or benefit from an educational program or activity; and

- Creates an intimidating, threating, abusive hostile or offensive environment; or

- Has the purpose or effect of substantially or unreasonably altering the work or educational environment.

For the purposes of this Regulation, sexual harassment is defined as unwelcome conduct of a sexual nature or based upon sex when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or consequence is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the district's programs and activities or the conditions of employment.

A student regardless of age cannot consent to behavior of a sexual nature with an adult irrespective of the circumstances.

Retaliation: Adverse conduct including, but not limited to, conduct of a coercive, intimidating, threatening, discriminatory, or harassing nature because of an individual's good faith complaint, participation in the investigation, testifying, or resolution of discriminatory or harassing conduct based on an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law.

Student: An individual that is currently enrolled as a student of the District.

Illustrations and Examples of Prohibited Harassment

For the purpose of this Regulation, the determination if conduct as unwelcome is a fact-intensive question that shall be considered on a case-by-case basis.

Examples of Sexual Harassment

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Legitimate, non-sexual physical conduct necessary to avoid physical harm to persons or property, to console an individual, or spontaneous movement during a sporting activity is not sexual harassment.

Depending on the circumstances and application of the definitions immediately above in this Regulation, examples of conduct which may or may not constitute sexual harassment, include, but are not limited to:

- sexual advances;
- request for sexual favors;
- threatening an individual for not agreeing to submit to sexual advancement;
- sexually motivated touching of an individual's intimate parts;

- coercing, forcing, or attempting to coerce or force the touching of an individual's intimate parts;
- display of drawings, graffiti, cartoons, pictures, symbols or other written material of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- sexually provocative or explicit speech;
- communications about or rating an individual as to his/her body, sexual activity, or performance; and
- verbal abuse of a sexual nature.

Examples of Race, Color, Nation Origin, Ancestry, Religion, Disability, Age or Genetic Information Harassment

As defined in this Regulation, examples of conduct that may be considered harassment based on an individual's race, color, national origin, ancestry, religion, disability, age, or genetic information, or any other characteristic that is protected by law include, but are not limited to:

- display of drawings, graffiti, cartoons, pictures, symbols or other written material;
- jokes;
- gestures;
- slurs, derogatory stereotypes or remarks, rumors, name-calling, insults, teasing, or taunting;
- threats or intimidating conduct;
- hostile action, physical aggression or violence; and
- damage or theft of property.

OBLIGATION TO REPORT

The District is steadfastly committed to providing an inclusive environment that is free from discrimination and harassment for all of its students and staff. Unless a concern is informally resolved, staff and students shall report all incidents of discrimination, harassment and retaliation to the Compliance Officer as set forth in this Regulation. When a formal complaint is filed with the Compliance Officer, the investigation and complaint process detailed below will be used, including a possible determination by the Compliance Officer that the incident has been

appropriately addressed through the informal process. Reports of discrimination, harassment and/or related retaliation must contain as much specific information as possible to allow for proper assessment of the nature, extent and urgency of preliminary investigative procedures.

INTERIM MEASURES

The District will take action to protect a complainant or persons subjected to discrimination, harassment, or retaliation as necessary during the course of an investigation. Appropriate interim measures will be offered and may include, but are not limited to, physical separation, contact limitations, reassignment, alternative work or assignments, altering class or bus seating assignments, additional supervision, counseling, training, warning, conferences, exclusion and employee suspension pending an investigation as permitted by the District's policies and law. Additional interim measures to prevent retaliation may include, but are not limited to, notification of the retaliation prohibition, confirming the individual knows how to report retaliation, and follow-up contact.

INVESTIGATION AND RESPONSE

The District will investigate allegations of harassment, discrimination, and/or retaliation and take appropriate steps reasonably calculated to resolve the situation, eliminate the misconduct, prevent its recurrence and as appropriate, remedy its effects. The District will take equitable and remedial action within its authority on complaints that come to the attention of the District, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement and/or the Children's Division. Regardless of whether the misconduct is reported to law enforcement and/or the Children's Division, school staff will investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation.

Engaging in harassment, discrimination, and/or retaliation will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in District activities. Anyone else who engages in harassment, discrimination, and retaliation on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Employees and students should fully cooperate with investigation process.

Informal Process for Resolution

The District takes seriously the obligation to investigate complaints of discrimination, harassment, or retaliation and to take appropriate remedial measures when necessary. The District recognizes that the obligation to investigate and remedy may be accomplished through an informal process, depending on the circumstances.

Anyone may use informal procedures to report and resolve complaints of harassment,

discrimination, and retaliation. If a staff member receives an informal complaint of harassment, discrimination, and/or retaliation and the complaint cannot be resolved informally, the staff member shall inform their relevant building administrator or supervisor. The administrator/supervisor may attempt to resolve the matter informally and should inform complainants of this Regulation.

Building administrators/supervisors shall provide information to the Compliance Officer on a regular basis about complaints reported and resolved through the informal process.

Informal complaints may become formal complaints at the request of the complainant, parent/guardian, or the District.

During the course of the informal complaint process, the District will take prompt and effective steps reasonably calculated to end the harassment, discrimination, and retaliation and to correct any effects on the complainant.

Informal remedies may include, but are not limited to:

- If the complainant so desires, an opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- Developing a safety plan;
- Separating students; or
- Providing staff and/or student training.

The District will inform the complainant (and their parent/guardian when applicable) how to report any subsequent problems. Additionally, the District may conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems.

Formal Process for Resolution

Step One – Complaint to District

Anyone may initiate a formal complaint of harassment, discrimination, or retaliation by filing a written complaint with the District's Compliance Officer. At any step in the formal resolution process, where appropriate, the District will take interim measures to protect the complainant or alleged victim before the final outcome of the District's investigation. Additionally, the District may appoint an outside investigator at any step of the informal or formal resolution process. A subordinate shall not investigate his/her supervisor.

The following process will be followed at Step One:

Filing of Complaint

- All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute harassment, discrimination or retaliation. The Compliance Officer may draft the complaint based on the report of the complainant for the complainant to review and approve. The Compliance Officer may also conclude that the District needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.

- Formal complaints must be submitted to the Compliance Officer.

- A charge or complaint of discrimination, harassment, or retaliation filed with an outside agency does not constitute a formal complaint or trigger an obligation to follow the formal complaint investigation procedures as contemplated under this Regulation.

Investigation of Complaint

- The Compliance Officer will receive and investigate all formal, written complaints of harassment, discrimination or retaliation or will investigate if information in the Officer's possession leads them to believe further investigation is required. The Compliance Officer will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Compliance Officer will provide the complainant a copy of this Regulation.

- Investigations will be carried out in a manner that is adequate in scope, reliability and impartiality. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused party, will have an opportunity to identify witnesses and present relevant evidence. The District and complainant may also agree to resolve the complaint in lieu of an investigation.

- When the investigation is completed, the Compliance Officer will compile a written report of the investigation. The report may include a recommendation of appropriate action to remedy the allegations included in the complaint. The Compliance Officer will forward the report and recommendations to the Superintendent. If the Superintendent is the subject of the complaint, the report and recommendations will be forwarded to the Board President.

Response to Complaint

- The Superintendent will review the report completed by the Compliance Officer.

- The Superintendent will respond in writing with a Letter of Outcome to the complainant and the accused party within **thirty (30)** calendar days of the Compliance Officer's receipt of the written complaint, unless otherwise agreed to by the complainant or if circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the District will notify the complainant in writing of the reason for the extension and the anticipated response date.

- The Letter of Outcome will include: 1) a statement of the outcome of the investigation including whether a preponderance of the evidence establishes that harassment, discrimination, and/or retaliation occurred in violation of Policy 1300; 2) if violation of Policy 1300 is found to have occurred, the assurance that the District will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; and 3) notice of the right to appeal to the school board and the necessary filing information.

- Any corrective measures deemed necessary will be instituted as promptly as reasonable.

- The District will inform the complainant (and their parent/guardian if the complainant is a student) how to report any subsequent problems. Additionally, where appropriate the District will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to respond and appropriately address continuing or new problems.

- If the Superintendent is the subject of the complaint, the actions set forth herein to be completed by the Superintendent will be completed by the Board President.

Step Two – Appeal to Board of Education

Notice of Appeal

- The complainant or accused party may appeal to the Board of Education by filing a written notice of appeal with the secretary of the Board within **ten (10)** calendar days following receipt of the Letter of Outcome.

- On receipt of the written appeal, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting, unless otherwise agreed to by the complainant and the superintendent or for good cause.

- Parties will be allowed to provide comment and information as the Board deems relevant and material.

Board Decision

- Unless otherwise agreed to by the appealing party, the Board will provide written notice of its determination within **thirty (30)** calendar days following the filing of

the notice of appeal and provide the appealing party with a copy of the determination.

RETALIATION

The District prohibits retaliation against a person who files a complaint of discrimination or harassment, and further prohibits retaliation against a person who participates in related proceedings or investigations.

Notwithstanding this provision, employees or students found to have intentionally made false or materially misleading allegations of suspected discrimination, harassment and/or related retaliation under this Regulation may be disciplined, up to and including dismissal or expulsion.

CONFIDENTIALITY

The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses to the extent possible, consistent with applicable law, the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. However, pursuant to the District's discretion, information may be disclosed, if necessary, to aid in the investigation, resolution, or appeal of the complaint.

CONSEQUENCES AND REMEDIES

The District will take prompt, effective and appropriate action to address substantiated discrimination, harassment or retaliation, prevent its recurrence and remedy its effects.

Consequences

Consequences for violations of this Policy and Regulation may have educational, restorative, rehabilitative and/or punitive components.

Conduct constituting harassment, discrimination or retaliation as defined in this Regulation will be subject to discipline including, but not limited to, written warning or reprimand, conference, required training, "no contact" order, reassignment, probation, suspension or termination for employees, suspension or expulsion for students, or exclusion from District property.

In the event that the evidence suggests that the conduct at issue is also a crime in violation of a Missouri criminal statute, the District Compliance Officer shall report the conduct to the appropriate law enforcement agency charged with responsibility for handling such crimes.

As required by and in compliance with law and District policy, a report will be made to the Missouri Children's Division if there is reasonable cause to suspect abuse or neglect of a child.

Students, employees and others will not be disciplined for speech in circumstances where it is protected by law.

Remedies

The District will consider remedies for the victim as appropriate including, but are not limited to, providing additional resources such as counseling, moving or reassignment of the perpetrator, or allowing the victim to retake or withdraw from a class.

An allegation of discrimination, harassment and/or related retaliation complaint may not necessarily stop, delay or affect pending personnel actions. This includes, but is not limited to, performance evaluations or disciplinary actions related to a reporter who is not performing at acceptable levels or standards or who has violated district policies or regulations.

TRAINING & PUBLICATION OF POLICY

The District will train its employees on this Policy and Regulation. The training will include the requirements of nondiscrimination and the appropriate responses to discrimination, harassment, and retaliation. The District will notify its employees to report complaints of discrimination, harassment or retaliation in accordance with this Policy. This training will be provided to employees on an annual basis, and at such other times as the Superintendent, in consultation with the District's Compliance Officer, determines is necessary or appropriate. Additionally, the District will provide additional training to the District Compliance Officer on identifying, investigating, and reporting on acts that may constitute discrimination, harassment or retaliation. District students will be notified regarding this Policy. This Policy will be posted on the District's website and available in Central Office.

*****

August 2020, Copyright © 2020 Missouri Consultants for Education, LLC

Board Updated September 17, 2020

Equal Opportunity

Prohibition Against Sexual Harassment and Retaliation under Title IX

This Policy governs a complaint of sexual harassment or retaliation of a student or employee, as such conduct is defined and regulated under Title IX of the Education Amendments of 1972, and that is alleged to have occurred on or after August 14, 2020. If any provision of Title IX or its regulations is held invalid or unenforceable by a court, agency, or department with legal jurisdiction over the District, the corresponding provisions in this Policy shall likewise be rendered invalid and not enforced.

A complaint by students, employees, parents, and patrons of the District alleging harassment, discrimination, or related retaliation based on a protected classification under the laws identified in Policy 1300 (outside of Title IX) should be filed in accordance with the procedures outlined in Regulation 1300. A complaint regarding the identification, evaluation, educational program, or placement of a child with a disability under Section 504 of the Rehabilitation Act of 1973 should be filed in accordance with the procedures outlined in Regulation 2110.

DISTRICT'S TITLE IX COORDINATOR

The following person has been designated as the District's Title IX Coordinator:

Chris Healy
510 East Avenue
Grant City, MO 64556-8312
(660) 564-3389
chealy@wc.k12.mo.us

The District has designated the Title IX Coordinator with the responsibility to identify, prevent, and remedy unlawful harassment and retaliation under Title IX in the District. The Title IX Coordinator is in charge of assuring District compliance with Regulation 1301 and Title IX of the Education Amendments of 1972. See Policy and Regulation 1300 for the individual(s) designated by the District to be the Compliance Officer with the responsibility to identify, prevent, and remedy unlawful discrimination and harassment in accordance with Title VII of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; as well as other state and federal nondiscrimination laws.

DEFINITIONS

For the purpose of this Regulation, the following terms are defined:

Actual Knowledge: Notice of sexual harassment or allegations of sexual harassment to any employee (other than the respondent) in an education program or activity of the District against a person in the United States. Actual knowledge does not include constructive notice.

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Day: A calendar day. All timeframes and deadlines may be extended by the District for good cause, including but not limited to Board-approved holiday breaks and building closures.

Education program or activity: Locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

Formal complaint: A document filed by a complainant, or a parent or legal guardian of a student complainant, alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. Additionally, a formal complaint can be completed and signed by the Title IX Coordinator, if , in their sole discretion, they conclude that the District needs to conduct an investigation based on information in their possession, regardless of the complainant's interest in filing a formal complaint. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District. The complainant must physically or digitally sign the formal complaint, or otherwise indicate that the complainant is the person filing the formal complaint. If the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant.

Respondent: An individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

Retaliation: Intimidation, threats, coercion, or discrimination of an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report of complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this Regulation.

Sexual harassment: Conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning an aid, benefit, or service of an education program or activity on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or

3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or stalking" as defined in 34 U.S.C. 12291(a)(30).

Supportive measures: Non-disciplinary, non-punitive, individualized services. Appropriate supportive measures shall be offered to the complainant and may be offered the respondent, as appropriate and depending on the individual circumstances of the situation. Supportive measures

may include, but are not limited to, physical separation, contact limitations, reassignment, alternative work or assignments, altering class or bus seating assignments, additional supervision, counseling, training, and conferences.

Illustrations and Examples of Prohibited Sexual Harassment

For the purpose of this Regulation, the determination if conduct is prohibited under Title IX is a fact-intensive question that shall be considered on a case-by-case basis. Legitimate, non-sexual physical conduct necessary to avoid physical harm to persons or property, to console an individual, or spontaneous movement during a sporting activity is not sexual harassment.

Depending on the circumstances and application of the definitions immediately above in this Regulation, examples of conduct which may or may not constitute sexual harassment, include, but are not limited to:

- sexual advances;
- request for sexual favors;
- threatening an individual for not agreeing to submit to sexual advancement;
- sexually motivated touching of an individual's intimate parts;
- coercing, forcing, or attempting to coerce or force the touching of an individual's intimate parts;
- display of drawings, graffiti, cartoons, pictures, symbols or other written material of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- sexually provocative or explicit speech;
- communications about or rating an individual as to their body, sexual activity, or performance; and
- verbal abuse of a sexual nature.

OBLIGATION TO REPORT

The District is steadfastly committed to providing an inclusive environment that is free from sexual discrimination and harassment for all of its students and staff. Staff with actual knowledge of behaviors that may constitute sexual harassment and related retaliation as defined in this Regulation shall report it to the Title IX Coordinator. When a formal complaint is filed with the Title IX Coordinator, the grievance process detailed below will be used. Reports of sexual

harassment and/or related retaliation must contain as much specific information as possible to allow for proper assessment of the nature and extent of the investigative procedures.

RESPONSE TO ACTUAL KNOWLEDGE OF SEXUAL HARASSMENT OR RELATED RETALIATION

When the District has actual knowledge of sexual harassment or related retaliation under Title IX, the Title IX Coordinator shall:

1. Promptly contact the complainant to discuss the availability of supportive measures;

2. Consider the complainant's wishes with respect to supportive measures;

3. Explain the process for filing a formal complaint under this Regulation; and

4. Inform the complainant of the availability of supportive measures regardless of whether a formal complaint is filed under this Regulation.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process outlined in this Regulation. The District will only impose disciplinary consequences against a respondent for violations of this Regulation after the grievance process has been completed; however, the District may impose disciplinary consequences against a respondent for other violations of the District's Board of Education Policies prior to the conclusion of the grievance process outlined in this Regulation. If there is an immediate threat to the physical health or safety of any student arising from the allegation of sexual harassment that justifies removal, the respondent's placement shall be changed, including removal from the District. Immediately following the removal, the respondent shall be given notice and an opportunity to challenge the decision to the Superintendent in writing. The Superintendent shall issue a written decision on the respondent's challenge and such decision shall be final. If the respondent is an employee, the employee may be placed on administrative leave during the pendency of the grievance process.

GRIEVANCE PROCESS FOR FORMAL COMPLAINT

During the grievance process for a formal complaint, the District shall treat the complainant and the respondent equitably. The District will ensure that relevant evidence is objectively evaluated, including both inculpatory and exculpatory evidence, and that credibility determinations are not based on a person's status as a complainant, respondent, or witness. Additionally, the Title IX Coordinator, the investigator, all decision-makers, and any facilitator of the informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or individually. Furthermore, the District shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

<u>Formal Complaint</u>

Formal complaints of sexual harassment under this Regulation must be submitted to the Title IX Coordinator.

A charge or complaint of sexual harassment or retaliation filed with an outside agency does not constitute a formal complaint with the District or trigger the District's obligation to follow the formal complaint grievance process as contemplated under this Regulation.

If a formal complaint involves allegations against the Title IX Coordinator, the formal complaint shall be filed directly with the Superintendent, unless the Superintendent is the Title IX Coordinator, or President of the Board of Education.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:

1. Provide written notice of the allegations, the grievance process, and any informal resolution process to the complainant and the respondent to give both parties the proper time to prepare a response before an interview;

2. Inform the complainant and the respondent of the prohibition against making false statement or knowingly submitting false information;

3. Inform the complainant and the respondent that they may have an advisor (who may be but who is not required to be an attorney) present during any of their own subsequent meetings; and

4. Offer supportive measures in an equitable manner to the complainant and the respondent, when appropriate.

The Title IX Coordinator, at their discretion, may consolidate formal complaints if they arise out of the same facts or circumstances. If, in the course of the investigation process as outlined below in this Regulation, the investigator decides to investigate new allegations about the complainant or the respondent that are not included in a written notice previously provided to the complainant and respondent, the Title IX Coordinator will provide another written notice of the additional allegations to the complainant and the respondent.

The Title IX Coordinator must dismiss a formal complaint for any of the following reasons:

1. The conduct alleged in the formal complaint would not constitute sexual harassment even if proved.

2. The conduct alleged in the formal complaint did not occur in the District's education program or activity.

3. The conduct alleged in the formal complaint did not occur within the United States.

The Title IX Coordinator may dismiss a formal complaint for any of the following reasons:

1. The complainant has notified the District in writing that the complainant would like to withdraw the formal complaint or any allegations.

2. The respondent is no longer enrolled or employed by the District.

3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint.

If the Title IX Coordinator dismisses a formal complaint, written notice of the dismissal, including the reasons for dismissal, shall be provided to the complainant and the respondent. If a complainant or respondent wishes to appeal a dismissal of a formal complaint, they should follow the appeal process outlined in this Regulation. Dismissal of a formal complaint does not preclude the District from investigating, taking action, or imposing discipline outside of this Regulation related to the alleged conduct and in accordance with any other Board policy or regulation.

Investigation

The Title IX Coordinator, or a designee, shall serve as the investigator and be responsible for investigating formal complaints in an equitable manner that involves an objective evaluation of all relevant evidence. The District may appoint an outside investigator when appropriate. A subordinate shall not investigate his or her supervisor.

The burden for obtaining evidence sufficient to reach a determination regarding responsibility rests on the District and not the complainant or respondent.

The investigator shall initiate an investigation within five (5) days of the receipt of the formal complaint by the Title IX Coordinator, unless good cause exists to extend this timeframe. All investigations shall:

1. Provide an equal opportunity for the complainant and the respondent to present witnesses and evidence;

2. Not restrict the ability of either the complainant or the respondent to discuss the allegations under investigation or to gather and present relevant evidence;

3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;

4. Provide the complainant and the respondent with the same opportunities to have an advisor present during any grievance proceeding;

5. Provide to the complainant and the respondent whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the individual to prepare to participate;

6. Provide the complainant and the respondent an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and

7. Result in the creation of an investigative report that fairly summarizes relevant evidence.

Employees and students should fully cooperate with the investigation process under this Regulation.

Prior to the completion of the investigative report, the investigator shall send to the complainant and the respondent the evidence related to the investigation to inspect and review. The complainant and the respondent shall have ten (10) days to submit a written response which the investigator shall take into consideration in creating the final investigative report.

At the close of the investigation, a written final investigative report will be delivered to the complainant and the respondent. The final investigative report should be completed within thirty (30) days of the initiation of the investigation, unless good cause exists to extend this timeframe.

Upon receipt of the final investigative report, the complainant and the respondent shall have ten (10) days to submit a written response to the report to the investigator and to submit written, relevant questions to be asked of any party or witness prior to the determination of responsibility.

Determination of Responsibility

For the purposes of a determination of responsibility, the decision-maker shall be the Superintendent or their designee; however, the decision-maker shall not be the Title IX Coordinator or the investigator. The decision-maker shall receive the final investigative report as well as any written responses and additional questions to be asked that were timely submitted by the complainant and the respondent. Upon a determination of relevance, the decision-maker will facilitate the exchange of written questions as submitted by the complainant and the respondent, provide the complainant and the respondent with submitted answers (if any), and allow for additional, limited follow-up questions from the complainant and respondent.

Within a reasonably prompt time frame, the decision-maker shall make a determination of responsibility based on the final investigative report, the evidence, and all written responses timely submitted by the complainant and the respondent, and without any live testimony or hearing.

The decision-maker shall provide the written determination to the complainant and the respondent, along with information regarding the procedures and allowable bases to appeal the decision. The written determination shall include:

1. The allegations potentially constituting sexual harassment;

2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with

parties and witnesses, site visits, and methods used to gather other evidence;

3. Findings of fact supporting the determination;

4. Conclusions regarding the application of the District's code of conduct to the facts; and

5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the recipient to the complainant.

The preponderance of the evidence standard shall be used in making a determination of responsibility.

If a determination of responsibility against a respondent is made, the District shall impose consequences as described below in this Regulation. After a determination of responsibility is made, the Title IX Coordinator shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment and to restore equal access to the education program or activity.

Appeal

Either the complainant or the respondent may appeal from a determination of responsibility or a dismissal of a formal complaint (or any allegations therein) for any of the following reasons:

1. A procedural irregularity that affected the outcome of the investigation;

2. New evidence that was not reasonably available at the time of the determination and that could affect the outcome of the investigation; or

3. A conflict of interest on the part of the Title IX Coordinator, investigator, or decision-maker.

Appeals shall be submitted to the Title IX Coordinator within five (5) days of a determination of responsibility or dismissal of a formal complaint (or any allegation therein). If an appeal is not timely submitted, the determination of responsibility or the dismissal of a formal complaint (or any allegation therein) becomes final.

Upon receipt of an appeal, the Title IX Coordinator shall provide written notice of the appeal to the complainant and the respondent. During the appeal process, the complainant and the respondent shall have a reasonable, equal opportunity to submit written statements in support of or in challenge of the appeal to the designated decision-maker on appeal; however, both the complainant and the respondent are limited on appeal to submission of only written statements. There will be no live or oral testimony.

After review of the appeal, investigative report, and any written statement submitted by the complainant and the respondent, the designated decision-maker on appeal, who shall not be the Title IX Coordinator, investigator, or the decision-maker of a dismissal or determination of responsibility, shall issue a written decision describing the result of the appeal and the rationale for the result. The written decision shall be provided to the complainant and the respondent. This decision shall be final.

Informal Resolution

At any time after a formal complaint is filed and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process to address the allegations made in the formal complaint. The informal resolution process is voluntary and does not involve a full investigation and adjudication under the grievance process in this Regulation. If the complainant and respondent both elect to engage in the informal resolution process, their voluntary consent shall be made in writing and all timeframes and deadlines in this Regulation shall be suspended.

An informal resolution may include, but is not limited to the following:

- If the complainant so desires, an opportunity for the complainant to explain to the respondent that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the respondent that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- Developing a safety plan;
- Separating students; or
- Providing staff and/or student training.

The informal resolution process shall not be made available to formal complaints alleging sexual harassment under this Regulation of a student by an employee.

RETALIATION

The District prohibits retaliation against a person who files a formal complaint of sexual harassment under this Regulation, and further prohibits retaliation against a person who participates in related investigations.

Notwithstanding this provision, employees or students found to have intentionally made knowingly false or materially misleading allegations of suspected harassment and/or related retaliation under this Regulation may be disciplined, up to and including dismissal or expulsion.

CONFIDENTIALITY

The District will respect the privacy of the complainant, the respondent, and the witnesses to the extent possible, consistent with applicable law as well as the District's legal obligations to investigate, to take appropriate action, and to conform with disclosure obligations as identified in this Regulation.

The complainant and the respondent shall not disclose any information obtained during the grievance process in violation of the Family Educational Rights and Privacy Act or for any purpose outside of participation in the grievance process.

CONSEQUENCES

Where a determination of responsibility for sexual harassment or related retaliation as defined in this Regulation has been made, the District will provide remedies to the complainant designed to restore or preserve equal access to the District's education program or activity.

Consequences for violations of this Regulation may have educational, restorative, rehabilitative and/or punitive components.

Conduct constituting sexual harassment or related retaliation as defined in this Regulation will be subject to discipline including, but not limited to, written warning or reprimand, conference, required training, "no contact" order, reassignment, probation, suspension or termination for employees, suspension or expulsion for students, or exclusion from District property.

In the event that the evidence suggests that the conduct at issue is also a crime in violation of a Missouri criminal statute, the Title IX Coordinator shall report the conduct to the appropriate law enforcement agency charged with responsibility for handling such crimes.

As required by and in compliance with law and District policy, a report will be made to the Missouri Children's Division if there is reasonable cause to suspect abuse or neglect of a child.

RECORDKEEPING

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

1. Each investigation and determination of responsibility made under this Regulation, including disciplinary sanctions imposed on the respondent and remedies provided to the complainant;

2. Any appeal decided under this Regulation;

3. Any informal resolution reached under this Regulation;

4. Materials used for training the Title IX Coordinator, investigator, decision-makers, and facilitators of the informal resolution process under this Regulation; and

5. Actions taken in response to actual knowledge of sexual harassment or related retaliation under this Regulation, including supportive measures designed to restore or preserve equal access to the District's education program or activity.

TRAINING & PUBLICATION OF POLICY

The District will train its employees on the definition of sexual harassment and retaliation under this Regulation and the duty to report when they have actual knowledge of sexual harassment. This training will be provided to employees on an annual basis, and at such other times as the Superintendent, in consultation with the District's Title IX Coordinator, determines is necessary or appropriate. Additionally, the District will provide training to the Title IX Coordinator, investigator, decision-makers, and facilitators of the informal resolution process on identifying, investigating, and reporting on acts that may constitute sexual harassment or related retaliation under Title IX, and such training materials will be posted on the District's website. District students will be notified regarding this Regulation. This Regulation will be posted on the District's website and available in Central Office.

*****

August 2020, Copyright © 2020 Missouri Consultants for Education, LLC

Board Adopted September 17, 2020

Equal Opportunity

Civil Rights, Title IX, Section 504

This Regulation outlines the responsibilities of Title IX and Section 504 Coordinators and provides mechanisms for the resolution of grievances/complaints by employees, patrons and/or students relating to discrimination based on sex under Title IX or disability under Section 504. For appeal procedures relating to the identification, evaluation or placement of students under Section 504, see Regulation 2110 - Equal Education Opportunity.

DEFINITIONS

Section 504 - Section 504 of the Rehabilitation Act of 1973.

Title IX - Title IX of the Education Amendments of 1972

Grievance - A complaint alleging a violation of (1) any District policy, procedure or practice covered by Title IX or Section 504, or (2) other federal or state civil rights laws, rules and regulations or Board of Education policy prohibiting discrimination on the basis of sex or disability - other than a complaint regarding a student's identification, evaluation or placement under Section 504. Section 504 programming for students is covered under separate District regulations (Regulation 2110 - Equal Education Opportunity, and Regulation 6250 - Instruction for Students with Disabilities).

Federal and State Civil Rights Laws, Rules and Regulations - The Constitutions of the United States and the State of Missouri, the Americans with Disabilities Act of 1990, and the Missouri Human Rights Act, and rules and regulations applicable thereto.

Grievant(s) - A student of the District, the parent/guardian of a student of the District, or a patron of the District, or an employee of the District, who submits a grievance.

School District – Worth County R-III School District

Section 504/Title IX Coordinator (Coordinator) - The employee(s) designated to coordinate the District's efforts to comply with Section 504 and Title IX. This employee's responsibilities include receiving and facilitating the processing of complaints. The name of the Coordinator shall be identified in various District publications and shall be posted. If the grievance relates to an alleged wrongful act by the person(s) indentified to hear the grievance, the grievant may request the Coordinator to assign a different employee to meeting the grievant.

Day - A working day. Saturdays, Sundays and school holidays shall not be included when calculating number of days in the grievance process. Unless otherwise noted, day will include summer vacation days, exclusive of Saturdays and Sundays.

 Copyright © 2008 Missouri Consultants for Education

COORDINATOR'S RESPONSIBILITIES (Section 504 and Title IX Coordinator)

1. Develop a Section 504 grievance procedure which provides for due process for use by students and staff; develop a Title IX grievance procedure for use by students and staff, provide information about the availability and use of the grievance procedure and maintain a record of all grievance problems and solutions.

2. Develop a job description for the Section 504 and Title IX Coordinator; inform District personnel of the Coordinator's responsibilities and assure periodic meetings to update staff on Section 504 and Title IX activities.

3. Provide ongoing review of District bulletins, catalogs, Board policies, counseling procedures, yearbooks, and administrative regulations and practices related to compliance with Section 504 and Title IX.

4. Ensure that annual notice of the Section 504 and Title IX Coordinator's name, address, and telephone number is placed in school catalogs, handbooks, etc. (See Form 1310.1)

5. Review student-sponsored organizations and suggest criteria for compliance with Section 504 and Title IX.

6. Become familiar with resources/information for assistance with LEA self-evaluation and remediation available from the Office for Civil Rights.

7. Develop a systematic procedure for monitoring compliance with Section 504 and Title IX.

8. Disseminate information about student rights in relation to Section 504 and Title IX.

9. Disseminate facility accessibility information to students and staff.

10. Assure that cooperative training agreements and/or LEA contracts have appropriate nondiscrimination statements.

11. Evaluate present treatment of practices relating to pregnant students to determine compliance with Title IX regulations.

Copyright © 2008 Missouri Consultants for Education

GENERAL PROVISIONS

The Coordinator shall receive complaints, actively and independently investigate the merit of those complaints, and assist the parties in resolution of those complaints. The Coordinator may be utilized as a resource by any party at any level of the grievance procedures.

Students, parents of elementary and secondary school students, employees, applicants for admission and employment, and sources of referral of applicants for admission and employment with Worth County R-III School District have the right to file a formal complaint alleging noncompliance with regulations outlined in Title IX or Section 504.

Relevant records shall be made available to the grievant to the extent appropriate under the particular circumstances of the specific complaint and as permitted by law.

The grievance procedures herein do not deny the right of the grievant to file formal complaints with other appropriate state or federal agencies, such as the Missouri Human Rights Commission, United States Department of Education office for Civil Rights, or the Equal Employment Opportunity Commission (employees only). Similarly, these procedures do not deny any right of the grievant to seek private counsel for complaints alleging discrimination.

In most instances involving a student under eighteen years old, the student's parent/guardian should participate in the hearing and resolution process.

No student or employee of the District shall intimidate, harass or retaliate against any person filing a grievance or any person participating in the investigation or resolution of a grievance.

If a grievance is taken to the Board of Education for a formal contested hearing, the parties shall have the right to be represented by legal counsel, to call and examine witnesses, to cross-examine witnesses called by the opposing party, and to submit documentary evidence into the record.

TITLE IX GRIEVANCE PROCEDURE

Level 1: Principal or Immediate Supervisor (Informal and Optional - may be bypassed by grievant.)

Employees claiming sex discrimination may first discuss the grievance with their principal or immediate supervisor, with the object of resolving the matter informally. A student or parent with a sex discrimination complaint may discuss it with the teacher, counselor, or building administrator involved.

 Copyright © 2008 Missouri Consultants for Education

Level 2: Title IX Coordinator

If the grievance is not resolved at Level 1 and the grievant wishes to pursue the grievance, it may be formalized by filing a complaint in writing on a Compliance Violation Form. This form may be obtained from the Title IX Coordinator. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level 2 must be within fifteen (15) working days from the day of the event giving rise to the grievance or from the date the grievant could reasonably become aware of such an occurrence. The grievant may request that a meeting concerning the complaint be held with the Title IX Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. The Title IX Coordinator shall investigate the complaint and attempt to solve it. A written report from the Coordinator to the complainant regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

Level 3: Superintendent

If the complaint is not resolved at Level 2, the grievant may proceed to Level 3 by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the report from the Title IX Coordinator. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within ten (10) working days after receiving the written appeal.

Level 4: Board of Education

If the complaint is not resolved at Level 3, the grievant may proceed to Level 4 by presenting a written appeal to the President of the Board of Education within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board of Education. The Board of Education has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board of Education at their next regularly scheduled meeting. The grievant will be notified in writing of the decision within ten (10) working days after the Board of Education action.

The procedure in no way denies the right of the grievant to file a formal complaint with the Missouri Civil Rights Commission, the Office for Civil Rights, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination.

 Copyright © 2008 Missouri Consultants for Education

SECTION 504 GRIEVANCE PROCEDURE
The procedures below must be utilized with regard to discrimination claims under Section 504. Claims relating to identification, evaluation, or educational placement must be challenged using the procedures outlined in Policy and Regulation 2110.

Level 1: Building Administrator (Informal and Optional - may be bypassed by Grievant)

Many problems can be solved by an informal meeting with the parties and the building administrator. An individual with a complaint is encouraged to first discuss it with the teacher, counselor or building administrator involved, with the purpose of resolving the matter promptly and informally. Similarly, employees with a complaint are encouraged to first discuss the complaint with the building principal or immediate supervisor.

Level 2: Section 504 Coordinator

If the complaint or issue is not resolved at Level 1, the grievant may file a written grievance with the Section 504 Coordinator. The written grievance must be filed with the Coordinator within fifteen (15) days of the event or incident giving rise to the grievance, or within fifteen (15) days of the date the grievant could reasonably have become aware of the event or incident. Extensions of the fifteen- (15) day requirement will be granted if the grievant can establish good cause for the delay and the interests of justice and fairness so require.

The written grievance should include the following information:

1. The nature of the grievance - what is the event, incident or circumstance that is the reason for the complaint.

2. The remedy requested - what would the grievant like to see happen if the Coordinator were to sustain the grievance.

3. The grievant's signature and the date of the grievance.

The Coordinator shall have the authority to investigate all written grievances. The Coordinator may request that an independent investigator, who is not an employee of the District, be assigned by the District to conduct the investigation. When possible, the Coordinator shall work toward resolution of the grievance. This resolution shall be reduced to writing and signed by all parties. If the parties cannot agree on a resolution to the grievance, the Coordinator shall complete the investigation and make a determination regarding the merits of the complaint. The Coordinator shall notify the grievant and the Superintendent in writing of his/her determination within fifteen (15) days after receipt of the written grievance. The fifteen (15) days may be extended (1) at the

 Copyright © 2008 Missouri Consultants for Education

request of the grievant, (2) with consent of all parties, or (3) if the Coordinator is on vacation or is otherwise unavailable during the fifteen- (15) day period due to an emergency or other unforeseen circumstances.

If the Coordinator concludes that the allegations contained in the grievance have merit, the Coordinator shall make a recommendation to the Superintendent as to the appropriate action to be taken by the District. If the Superintendent agrees with the recommendation of the Coordinator, the grievance will be sustained, and the recommended remedial action will be implemented. The Superintendent may sustain the grievance, yet modify the recommended remedial action. The Superintendent shall notify all parties of his/her decision in writing within five (5) days of his/her receipt of the recommendation from the Coordinator. The five (5) days may be extended (1) at the request of the grievant, (2) with the consent of all parties, or (3) if the Superintendent is on vacation or is otherwise unavailable during the five- (5) day period due to an emergency or other unforeseen circumstances.

If the Coordinator concludes that the allegations contained in the grievance are without merit, the Coordinator shall make a recommendation to the Superintendent that the grievance be denied. If the Superintendent agrees with the recommendation of the Coordinator, the grievance will be denied. The Superintendent shall notify all parties of his/her decision in writing within five (5) days of his/her receipt of the recommendation from the Coordinator. The five (5) days may be extended (1) at the request of the grievant, (2) with the consent of all parties, or (3) if the Superintendent is on vacation or is other unavailable during the five-(5) day period due to an emergency or other unforeseen circumstances.

If the Superintendent disagrees with the recommendation of the Coordinator, whether sustaining or denying the grievance, the Superintendent shall state his/her reasons for disagreeing with the recommendation in writing, set out his/her conclusions and the reasons therefore, and notify all parties of the decision in writing within five (5) days of his/her receipt of the recommendation from the Coordinator. The five (5) days may be extended (1) at the request of the grievant, (2) with the consent of all parties, or (3) if the Superintendent is on vacation or is other unavailable during the five-(5) day period due to an emergency or other unforeseen circumstances. If the Coordinator or Superintendent is alleged to have violated this Policy, the grievant may request to bypass the respective individual.

Level 3: Board of Education

Any party aggrieved by the decision of the Superintendent or in disagreement with the proposed remedial action may make a written appeal to the Board of Education. Such written appeal shall be filed in writing with either the Superintendent or the Secretary of the Board of Education. Such written appeal must be filed within ten (10) days of receipt of the decision of the Superintendent. Extensions of the ten- (10) day requirement will be granted if the grievant can establish good cause for the delay and the interests of justice and fairness so require. Upon

 Copyright © 2008 Missouri Consultants for Education

receipt of a written appeal, the District shall place the grievance on the agenda of the next meeting of the Board of Education following the fifth day after the appeal is received, or at such Board meeting thereafter as may be agreed upon by the parties.

At the hearing before the Board, the parties shall have the right to be represented by legal counsel, to call and examine witnesses, cross-examine witnesses called by the opposing party, and to submit evidence into the record.

The Board shall render its decision within thirty (30) days. The Board shall report its decision in writing. All parties shall receive a copy of the decision.

The hearing before the Board of Education shall be considered a contested case for purposes of Chapter 536, Revised Statutes of the State of Missouri.

Level 4: Circuit Court

Any party aggrieved by the decision of the Board of Education may appeal the decision to the Circuit Court of the County, in accordance with Chapter 536, Revised Statutes of the State of Missouri, or to the applicable federal court.

Other Options

At any time during the grievance process, a grievant may file a complaint with the United States Department of Education, Office for Civil Rights (Kansas City, Missouri) or the Missouri Commission on Human Rights. Employee grievants may also file a complaint with the Equal Employment Opportunity Commission.

Board Approved 2/17/2005
Board Reapproved 2/18/2010
Board Reapproved 1/22/2015

Copyright © 2008 Missouri Consultants for Education

School/Community Relations

Parent/Family Involvement in Education

In order to implement the Board's commitment to parent/family involvement in students' education, the District has implemented an educational involvement plan with the following features:

1. Regular two way communication between school and parents/families. Such communication will include but not be limited to scheduled parent visits to school, electronic communication, use of translators, parent volunteers, and other programs recommended by the Parent/Family Involvement Committee.

2. Assist parents in developing positive, productive parenting skills, as well as positive productive means of interacting with District administrators and staff.

3. Provide professional development opportunities for District staff to facilitate productive parent/school involvement in promoting education of District students.

4. Involve parents in meaningful activities to enhance student learning.

5. Enhance opportunities for parents/families to visit schools in a safe and open atmosphere. Such opportunities will include, but are not limited to, identifying roles for parent volunteers, providing training for volunteers and provision of family activities at school.

6. Affirmatively involve parents in school decisions which affect their children.

7. Utilize community resources to promote and strengthen school programs, family practices, and student learning.

8. The Plan will be reviewed annually with input from parents and staff. Meeting agenda sign-in sheets and meeting minutes will be prepared and maintained by the District.

9. Full opportunity for parent participation will be provided to all parents including, but not limited to, parents with limited English proficiency, parents with disabilities, and parents of migratory children.

10. Conduct an annual evaluation of the policy to identify and resolve any barriers that would limit the involvement of parents. (Examples of barriers include, but are not limited to, economically disadvantaged, limited English proficiency, limited literacy, disabled or are of any racial or minority background).

Board Adopted February 16, 2006
Board Reviewed February 18, 2015

 Copyright © 2014 Missouri Consultants for Education

Board Reviewed December 19, 2019

Copyright © 2014 Missouri Consultants for Education

GENERAL ADMINISTRATION **Regulation 1420**

School/Community Relations

Community Use of School Facilities

Use of Buildings

In accordance with the law, buildings may be used for free discussion of public questions and subjects of general public interest, for the meeting of organizations of citizens and for such other civic, social and educational purposes as will not interfere with the use of the building for school purposes. No part of the building is to be used without permission being granted by the Superintendent/designee.

Applications for Use

Applications for the use of the premises shall be made in writing and shall state the date and purpose of the use, and, if an admission charge is to be made, the purpose of raising said funds and such other information as the Board or the Superintendent may require. Parent organizations, Scout, educational and other school activity organizations which may be granted use of certain rooms for regular meeting purposes shall not use other rooms in the building to hold meetings or entertainment on other than the regular meeting night unless written application is made for the use of same as provided above.

Any cancellation of reserved dates must be made in writing at least twenty-four hours before the date on which meetings are scheduled. The Board reserves the right to cancel any arrangements for use of buildings upon due notice in advance.

Rental Charges

No charge will be made for any "strictly school" activities or for regular meetings of parent organizations. No charge will be made to Scouts and similar organizations so long as no additional cost is incurred in custodial support who would not normally be on duty and if no extra work is incurred in setting up chairs, equipment, etc.

All rental charges for use of buildings are due and payable at least twenty-four hours before the date on which the building is to be used. When the buildings are rented on Saturday or Sunday, an additional charge over and above the minimum charge may be required. Other payment arrangements may be made with the Superintendent/designee.

Prohibitions

1. Special permission must be received to serve meals.

2. The sale, consumption or possession of alcoholic beverages shall not be permitted on School District premises at anytime. Nor shall any person who is in a drunken or intoxicated condition, or who is under the influence of liquor, be permitted on School District premises. The person in charge of the meeting will be held responsible for the enforcement of this rule.

3. Damage or breakage occurring in any building or grounds on account of the activities of an organization using it as a meeting place shall be paid for by the organization.

4. No use of equipment shall be granted unless an instructor or attendant, approved by the Board, is in charge of the rooms or equipment.

5. Smoking is not permitted in any school building.

6. The use of profane language or gambling in any form is not permitted in any school building.

Board Adopted February 18, 2015
Board Review January 23, 2020

GENERAL ADMINISTRATION **Regulation 1431**

School/Community Relations

Code of Conduct - Adults

In order to ensure a safe and orderly environment in which our students can maximize their educational and social development, the following regulations are enacted with respect to the conduct of adult visitors:

1. Verbally aggressive behavior, which would include, but not be limited to, threats, intimidation, and profanity, will result in limited access to school premises and school activities for up to one (1) year. The length of the restriction will be determined by the Superintendent of Schools.

2. Physical or violent behavior will result in a ban by the Board of Education from school premises and activities and will be referred to law enforcement.

3. Failure to comply with the restricted access provided in these regulations will result in the filing of civil and/or criminal charges.

Board Adopted March 19, 2015
Board Reviewed January 23, 2020

GENERAL ADMINISTRATION **Regulation 1440**

School/Community Relations

Research Requests

The following steps must be taken by the researcher:

1. Obtain a copy of the District's policy statement on research requests.

2. Present a letter of introduction and authentication from the responsible official, i.e., department chairman or above, of the institution of higher education or the professional organization.

3. Submit a copy of the research proposal to include an outline of the research design, copies of the instruments to be used, and an outline or summary of techniques and procedures to be used in the study, including an anticipated date the District can expect a report of the findings.

4. Obtain approval by the Superintendent/designee.

5. Obtain approval from the principal(s) of the school (s) to be involved so that the District will be assured that data collecting will not in any way disrupt ongoing school programs.

6. Obtain written permission from parents of children to be directly involved.

7. Sign an agreement using Form 1440 provided by the Superintendent's office.

Board Adopted March 19, 2015
Board Reviewed February 20, 2020

GENERAL ADMINISTRATION **Regulation 1450**

School/Community Relations

Public Access to District Documents

The following regulations are intended to ensure full and open disclosure of the District's public records.

Public Records

As defined by state statute and provided in Board policy, public records include but are not limited to reports, surveys, memoranda, documents/studies prepared and presented to the Board by consultants or other professional service paid for in any part by public funds, provided that such "records" are retained by the District.

The phrase *public records* does not include:

1. Creation of a document not retained or creation of a summary/compilation of District data where such compilation or summary is not an existing, retained record.

2. Internal memoranda or correspondence received by or prepared by or on behalf of the Board where such documents involve advice, opinions, or recommendations related to the Board's decision making process. However, if such memoranda or correspondence is retained by the District or are presented at a public meeting, they will be deemed public records subject to public access.

3. District records closed to public access by the Board including but not limited to appropriate legal actions, real estate matters, information related to the performance or merit of individual employees, academic discipline and testing records of personally identifiable students, testing and examination materials, software codes, preparation for employee negotiations, specifications for competitive bidding, personnel records, and sealed bidding.

Request for Inspection and/or Duplication

1. Requests for access or duplication of the District's public records must be made to the District's designated custodian of records.

2. Upon receipt, the custodian/designee will provide or deny access within three (3) business days of the request. The date of request will not be counted as one of the three (3) business days provided for response. Where reasonable cause exists the three-day response period may be exceeded.

3. *If access is not immediately provided*, the custodian/designee will provide the person requesting access with a detailed explanation of the reason for the delay. The custodian/designee will advise of the earliest date, time, and place when access will be provided.

4. *If access is denied*, the custodian/designee will provide the person requesting access with a written explanation of the reason for denial of access. The written explanation will provide the specific provision of law relied upon in denying access and will be provided within three (3) days of the date when access was denied.

5. Fees for duplication of the District's public records must be received prior to copying unless the fee has been waived by the Board. Upon request of the person requesting duplication, the custodian/designee will certify that the actual cost of document search and duplication does not exceed the allowable charges for public records set out in state law.

Unauthorized Removal of Public Records

No person is permitted to remove original public records from District facilities without written permission of the custodian of records/designee. Employees who violate this provision are subject to discipline up to and including termination. Violators may be referred to law enforcement officials.

Commercial Use of District Records

No person or business entity will be provided with the exclusive right to have access to, control over, duplication of, and dissemination of the public records of the District.

Board Adopted March 19, 2015
Board Reviewed February 20, 2020

GENERAL ADMINISTRATION **Regulation 1460**

School/Community Relations

Community Involvement in Decision Making

As elected officials, members of the Board of Education will be open to input from members of the community. While accountable to the Electorate of the District, Board members will act in what they believe is in the best interest of District students given existing finances and circumstances of the District.

As required by State or Federal Law or Regulations the Superintendent or designated representative shall:

1. Solicit parents' suggestions in the planning, development, and operation of programs.

2. Consult with parents about how the school can work with parents to achieve the program's objectives.

3. Provide to parents timely information concerning program evaluations.

4. Facilitate willing participation by parents in program activities.

5. Provide timely responses to parents' recommendations.

6. Establish parent advisory councils as needed.

7. Inform parents concerning the selection of students for programs, objectives for the child, the child's progress, advice on ways parents may help the child, and provide when possible materials to help parents assist their children in special programs.

Board Adopted January 1998
Board Reviewed April 16, 2015
Board Reviewed February 20, 2020

GENERAL ADMINISTRATION **Regulation 1520**

Office Methods and Data Management

School District Annual Report

The Board of Education will annually issue the School Accountability Report Card information, which will be made available to patrons and media outlets via the Missouri Comprehensive Data System (MCDS). This report will also be accessible from the district home page.

The School Accountability Report Card for each school building will include the following information:

1. Accreditation Status
2. Preschool Enrollment
3. K-12 Enrollment
4. Rates of Pupil Attendance
5. High School Dropout Rate
6. High School Graduation Rate
7. Number of Suspensions of Ten (10) Days or Longer
8. Rate of Suspensions of Ten (10) Days or Longer
9. District Ratio of Students to Administrators
10. District Ratio of Students to Teachers
11. Average Years of Experience of the Professional Staff
12. Number of Advanced Degrees Earned by the Professional Staff
13. Student Achievement Measured the District Assessment System
14. Student Scores of ACT
15. Percentage of District Graduates Taking the ACT
16. Average Teachers' Salaries Compared to State Average

17. Average Administrators' Salaries Compared to State Average
18. Average Per Pupil Expenditures for the District
19. Average Per Pupil Expenditures by Attendance Center
20. Adjusted Tax Rate of the District
21. District's Assessed Valuation
22. Percentage of District's Operating Budget Derived from State, Federal and Local Sources.
23. Percentage of Students Eligible for Free or Reduced-Price Lunch
24. Percentage of Students Continuing their Education in Post-Secondary Programs
25. Placement Rate for Students who Complete District Vocational Education Programs
26. Existence of a State-Approved Gifted Education Program
27. If a District Gifted Program exists, the Number of Students Currently Being Served in Such Program

School Report Card

The District Report Card will permit disclosure of data on a school-by-school basis. However, school reporting will not be personally identifiable to any student or professional staff member.

****

June, 2015 Copyright © 2015 Missouri Consultants for Education, Inc.

Board Adopted August 20, 2015
Board Reviewed March 19, 2020

GENERAL ADMINISTRATION **Regulation 1620**

Private, State and Federal Programs Administration

Private, State and Federal Funding

Steps to be followed in securing grants are:

1. Identify a significant District problem or need for program improvement that may be helped through outside funds.

2. Match the need or problem with a funding source that subscribes to a relevant purpose.

3. Study the background, resources, and funding prospects of the agency.

4. Clear with the Superintendent the general idea for a proposal.

5. Involve prospective participants in planning for a proposal. Secure parents' written permission if children are to be involved in experimental types of instruction.

6. Prepare the application, using the format and following the timeline prescribed by the funding agency.

7. Discuss the funding of personnel, including the project director, with the Personnel Director, making sure to apply for full outside funding of all fringe benefits, including unemployment insurance.

8. Submit copies as required to the Superintendent for recommendation to the Board for approval.

9. If approved, complete the process of submission to the funding agency and its subsidiaries as required, with copies provided to participants.

Board Adopted May 29, 2015
Board Reviewed March 19, 2020

Private, State and Federal Programs Administration

Title I

The responsibility for implementation of the Title I policy is shared between the Title I Director and each building principal. The designation of these duties is described below.

Title I Staff and Parent Responsibilities

1. Development of the District's Plan will include input from parents of eligible students, teachers, administrators and related personnel.

2. Provide letters to parents regarding Title I programs and curriculum, how their children were selected for Title I, how their progress will be measured, how much progress they are expected to make during the school year, and how their performance compares to that of their schoolmates.

3. Provide an orientation meeting for parents each school year before the end of the first quarter.

4. Provide parents of each school with the results of the annual review. This review is to include the individual school performance profiles.

5. Provide timely notification to parents, in the form of letters and flyers, regarding Title I meetings and workshops.

6. Offer professional development opportunities for teachers on increasing their effectiveness in teaching all students eligible for Title I services and on addressing the needs of Title I parents.

7. Offer workshops for parents on how to help assist in the instruction of their children.

8. The District will conduct an annual review meeting of Title I activities which will include, but not be limited to, parent evaluations and the school-parent compact. Meeting agenda sign-in sheets for parents and staff, as well as, meeting minutes will be maintained by the District.

9. Send data regarding year-end Title I program evaluation results to all parents.

10. Invite parents to and include parents in Title I program review team meetings.

11. Notify parents regarding the professional qualifications of their student's classroom teachers.

 Copyright © 2013 Missouri Consultants for Education

Title I Staff Qualifications

Teachers

Title I teachers hired after the first day of school for 2002-2003 must meet the following qualifications:

1. Have obtained full state certification as a teacher.

2. Hold at least a bachelor's degree.

3. Elementary teachers - have demonstrated subject knowledge and teaching skills in reading, writing, mathematics and other areas of the basic elementary school curriculum.

4. Secondary teachers - have demonstrated a high level of competency in each of the academic subjects that they teach.

Title I teachers hired prior to 2002-2003 must meet the same qualifications by the end of 2005-2006.

Paraprofessionals

Title I paraprofessionals hired after January 8, 2002, must have a secondary school diploma or a GED and meet one of the following qualifications:

1. Completed at least two (2) years of study at an institution of higher education, or

2. Obtained an associate's (or higher) degree, or

3. Have demonstrated knowledge of, and the ability to assist in instructing reading readiness, writing readiness and mathematics readiness, as appropriate.

Title I paraprofessionals hired prior to January 8, 2002, must meet the above qualifications by January 8, 2006. Exceptions to these qualifications would apply to those Title I paraprofessionals who primarily serve as translators or whose duties consist solely of conducting parental involvement activities.

Title I Building Level Responsibilities

Each Title I building administrator will invite all parents to attend their school's program planning meetings, school review and improvement meetings.

Copyright © 2013 Missouri Consultants for Education

Title I teachers will provide parents with quarterly written reports on the progress of their children, so that parents can know the extent to which they are learning. Teachers will be available for individual conferences at the regularly scheduled District Parent/Teacher Conference dates and at other times by appointment through each building office. Meeting times will take into account the need to accommodate a variety of parent work schedules.

Through these reports and conferences, Title I teachers will provide parents with the results of evaluations of student progress. These evaluations will include, but will not be limited to, test results, measurements of homework turned in, homework completed, student attitudes and student behavior.

Each Title I school will:

1. Design and sponsor activities to address the needs of children which are unmet due to the absence of one parent.

2. Design types of parent involvement that do not involve being at school, such as helping teachers by assembling materials at home for use in classroom activities.

3. Offer opportunities and materials for parents to participate in classroom activities.

Parent Notification of Teacher Qualifications

At the beginning of each school year, the District will notify the parents of each student attending any school receiving Title I funds that they may request information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;

3. Whether the child is provided services by paraprofessionals and, if so, their qualifications; and

4. What baccalaureate degree major and any other graduate certification or degree is held by the teacher, and the field of discipline of the certification or degree.

Copyright © 2013 Missouri Consultants for Education

In addition to the information that parents may request, the District will provide to each individual parent:

1. Information on achievement level of the parent's child in each of the state academic assessments as required under this part; and

2. Timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified.

Requests by parents for this information must be provided in a timely manner.

Title I Grievance Procedure

This grievance procedure applies to all complaints regarding District operations under all programs authorized under the Federal No Child Left Behind Act (NCLB) including Title I, Title II, Title III, Title IV (Part A), Title V, Title VI, Title VII and Title IX (Part C).

A formal complaint may be filed by parents, member of the public, teachers, or other District employees. Complaints must be in writing; must be signed by the complainant; and must include facts, including documentary evidence that supports the complaint and the specific requirement, statute, or regulation alleged to have been violated.

All complaints must be filed with the Superintendent or Superintendent's designee and will be addressed in a prompt and courteous manner.

1. The District will notify the Commission of Elementary and Secondary Education (DESE) within fifteen (15) days of receipt of the complaint.

2. The District will investigate and process the complaint within thirty (30) days of receipt of the complaint.

3. The complaint findings and resolutions will be disseminated to all parties and to the Board of Education.

4. If dissatisfied with the District's determination, complainant may appeal to DESE within fifteen (15) days of receipt of the District's determination.

Board Adopted September19, 2013
Board Reviewed May 19, 2015
Board Updated February 15, 2018
Board Reviewed April 16, 2020

Copyright © 2013 Missouri Consultants for Education

GENERAL ADMINISTRATION **Regulation 1720**

Administrative Organization and Roles

Superintendent of Schools

1. Attend and participate in all meetings of the Board, except when his/her own employment status is being considered.

2. Formulate and present for Board action policies, plans, programs and proposals for curriculum revision with full information which will assist the Board in making fully informed decisions. Short and long term educational goals shall be presented along with regular population studies.

3. Enforce all provisions of applicable municipal, state and federal laws, policies and regulations of the Board of Education, make recommendations for any changes of policy or regulation which may be needed.

4. Make recommendations for the employment, promotion, assignment, transfer, or dismissal, of any school employee in accordance with school policy.

5. Prepare, or direct the preparation of, the annual School District budget for the Board's consideration and action.

6. Administer the budget as approved by the Board and interpret it to the community.

7. Conduct a program of public relations which will keep the community fully informed of the activities, successes and needs of the School District. The Superintendent shall maintain a cooperative working relationship between the School District and the community by regularly attending community and school activities.

8. Initiate citizen committees which includes professional consultants to act in an advisory capacity in areas such as curriculum, government programs, school projects, research, school finance and evaluations subject to the Board's approval.

9. Respond to situations requiring discretion because they are not covered by Board existing policies, reporting the action to the Board as soon as possible thereafter.

10. Assist the Board in fulfilling its legislative function for the schools in an efficient and just manner.

11. Assume direct operational responsibility for all duties and responsibilities not specifically assigned to an assistant Superintendent, director, or others.

12. Maintain accurate up-to-date records and reports as required by law, the Missouri Department of Elementary and Secondary Education, and/or the Board.

13. Provide an orientation program for new Board members and inform Board members of conferences, workshops and other meetings that will assist them in their duties and responsibilities.

14. Provide an agenda to Board members prior to all regular Board meetings, with appropriate background information.

15. Provide leadership for all School District personnel which encourages team effort to provide quality education and services.

16. Supervise and evaluate central office administrative personnel and all principals, making annual recommendations to the Board for administrative employment and compensation.

17. Resolve student disciplinary problems resulting from principals' referrals.

18. Serve as spokesperson for the Board team in discussions with the representative teacher organization.

19. Perform other duties as may be assigned by the Board of Education or as may be required to implement the policies and regulations of the Board of Education.

Board Adopted May 20, 2010
Board Reviewed June 18, 2015
Board Reviewed April 16, 2020

Nondiscrimination and Student Rights

Equal Education Opportunity/§504 Procedural Safeguards

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act were designed to eliminate discrimination on the basis of disability. To that end, Section 504 provides, in pertinent part, as follows:

> No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . .

A disabled person under Section 504 is defined as any person who has a physical or mental impairment that substantially limits one or more major life activities.

Pursuant to Subpart D of the 504 federal regulations, a recipient of federal financial assistance that operates a public elementary or secondary education program must establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of disability, need or are believed to need special instruction or related services, a system of procedural safeguards. The following is a description of the procedural safeguards or rights granted by federal law to students with 504 disabilities and/or their parents or legal guardians and to those students who are suspected of having a 504 disability and/or their parents or legal guardians. Parents/guardian of students who are suspected of or identified with a disability under the Individuals with Disabilities Education Act are provided with copies of the IDEA procedural safeguards unless those students have a separately identified 504 disability that is not addressed through an IEP.

Parent and Student Rights Under Section 504:

1. Parents/guardian and students have the right to be informed by the School District of their rights under Section 504. The purpose of these Procedural Safeguards is to advise you of those rights.

2. A student with a 504 disability has the right to a free appropriate public education. An appropriate education is defined as the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of the disabled person as adequately as the needs of nondisabled persons are met and are based upon adherence to 504 regulatory procedures.

3. The provision of a free education is the provision of educational and related services without cost to the disabled person or to his or her parents or guardian, except for those fees that are imposed on nondisabled persons or their parents or guardian. Funds available from any public or private agency may be used to meet this requirement. Under

the law, insurers and other third parties are not relieved from an otherwise valid obligation to provide or pay for services for a disabled student.

4. A child with a disability has the right to take part in, and receive benefits from, public education programs without discrimination because of his/her disability.

5. The parents(s) or guardian of a child with a disability have the right to receive notice with respect to the identification, evaluation, or placement of the child.

6. A student with a disability has the right to receive services and be educated in facilities that are comparable to those provided to nondisabled students.

7. A student with a disability has the right to have evaluation, education and placement decisions made based on a variety of information sources, and by persons who know the student and are knowledgeable about the evaluation data and placement options. The student also has the right to be periodically reevaluated.

8. A student with a disability has an equal opportunity to participate in nonacademic and extracurricular activities offered by the District.

9. A student with a disability has the right to have transportation provided to and from an alternative placement setting (if the setting is in a program not operated by the District) at no greater cost to the parent/guardian than would be incurred if the student were placed in a programed operated by the District.

10. The parents/guardian of a student with a disability or an eligible student (over the age of 18) have the right to examine all relevant records relating to decisions regarding the student's identification, evaluation and placement.

11. The parents/guardian of a student with a disability or an eligible student and/or the District have the right to request an impartial due process hearing relating to decisions or actions relating to the student's identification, evaluation, program or placement and the parents or guardian have the right to be represented by counsel in such hearings. The parents or guardian or eligible student and/or the District also have the right to a review procedure involving such hearings. The procedures for requesting an impartial due process shearing and the relevant review procedures are described below.

12. The parents/guardian of a student with a disability or an eligible student have the right to file a local grievance with the District for issues unrelated to the identification, evaluation, program or placement of the student. Board Policy 1621 describes the procedures for filing a grievance and can be requested by contacting: Superintendent 510 East Avenue, Grant City, MO.

    Persons who believe that the district is discriminating against eligible persons on the basis of disability may also file complaints with the District's Section 504 Coordinator

Copyright © 2013 Missouri Consultants for Education

and/or OCR, U.S. Department of Education, 601 E. 12th St., Kansas City, Missouri 64106.

The District's Section 504 Coordinator is the HS special education teacher, who may be reached at 510 East Avenue, Grant City, MO 64456 or (660) 564-2218.

Due Process Appeal Procedures:

This procedure should be used if the parent(s), legal guardian or eligible student intends to challenge actions the District proposes or refuses under 504 regarding the identification, evaluation, program or placement of a student with a disability. The District also has the right to initiate a 504 due process hearing regarding these same matters.

1. If a parent, legal guardian or eligible student intends to challenge the action proposed or refused by the District, the parent/guardian or eligible student must file a written Request for 504 Due Process Hearing within 15 calendar days from the date of the District's written notice of the proposed or refused action. A copy of this form is attached to these Procedural Safeguards. The Request for 504 Due Process hearing should be filed with the District's Section 504 Coordinator.

   If the District intends to initiate a Section 504 due process hearing, the District's Section 504 Coordinator will complete the Request for a 504 Due Process Hearing within the same number of calendar days as specified above.

2. The Request for a 504 Due Process Hearing must state the specific circumstances, including all relevant facts, giving rise to the request for due process; the specific issues to be decided at the impartial due process hearing; and the relief being requested. The District will acknowledge, in writing, all parent/guardian requests for a due process hearing within 15 business days of receipt. If the District initiates the due process hearing, the District will inform the parent or guardian within 15 days of the District's decision to so initiate.

3. The District will, within 15 business days of the District's or parent/guardian's receipt of the Request for a 504 Due Process Hearing, appoint and retain a single impartial hearing officer to hear and decide the due process request. The hearing officer must have knowledge or training in Section 504 and may not be an employee of the District. The hearing officer may not have a personal or professional interest that would conflict with his/her objectivity in the hearing. The District is not required to consult with the parent/guardian or eligible student with respect to the hearing offer appointment.

4. The parties to the hearing have the following rights:

   a. The right to inspect all relevant records, including personally identifiable records of the student;

Copyright © 2013 Missouri Consultants for Education

b. The right to be represented and advised by an attorney;

c. The right to present evidence and confront, cross-examine and compel the attendance of witnesses;

d. The right to obtain a record of the hearing;

e. The right to obtain written findings of fact, conclusions of law, and decision.

5. The parents or guardian have the right to open the hearing to the public; otherwise, it will be closed. The parents or guardian may elect to have the student present at the hearing.

6. The hearing officer must hold the hearing within 30 days of his/her appointment as hearing officer. This timeline may be extended upon the request of the party or parties and by agreement and order of the hearing officer.

7. Each hearing must be conducted at a time and place which is reasonably convenient to the District and the parents or guardian. The District's facilities will be presumed to be a reasonably convenient location but the parents or guardian may challenge this presumption with the hearing officer.

8. The party that requested the due process hearing may not raise issues at the due process hearing that were not addressed in the Request for a 504 Due Process Hearing unless the other party agrees.

9. The hearing officer shall render a final, written decision no later than 20 days following the completion of the hearing. A decision may be rendered after 30 days, if either party requests an extension of this timeframe, and for good cause shown. The decision of the hearing is final and binding, subject to the procedures outlined below.

10. The District is responsible for costs directly attributable to the provision of administration hearings described in these procedures, including compensation of the hearing officer, transcripts or recordings of the hearing, and other related expenses. The District is not responsible for the costs of legal counsel or other representative of the parent/guardian or eligible student or for the costs of producing or reproducing the evidence presented by the parent/guardian or eligible student.

11. Any timelines specified herein may be extended by agreement of the District and parent/guardian or eligible student or by order of the hearing officer.

12. Any party aggrieved by the decision of the impartial hearing officer may appeal that decision to any court of competent jurisdiction.

Copyright © 2013 Missouri Consultants for Education

Board Adopted August 20, 2015
Board Reviewed August 20, 2020

Copyright © 2013 Missouri Consultants for Education

Nondiscrimination and Student Rights

Harassment

DEFINITIONS AND EXAMPLES

Sexual Harassment

For purposes of this Regulation, sexual harassment of a student consists of sexual advances, requests for sexual favors, sexually-motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. A school employee causes a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or when an employee or third party agent of the District causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct; or

2. When the unwelcome sexual conduct of a school employee or classmate is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment.

Examples of conduct which may constitute sexual harassment include:

- sexual advances;
- touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;
- graffiti of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- touching oneself sexually or talking about one's sexual activity in front of others;

 Copyright © 2010 Missouri Consultants for Education

- spreading rumors about or rating other students as to sexual activity or performance;

- unwelcome, sexually-motivated or inappropriate patting, pinching, or physical contact. This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as a teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student. (NOTE: Where the perpetrator is an adult and the victim is a student, welcomeness is generally not relevant.)

- other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

Harassment Because of Race or Color

For purposes of this Regulation, racial harassment of a student consists of verbal or physical conduct relating to an individual's race or color when:

1. The harassing conduct is sufficiently severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;

2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or

3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of race or color include:

- graffiti containing racially-offensive language;

- name-calling, jokes, or rumors;

- threatening or intimidating conduct directed at another because of the other's race or color;

- notes or cartoons;

- racial slurs, negative stereotypes, and hostile acts which are based upon another's race or color;

 Copyright © 2010 Missouri Consultants for Education

- written or graphic material containing racial comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or color;

- other kinds of aggressive conduct such as theft or damage to property which is motivated by race or color.

Harassment Based Upon National Origin or Ethnicity

For purposes of this Regulation, ethnic or national origin harassment of a student consists of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's parents, family members, or ancestors when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;

2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of national origin or ethnicity include:

- graffiti containing offensive language which is derogatory to others because of their national origin or ethnicity;

- jokes, name-calling, or rumors based upon an individual's national origin or ethnicity;

- ethnic slurs, negative stereotypes, and hostile acts which are based upon another's national origin or ethnicity;

- written or graphic material containing ethnic comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;

 Copyright © 2010 Missouri Consultants for Education

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, ethnicity or national origin;

- other kinds of aggressive conduct such as theft or damage to property which is motivated by national origin or ethnicity.

Harassment Because of Disability

For the purposes of this Regulation, harassment because of the disability of a student consists of verbal or physical conduct relating to an individual's physical or mental impairment when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;

2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

3. The harassing conduct otherwise adversely and substantially affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of disability include:

- graffiti containing offensive language which is derogatory to others because of their physical or mental disability;

- threatening or intimidating conduct directed at another because of the other's physical or mental disability;

- jokes, rumors, or name-calling based upon an individual's physical or mental disability;

- slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability;

- graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability;

 Copyright © 2010 Missouri Consultants for Education

- other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

Harassment Because of Gender

For purposes of this Regulation, gender harassment of a student consists of verbal or physical conduct relating to an individual's gender when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment; or

2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or

3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of gender include:

- graffiti containing offensive language;

- name-calling, jokes, or rumors;

- threatening or intimidating conduct directed at another because of the other's gender;

- notes or cartoons;

- slurs, negative stereotypes, and hostile acts which are based upon another's gender;

- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to gender;

- other kinds of aggressive conduct such as theft or damage to property which is motivated by gender.

 Copyright © 2010 Missouri Consultants for Education

Harassment Because of Sexual Orientation or Perceived Sexual Orientation

For purposes of this Regulation, harassment of a student because of sexual orientation or perceived sexual orientation consists of verbal or physical conduct relating to an individual's sexual orientation or perceived sexual orientation when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment; or

2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or

3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of sexual orientation or perceived sexual orientation include:

- graffiti containing offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's sexual orientation or perceived sexual orientation;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's sexual orientation or perceived sexual orientation;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, sexual orientation or perceived sexual orientation;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by sexual orientation or perceived sexual orientation.

Copyright © 2010 Missouri Consultants for Education

REPORTING PROCEDURES

The following procedures are applicable to any student who believes he or she has been the victim of sexual harassment or harassment/discrimination based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the School District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

Such individuals are encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the District, is required to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any other person with knowledge or belief that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, sex color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation as set forth above, is encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

The School District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the School District office, but oral reports shall be considered complaints as well. Use of formal reporting forms is not mandated. Nothing in this Regulation shall prevent any person from reporting harassment directly to the Compliance Officer or to the Superintendent. The District will respond to male and female students' complaints of discrimination and harassment promptly, appropriately, and with the same degree of seriousness.

1. In each school building, the building principal is the person responsible for receiving oral or written reports of discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation at the building level. Any adult School District personnel who receives a report of discrimination, sexual harassment, or harassment based on race, sex, color,

 Copyright © 2010 Missouri Consultants for Education

national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation shall inform the building principal immediately.

Upon receipt of a report, the principal must notify the District Compliance Officer immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. If the report was given verbally, the principal shall personally reduce it to written form and forward it to the Compliance Officer within twenty-four (24) hours. Failure to forward any harassment report or complaint as provided herein will result in disciplinary action against the principal.

If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the School District Compliance Officer by the reporting party or the complainant.

2. The School Board has designated the Superintendent as the District Compliance Officer with responsibility to identify, prevent, and remedy unlawful discrimination and harassment. The District Compliance Officer shall:

- receive reports or complaints of unlawful discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation;

- oversee the investigative process;

- be responsible for assessing the training needs of the District's staff and students in connection with the dissemination, comprehension, and compliance with this Regulation;

- arrange for necessary training required for compliance with this Regulation; and

- insure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment, recommend appropriate discipline and remedies when harassment is found, and take other appropriate action to rectify the damaging effects of any prohibited discrimination, including interim protection of the victim during the course of the investigation.

If any complaint involves a Compliance Officer, the complaint shall be filed directly with the President of the Board of Education.

 Copyright © 2010 Missouri Consultants for Education

The District shall conspicuously post a notice against unlawful discrimination and harassment in each school in a place accessible to students, faculty, administrators, employees, parents, and members of the public. This notice shall include the name, mailing address, and telephone number of the Compliance Officer; the name, mailing address, and telephone number of the Missouri Commission for Human Rights, the state agency responsible for investigating allegations of discrimination in educational opportunities; and the mailing address and telephone number of the United States Department of Education, Office for Civil Rights, and the United States Department of Justice.

3. A copy of Policy 2130 shall appear in the student handbook, and this Regulation shall be made available upon request of parents, students, and other interested parties.

4. The School Board will develop a method of discussing this Regulation with students and employees. Training on the requirements of nondiscrimination and the appropriate responses to issues of harassment will be provided to all school personnel on an annual basis, and at such other times as the Board in consultation with the District Compliance Officer determines is necessary or appropriate.

5. This Regulation shall be reviewed at least annually for compliance with state and federal law.

6. The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

INVESTIGATION

Upon receipt of a report or complaint alleging unlawful discrimination, sexual harassment, or harassment based upon race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation, the Compliance Officer shall immediately undertake or authorize an investigation. That investigation may be conducted by District officials or by a third party designated by the District.

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of the evaluation of any other information or documents, which may be relevant to the particular allegations.

In determining whether the alleged conduct constitutes a violation of this Regulation, the District shall consider:

 Copyright © 2010 Missouri Consultants for Education

- the nature of the behavior;
- victim's statements;
- how often the conduct occurred;
- mandatory written witness statements or interview summaries;
- whether there were past incidents or past continuing patterns of behavior;
- opportunity for the complainant to present witnesses and provide evidence;
- evaluation of all relevant information and documentation relating to the complaint of discrimination or harassment;
- the relationship between the parties involved;
- the race, color, sex, national origin, age, ethnicity, disability, sexual orientation or perceived sexual orientation of the victim;
- the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment;
- the number of alleged harassers;
- the age of the alleged harassers;
- where the harassment occurred;
- whether there have been other incidents in the school involving the same or other students;
- whether the conduct adversely affected the student's education or educational environment;
- the context in which the alleged incidents occurred.

Copyright © 2010 Missouri Consultants for Education

Whether a particular action or incident constitutes a violation of this Regulation requires a determination based on all the facts surrounding the circumstances.

The investigation shall be completed and a written report given to the Superintendent no later than fifteen (15) days from receipt of the complaint. If the complaint involves the Superintendent, the written report may be filed directly with the School Board. The written report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this Regulation. The Compliance Officer's obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also pending or has been concluded.

SCHOOL DISTRICT RESPONSE

1. Upon receipt of a report that a violation has occurred, the District will, within 10 days, take appropriate formal or informal action to address, and where appropriate, remediate the violation. Appropriate actions may include, but are not limited to, counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, or discharge. District action taken for violation of this Regulation shall be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and District policies for violations of a similar nature of similar degree of severity. In determining what is an appropriate response to a finding that harassment in violation of this Regulation has occurred, the District shall consider:

    - what response is most likely to end any ongoing harassment;
    - whether a particular response is likely to deter similar future conduct by the harasser or others;
    - the amount and kind of harm suffered by the victim of the harassment;
    - the identity of the party who engaged in the harassing conduct.
    - whether the harassment was engaged in by school personnel, and if so, the District will also consider how it can best remediate the effects of the harassment.

    In the event that the evidence suggests that the harassment at issue is also a crime in violation of a Missouri criminal statute, the Board shall also direct the District Compliance Officer to report the results of the investigation to the appropriate law enforcement agency charged with responsibility for handling such crimes.

2. The results of the District's investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties by the District within 10 days of the Compliance Officer’s receipt of the complaint, in accordance with state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.

 Copyright © 2010 Missouri Consultants for Education

3. If the District's evaluation of a complaint of harassment results in a conclusion that a school employee has engaged in unlawful discrimination or harassment in violation of this Regulation, or that a school employee(s) has failed to report harassment as required herein, that individual may appeal this determination by presenting a written appeal within 10 school days of receiving notice of the District's conclusion, by use of established School Board procedures for appealing other adverse personnel actions. (See personnel handbooks.)

4. If the District's evaluation of a complaint of harassment results in a conclusion that no unlawful harassment has occurred, an individual who was allegedly subjected to harassment and believes that this conclusion is erroneous may appeal this determination by presenting a written appeal to the Superintendent within 10 school days of receiving notice of the District's conclusion. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within 10 working days after receiving the written appeal.

5. If the complainant believes the Superintendent has not adequately or appropriately addressed the appeal, he or she may present a written appeal to the President of the Board of Education within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board of Education. The Board of Education has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board of Education at their next regularly scheduled meeting or no later than 45 calendar days from the District's receipt of the complainant's appeal to the Board. The grievant will be notified in writing of the decision within 5 working days after the Board of Education meeting.

6. An individual who was allegedly subjected to unlawful discrimination or harassment may also file a complaint with the Missouri Commission for Human Rights, the United States Department of Education, Office for Civil Rights, or the United States Department of Justice. In addition, such individual may choose to file suit in the United States District Court or the State Circuit Court.

7. Copies of all complaints of harassment and the investigations conducted pursuant to them shall be maintained at the main administrative offices of the School District.

Copyright © 2010 Missouri Consultants for Education

RETALIATION

Submission of a good faith complaint or report of unlawful discrimination, sexual harassment, or harassment based upon race, sex, color, disability, national origin, age, ethnicity, or sexual orientation will not affect the complainant or reporter's future employment, grades, learning, or working environment, or work assignments.

The School District will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who retaliates against any person who reports an incident of alleged harassment/discrimination, sexual, racial, ethnic, sexual orientation discrimination, disability-related harassment or violence, or any person who testifies, assists, or participates in a proceeding, investigation, or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Board Adopted August 20, 2015
Board Reviewed August 20, 2020

Copyright © 2010 Missouri Consultants for Education

STUDENTS **Regulation 2170**

Nondiscrimination and Student Rights

Distribution of Noncurricular Publications by Students

Guidelines for Distribution

Students may distribute, at reasonable times and places, unofficial written materials, petitions, buttons, badges, or other insignia, except expressions which:

1. Are obscene to minors.

2. Are libelous.

3. Are pervasively indecent or vulgar (secondary schools)/contain any indecent or vulgar language (elementary schools).

4. Advertise any product or service not permitted to minors by law.

5. Constitute insulting, hateful or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, or ethnic origin).

6. Present a clear and present likelihood that, either because of their content or their manner of distribution, will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, or will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in above categories to any student is prohibited.

Procedures

Any student wishing to distribute unofficial written material must first submit for approval a copy of the material to the principal/designee at least three (3) days in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request.

2. Date(s) and times(s) of day of intended display or distribution.

3. Location where material would be displayed or distributed.

4. The grade(s) of students to whom the display or distribution is intended.

Within forty-eight (48) hours of submission, the principal/designee will render a decision whether the material violates the guidelines contained in these regulations or the time, place and manner restrictions of this regulation. In the event that permission to distribute the material is denied, the student submitting the request should be informed of the reasons for the denial.

Permission to distribute material does not imply approval of its contents by the school, the administration, the Board, or the individual reviewing the materials submitted. Accordingly, the publication shall contain a statement "The opinions expressed are not necessarily those of the District or its personnel."

If the student is dissatisfied with the decision of the principal/designee, the student may submit a written request for appeal to the Superintendent/designee. If still not satisfied, the student may appeal the request to the Board for its review.

Time, Place and Manner of Distribution

The distribution of written material shall be limited to a reasonable time, place and manner as follows:

1. No written material may be distributed during and at the place of a normal school activity (e.g., classroom) if it is reasonably likely to cause a material and substantial disruption of that activity.

2. Distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entranceways of the school.

Definitions

The following definitions apply to the following terms as used in this policy:

Obscene to minors is defined as:

1. The average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested; and/or

2. The material depicts and describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and/or

3. The material taken as a whole, lacks serious literary, artistic, political or scientific value for minors.

Minor is defined as any person under the age of eighteen (18).

Material and substantial disruption of a normal school activity is defined as follows:

1. Any disruption which interferes with or impedes the implementation of any educational or school sponsored program.

2. In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school and current events influencing student activities and behavior.

School activities is defined as any activity of students sponsored by the school and includes - by way of example, and not by way of limitation - classroom work, library activities, physical education classes, official assemblies, and other similar gatherings, school athletic contests, band concerts, school plays, and in-school lunch periods.

Unofficial written material is defined as all written material except school publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.

Libelous is defined as a false or unprivileged statement about a specific individual that tends to harm the individual's reputation, or to lower him/her in the esteem of the community.

Distribution is defined as circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school which are generally frequented by students.

Disciplinary Action

Distribution by a student of unofficial written material prohibited in this regulation will be treated as a violation of the student discipline code.

Board Adopted October 1999
Board Reviewed September 17, 2015
Board Reviewed August 20, 2020

Admission and Withdrawal

Student Records Requests

Within 48 hours of enrolling a student placed in the District pursuant to R.S.Mo. §§ 210.481-.536, the school official enrolling the student shall request all records required by District policy for student transfer, including discipline records, from all schools and facilities attended by the student in the preceding twenty-four (24) months in addition to records related to the student from the Department of Social Services; the Department of Mental Health; the Department of Elementary and Secondary Education; and any other state agencies and entities involved in the placement of the student.

For all other students to whom the preceding paragraph of this Regulation is not applicable, the Superintendent/Designee will request the student's transfer and discipline records from all schools or facilities previously attended within the preceding twelve (12) months within two (2) business days of a student's request to enroll in the District. In addition, parents/guardians of students new to the District will be required to complete and sign the Affidavit Regarding Prior Discipline informing the District of the student's previous suspensions, expulsions or criminal activity.

Any enrollment of the student prior to receipt of a the student's discipline records from a previous school will be conditional until such time as the student's previous discipline records are received evidencing that the student is not barred from enrollment under R.S.Mo.§ 167.171 (See Policy and Regulations 2200 and 2664). A student will be allowed to attend school after a conditional enrollment. A student's conditional enrollment will be revoked upon receipt of information that the student is barred from enrollment pursuant to R.S.Mo. § 167.171 and the student will no longer be allowed to attend school. This provision does not apply to a disabled student, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of conduct related to the student's disability. Any student who is barred from enrollment pursuant to R.S.Mo. §167.171 will be provided due process as set for in the District Regulation 2664. If the student is not barred from enrollment pursuant to R.S.Mo. § 167.171, the student will be deemed fully enrolled upon receipt of the student's records. (See Regulation 2200, Policy 2290, and Policy and Regulation 2664).

The Superintendent/Designee is authorized to share relevant portions of such student's transfer and discipline records with District employees who, based upon their duties, have a need to know such information. Such records will be maintained in confidence for purposes of maintaining discipline and for assistance to the student.

Board Approved September 18, 2014
Board Reviewed September 17, 2015
Board Reviewed September 17, 2020

Copyright © 2014 Missouri Consultants for Education

Admission and Withdrawal

Admission of Non-Tuition Students

The Superintendent/Designee is responsible for ensuring that all pre-registration residency, waiver requests, and prior discipline forms are completed and maintained as District records.

A student may only register in the District if the student provides proof of residency or if the student or parent/guardian requests a waiver from the Board of Education on the basis of hardship or good cause. A Residency Enrollment Checklist (Form 2230) and Affidavit Regarding Prior Discipline (Form 2230.2) will be completed at the time of enrollment. If the Superintendent/Designee has reason to suspect that the admission of a student will create an immediate danger to the safety of others, a hearing will be convened within five (5) working days of the request to register. At the hearing, the District will determine whether the student may enroll. (See Regulation 2664 – Enrollment or Return Following Suspension and/or Expulsion.)

Waiver

Students or parents/guardians seeking a waiver of the District's residency requirement must complete and submit to the Superintendent a Request for Waiver of Proof of Residency (Form 2230.1) stating the reasons for which the waiver is requested. If a waiver is requested, the Board of Education, or a committee of the Board appointed by the Board President, must convene a hearing no later than forty-five (45) days after the request for waiver is filed with the Superintendent. Once a waiver of proof of residency has been requested, the student may be permitted to conditionally enroll and attend school pending a hearing before the Board on the request unless there is reason to suspect that the student's admission will create an immediate danger to the safety of other students or employees of the District. If there is reason to suspect that a student poses an immediate danger, the Superintendent/Designee may hold a hearing within five working days of the request to register and determine whether or not the pupil may register.

If the District fails to convene a timely hearing, the request for waiver is automatically granted. Following the hearing, the Board will provide written notice of its decision and the reasons for its approval or denial of the waiver request. If the Board grants the waiver request, the student will be allowed to continue attending school in the District and will be deemed fully enrolled. If the Board denies the waiver request, the student's conditional enrollment will automatically be revoked and the student shall not be allowed to continue attending school in the District.

In considering whether a waiver to residency should be granted, the presumption that a student's domicile is in the home of the student's parent/guardian is not conclusive. Students residing within the District, but not within the domicile of their parent/guardian, will be considered

 Copyright © 2014 Missouri Consultants for Education

residents of the District if they reside within the District for reasons other than solely to attend District schools or athletic reasons.

Students Entitled to Enroll Without Proof of Residency or Payment of Tuition

The following students may enroll without payment of tuition or request for a waiver of the proof of residency requirements:

1. Orphaned children or children with only one living parent.

2. Children between the ages of six (6) and twenty (20) who are unable to pay tuition and whose parents/guardians do not contribute to their support.

3. Children who participate in an American Field Service or similar foreign exchange program subject to District approval and provided that the student resides in the home of a District resident.

4. Children whose parents/guardians own and reside upon property at least eighty (80) acres of which are used for agricultural purpose, provided at least thirty-five percent (35%) of the property is within the District.

5. Inter-district court-ordered desegregation students.

6. Students of District teachers or regular District employees.

7. Homeless students.

8. Wards of the state placed in a residential care facility by state officials.

9. Students placed in a residential care facility by a juvenile court or due to a mental illness or developmental disability.

10. Students with a disability identified under state eligibility criteria if the student is in the District for reasons other than accessing the District's educational programs.

11. Students attending regional or cooperative alternative education programs.

12. Students attending an alternative education program on a contractual basis.

Copyright © 2014 Missouri Consultants for Education

The administration may investigate the eligibility of children attending schools under the provisions of this regulation. If a determination is made by the Superintendent/Designee that the student does not meet the criteria to be entitled to a free public education by the District, the student may be administratively removed from the enrollment as set forth in Policy 2290.

Board Approved September 18, 2014
Board Reviewed September 17, 2015
Board Reviewed September 17, 2020

Copyright © 2014 Missouri Consultants for Education

Admission and Withdrawal

Admission and Tuition - Non-Resident Students

The following students who are not residents of the District may enroll without payment of tuition:

1. Orphaned children or children with only one living parent.

2. Children whose parents/guardians do not contribute to the support of the child.

3. Children who participate in an American Field Service or similar foreign exchange program subject to District approval and provided that the student resides in the home of a District resident.

4. Children whose parent/guardian owns real property within the District, but who reside outside of District boundaries. Such children may attend school upon payment of tuition, which will be reduced by the amount of real estate tax paid by the child's parent/ guardian for School District purposes.

5. Children whose parents/guardians own and reside upon property at least eighty (80) acres of which are used for agricultural purpose, provided at least thirty-five percent (35%) of the property is within the District.

6. Inter-district desegregation students.

7. Students of District teachers or regular District employees.

8. Homeless students.

9. Wards of the state.

10. Students placed in a residential care facility.

11. Students attending regional or cooperative alternative education programs.

The administration may investigate the eligibility of children attending schools under the provisions of this regulation.

Copyright © 2013 Missouri Consultants for Education

Admission of Students from Unaccredited School Districts

The District will accept students seeking to transfer enrollment from a school district in the same or adjoining county that has been declared unaccredited by the State of Missouri in accordance with the following guidelines:

Tuition

The Board of Education of the school district that has been declared unaccredited will be responsible for payment of tuition to the District for each transfer student(s) accepted under this policy. The rate of tuition will be calculated in accordance with the District's per pupil cost, calculated in accordance with Missouri Revised Statute §167.131. Tuition from the transferring school district must be received by the beginning of each semester.

Applications for Enrollment

Parents or legal guardians seeking to transfer the enrollment of their child(ren) to the District in accordance with this policy, must be a resident of a school district that has been declared unaccredited. The term "resident" will be interpreted in accordance with Missouri law. Upon a request for transfer to the District pursuant to this policy, the District has the right to seek information verifying the student's residency status in the unaccredited district.

Parents or legal guardians seeking to transfer enrollment to the District must send notification to their school district of residence and the District of their intent to enroll their child(ren). Applications for enrollment for the 2013-2014 school year must be received in the District's Central Office by August 1st and by February 1st of each year thereafter.

Parents or legal guardians seeking enrollment in the District pursuant to this policy will be required to complete District enrollment forms and provide information related to residency, academic, age, immunization, health, student discipline status, and other eligibility prerequisites as established by Board policies, rules and regulations, and by state law. Students will not be permitted to enroll in the District pursuant to this policy if the student has been convicted or charged with any offense outlined in the Missouri Safe Schools Act, §167.171 RSMo.

Applications for enrollment will be considered in order of receipt by the District's Central Office. The District will give preference to siblings of current transfer students already attending the District. Nonresident students from unaccredited schools may be permitted to attend the District based upon District capacity and availability of space in student grade level.

Copyright © 2013 Missouri Consultants for Education

Availability is based upon District class size and student-teacher ratios. Based upon an average class size at grade level for the previous five years, the acceptable average class size for the District at grade level is:

- Kindergarten 18-20
- Grades 1-2 20-22
- Grades 3-5 23-25
- Grades 5-8 20-25
- Grades 9-12 20-25

School placement will be determined solely at the Superintendent or his/her designee's discretion.

Transportation

The District is not responsible for transportation of students enrolling from an unaccredited school district. If the unaccredited school district has selected the District as a school district to which it will provide transportation, it is the responsibility of the parent or legal guardian to make transportation arrangements with their home school district.

Activities

As provided, regulations of the Missouri State High School Activities Association (MSHSAA) students transferring from an unaccredited high school pursuant to §167.241 are eligible to participate in interscholastic MSHSAA activities sponsored by the receiving District. However, the District will not provide transportation to student transfers related to activity practice.

Reaccreditation

If the unaccredited school district where a student resides regains its accreditation, the student may remain in the District only until the end of the current school year, subject to the payment of tuition by the unaccredited school district.

Board Approved September 19, 2013
Board Reviewed September 17, 2015
Board Reviewed September 17, 2020

Copyright © 2013 Missouri Consultants for Education

STUDENTS **Regulation 2250**

Admission and Withdrawal

Admission of Exchange Students

This regulation sets forth the procedural requirements for admission of foreign exchange visitor students to the District.

1. The sponsoring organization shall not place a student in the high school without first contacting the principal and obtaining his/her approval for the admission of the student.

2. Students will be accepted on a space-available basis. No more than four foreign students from a given program and no more than two of the same nationality may be placed in the high school at one time.

3. Representatives of the foreign exchange program must provide active supervision and support to their participating students including responsibility for resolving problems including, if necessary, the changing of host families and the early return home of the exchange student because of personal or family difficulties.

4. Placement of the student in the high school should be arranged at least five weeks in advance of the student's departure from the student's native country. In any event, such placement must be made before the student's arrival in the United States.

5. The host family should be familiar with, and transmit to the school, information about the student's interests and general behavior, and provide the student's school record in English or translatable form.

6. The foreign exchange student must abide by the rules and regulations of the high school regarding attendance, discipline, school work, etc.

7. The principal will check to see whether:

    a. Orientation, both pre-departure and upon arrival in the United States, has been provided to the exchange students. The orientation is to be designed to give the students basic information about the United States, its people, family and school life, and the nature of the program in which they are participating.

    b. Orientation has been provided to host families at least five weeks prior to the student's arrival in the United States.

    c. Each visiting student and host family has been provided with a copy of the Department of State's Criteria for Exchange Visitor Programs.

d. The representative has made sure the student has appropriate health, accident and liability insurance.

e. Students are provided with an identification card with address and telephone numbers of the sponsoring organization and the Facilitative Services Staff, Bureau of Educational and Cultural Affairs, and Department of State.

8. Diplomas may be issued to exchange students when both the District graduation requirements and the student's home school requirements have been met. Students are entitled to participate in all senior activities, including the graduation ceremony, with or without the diploma.

9. District students should be recommended by the local units of exchange visitor programs for reciprocal privileges and responsibilities.

Board Approved November 2000
Board Reviewed October 15, 2015
Board Reviewed September 17, 2020

Admission and Withdrawal

Homeless Students

Identification

For purposes of Board policies and regulations *homeless students* include students under age twenty- one (21) who lack a fixed, regular and adequate nighttime residence and include students who:

1. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in hotels, motels, or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;

2. have a primary night time residence that is a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings;

3. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

4. Are a migratory child or youth who qualifies as homeless because they are living in circumstances described above.

School Selection

Parents, guardians, or unaccompanied youth will be informed of the homeless student's right to remain in the school of origin. For purposes of this policy, the school of origin means the school that the student last attended when permanently housed, or the school where the student was last enrolled including preschool. In determining the best interest of the student, the Board will consider:

1. Keeping the student in the school of origin unless contrary to wishes of parent or guardian;
2. Impact of mobility on admission;
3. Education, health, safety of the student;
4. Consider the views of an unaccompanied student;
5. Irrespective of whether the student lives with homeless parents or has been temporarily placed elsewhere.

The District will provide a written explanation, including the right to appeal to the student or parent/guardian if, the Board sends the student to a school other than the school of origin or the school requested by the parent/guardian.

Enrollment

A homeless student will be enrolled without undue or unreasonable delay. A homeless student will be enrolled even if their previous academic records, immunization records, proof of residence, or other documents are not immediately available. The District will ensure that homeless students, meeting eligibility standards, do not face barriers in accessing academic and extracurricular activities.

Transportation

The District will, upon parent/guardian or unaccompanied youth request, provide transportation to and from the school of origin as follows:

1. If the student continues to live in the District, transportation will be arranged to the school of origin.
2. If the student continues in their school of origin, but moves into another district, transportation will be arranged upon by the District of origin and the new District of residence.

Parents, guardians and unaccompanied youth will be fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services.

Homeless Liaison

The Board of Education has appointed the Elementary Counselor as liaison for homeless students. The responsibilities of the liaison will include, but not be limited to:

1. Ensure that homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies.

2. Establish practices designed to ensure the school enrollment and success of homeless students;

3. Assist with the enrollment of homeless students and provide assistance with obtaining academic and medical records;

4. Make school placement decisions based on the best interest of the child and wishes of the parent, guardian, or unaccompanied youth;

5. Inform parents, guardians, or unaccompanied homeless students of the educational and related opportunities available to them;

6. Ensure that homeless students and their families have access to educational services including Head Start, Even Start and other preschool programs administered by the District;

7. Ensure that referrals are made to health care, dental, mental health and other appropriate services;

8. Ensure that homeless students are not isolated or stigmatized because of their status as homeless;

9. Handle enrollment disputes and ensure that disputes over the placement of homeless students are resolved in a timely manner consistent with the requirements of the McKinney Vento Act;

10. Provide/arrange transportation and inform the parent, guardian, or unaccompanied homeless youth of the transportation services the school district must make available and assist homeless students in accessing transportation to and from school; and

11. Disseminate public notice of the educational rights of homeless students in places where homeless students receive services.

12. Ensure school personnel receives professional development and other support.

13. Ensure that unaccompanied youth are enrolled in school, have the opportunity to meet the same challenging state academic standards, are informed of their status as independent students under Section 480 of the Higher Education Act and their right to receive verification of this status.

All school personnel, District service providers and locally known advocates working with homeless families will be informed of the identity of the Homeless Liaison and the Homeless Liaison duties.

Disputes Over School Selection or Enrollment in a School

If a dispute arises over school selection or enrollment in a school the following protocols will apply:

1. The homeless student will be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

2. The parent, guardian or unaccompanied youth will be provided with a written explanation of the District's decision regarding school selection, enrollment, and related decisions concerning education services, including the rights of the parent, guardian, or student to appeal the decision; and

3. The homeless student, parent, or guardian will be referred to the Homeless Liaison, who will carry out the complaint resolution process described in the next section of this Regulation as expeditiously as possible after receiving notice of the dispute.

4. At the request of the parent, guardian or unaccompanied youth, the District will provide for or arrange adequate or appropriate transportation to and from the school selected by the parent, guardian or unaccompanied youth. Inter-district transportation disputes will be resolved by DESE.

Dispute Resolution

Level I - A complaint regarding eligibility, school selection, enrollment or barriers to attending classes and participating in school activities of a homeless child shall first be presented orally and informally to the District's educational liaison for homeless children. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the educational liaison. The written charge must include the following: date of filing, description of alleged grievances, the name of the person or persons involved and a recap of the action taken during the informal charge stage. Within five (5) working days after receiving the complaint, the liaison shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the liaison will inform the Superintendent of the formal complaint and the disposition.

Level II - Within five (5) working days after receiving the decision at Level I, the complainant may appeal the decision to the Superintendent by filing a written appeals package. This package shall consist of the complainant's grievance and the decisions rendered at Level I. The Superintendent will arrange for a personal conference with the complainant at their earliest mutual convenience. Within five (5) working days after receiving the complaint, the Superintendent shall state a decision in writing to the complainant, with supporting evidence and reasons.

Level III - If resolution is not reached in Level II, a similar written appeals package shall be directed through the Superintendent to the Board of Education requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The hearing before the Board may be conducted in closed session upon the request of either the Board or the complainant. Within

thirty (30) working days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For District purposes, the decision of the Board of Education is final.

Level IV – If the complainant is dissatisfied with the action taken at Level III, the Complainant may appeal the decision to the State Education Agency point of contact. Such appeal must be in writing and filed within five (5) days of Level III decision, and including:

1. School in which enrollment is sought and the basis for seeking enrollment;
2. Name and contact information for the parent or education decision-maker;
3. Best Interest notes and reports;
4. Copy of the previous appeal letter;
5. Copy of the decision recommended at Level III.

The appeal letter must be submitted to the State point of contact as well as the District's Superintendent.

Policy Dissemination

Copies of the Board of Education's Policy on Homeless Students will be presented to the County Welfare Office, County Office of the Division of Employment Security, the Juvenile Officer and to local law enforcement authorities.

Identification

Homeless students will be identified by referrals from community organizations and District personnel and by review of the District's enrollment forms.

*****

January 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted May 2004
Board Reviewed October 15, 2015
Board Updated February 15, 2018
Board Reviewed September 17, 2020

STUDENTS **Regulation 2270**

Admission and Withdrawal

Admission of Migrant Students

Identification

For purposes of Board policies and regulations, the phrase *migratory students* shall mean students aged three (3) through twenty-one (21) who are or whose parents/guardians or spouses are migratory agricultural workers, including migratory dairy workers or migratory fishers; and who in the preceding thirty-six (36) months, in order to obtain or accompany such parents/guardians or spouses in obtaining temporary or seasonal employment in agriculture or fishing work, have moved from one school district to another.

The District will identify migrant students by including a question on the District's enrollment form. If it is indicated that a migrant student is enrolling, the parents will then be asked to complete a parent survey/family interview form provided by the State Office for Migrant-English Language Learner (MELL) Program. The Regional Migrant Center or the State Director for Migrant Education will be notified of any migrant students who are enrolled in the District. The Regional Migrant Center will be contacted for any assistance needed for the migrant student(s).

Services

School District personnel including secretaries, nurses, counselors, teachers and principals will be advised of the presence of eligible migrant students in their assigned schools to ensure that equal access to all school programs is provided. Complaints concerning the placement of migrant students will be resolved by means of the District's complaint resolution procedure for homeless students.

Board Approved December 2005
Board Reviewed October 15, 2015
Board Reviewed September 17, 2020

STUDENTS **Regulation 2310**

Attendance

Student Attendance

The Board of Education has established the following rules and regulations regarding attendance, absences and excuses for students. These rules and regulations are intended to comply with Missouri Compulsory Attendance Law (167.031 RSMo.) which establishes compulsory attendance for all children between the ages of seven and sixteen unless their education is provided by other acceptable means or otherwise excusable under the law.

Absences

In case of absence, it is the responsibility of the parent/guardian to notify the school. If the school is not notified on the day of absence, a note from the parent/guardian will be required on the first day of the student's return to school. The absence will be recorded as unexcused if a note or telephone call is not received.

Excusable absences include, but are not limited to:

1. Illness of the student (Doctor's statement may be required to support such absences).
2. Days of religious observance.
3. Death in the family
4. Family emergencies which necessitate absence from school. The school must be notified in advance when such absences are foreseen.

The following procedures should be followed by students who are absent so as to prevent academic difficulties:

1. The student shall obtain assignments from appropriate staff members. Assignments shall be obtained in advance if the absence is foreseen.
2. All assigned work shall be submitted upon returning to school.
3. All classroom work (to include tests) shall be completed as indicated by the individual classroom teacher.

Attendance patterns for all students will be monitored. Absences which are not clearly excusable will be investigated by the principal and/or staff, and appropriate action will be taken.

Regulation 2310

Excessive Absences

Elementary Students and Middle School Students

A student shall be allowed eight (8) absences per semester. Excessive absences, excused or unexcused, have a detrimental effect upon academic progress and may be one factor considered in promotion/retention decisions.

High School Students

A student shall be allowed a maximum of eight (8) absences from any class during a semester. Students who accumulate in excess of eight (8) days in any class are subject to loss of credit for that class. (Days of student suspension are not counted as days absent for purposes of this policy.)

When unusual or extreme circumstances occur, exceptions to this stated policy will be made only by administrative discretion on an individual basis. Any absence not accounted for will be considered an unexcused absence.

Any absence from class as a result of a school-sanctioned activity is not recorded as an absence for purposes of this policy. Example: field trip, athletic event, student activity, etc. It is the student's responsibility to remind all of his/her teachers following a school-sanctioned absence to use the attendance correction form if he/she was reported absent inadvertently.

A student is expected to make up work as a result of class periods missed. It shall be the student's responsibility to meet with the teacher and receive the necessary instructions and assignments.

Any exceptions to the items cited above shall be approved by the Board of Education.

Each principal may have written policies which further detail procedures for making up work, reporting absence, etc.

Appeal

High school students who are denied credit under this Regulation are entitled to utilize the due process procedures available for student suspensions. These provisions are contained in Regulation 2662 – Suspension.

Board Reviewed October 15, 2020

STUDENTS **Regulation 2320**

Attendance

Part-time Attendance

The District recognizes the need of some students to attend school on a part-time basis. The Board has established the following regulation regarding part-time attendance. It is the intent of this regulation to meet the individual needs of each student and at the same time establish rules and regulations which will preserve the discipline, health, and academic standards of the school.

Eligibility Requirements

1. The student must have parent/guardian approval if under 18 years of age.

2. The student must demonstrate a definite need to attend school on a part-time basis. Examples are: a) financial needs of student or family, b) health problems of self or family, c) vocational training in school or on the job, d) enrollment in a school of higher education, and e) unique curriculum offerings.

Application Procedure

The student must secure an appointment with the guidance counselor or school principal prior to classification as a part-time student. The student must complete a part-time attendance request form at the conference. Before any decision is given concerning the request, a conference must be held with the student's parent/guardian if the student is under 18 years of age. All applications and conferences must be completed during the time preceding the semester in which the student is to be enrolled on a part-time basis.

After an application has been submitted, the principal shall rule on the request and report to the Superintendent the names of all students who are to be enrolled on a part-time basis. This same report shall be transmitted to the Board of Education. In the event the principal denies the request, the student may appeal to the Superintendent who must respond in a reasonable time. If the student is not satisfied with the decision of the Superintendent, an appeal may be made to the Board of Education with the appeal to be heard at the next meeting of the Board.

The student must renew the request for part-time attendance status each semester. Parental conference will not be required for renewal; however, the parent/guardian will be notified of the student's continued part-time enrollment status.

Part-time students are governed by the same rules and regulations that apply to regularly enrolled students.

Board Reviewed November 19, 2015

Board Reviewed October 15, 2020

STUDENTS **Regulation 2330**

Attendance

Student Early Dismissal Procedures

The following procedures apply:

1. The building principal or designee shall not excuse a student before the end of the school day without a request for early dismissal by the student's parent/guardian.

2. Requests shall be in writing. Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's parent/guardian.

3. Children of single-parent families will be released only upon the request of the custodial parent; i.e., the parent whom the court holds directly responsible for the child, and who is identified as such on the school record.

Additional precautions may be taken by the school administration, appropriate to the age of students, and as needs arise.

Parents/guardians have the obligation to advise and provide up-to-date documentation to the building principal regarding any change in the legal and/or physical custody of the student. The building principal, at all times, has the authority to investigate and confirm the custodial status of a parent/guardian if the principal has inadequate information or reason to suspect that false or incomplete information has been provided to the School District.

Students shall not be permitted to answer any personal phone calls, except those from the parent/guardian or other persons having legal custody of said pupils. Emergency messages will be delivered to the students.

Board Reviewed November 19, 2015
Board Reviewed October 15, 2020

STUDENTS **Regulation 2340**

Attendance

Truancy and Educational Neglect Procedures

1. Section 210.1 15.R.S.Mo. mandates certain professionals to report to the Division of Family Services when they have reasonable cause to suspect that a child is being subjected to home conditions which contribute to school nonattendance.

   Along with other professionals mentioned, the law specifically mentions "teacher, principal or other school official" as well as "nurse" and "social worker."

2. School employees who suspect that a child is subject to educational neglect shall report this as soon as possible to the principal/designee.

3. The principal/designee shall review the report and confer with the parent/guardian to resolve the situation. When appropriate, a school counselor, social worker, or nurse may be instructed to offer appropriate social or health services which may be needed to intervene in the family circumstances.

4. If appropriate school intervention does not correct the student's truancy, and reasonable cause for educational neglect has been determined, the principal/designee shall call the Student Abuse Hotline of the Division of Family Services and report the alleged child educational neglect.

5. A report of this call shall be forwarded to the Superintendent or Central Office Student Services Administrator.

Board Reviewed November 19, 2015

Student Educational Records

Definitions

Directory information means information contained in the educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. In the Worth County R-III School District, directory information includes the following: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended, and photographs.

1. *Educational record* means those records that are directly related to a student and are maintained by the District.

2. *Disclosure* means to permit access to or the release, transfer, or other communication of educational records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written or electronic means.

3. *Eligible student* means a student who has reached 18 years of age or attends an institution of post-secondary education.

4. *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent/guardian in the absence of a parent/guardian.

5. *Personally identifiable information* includes, but is not limited to the student's name; the name of the student's parent/guardian or other family member; the address of the student or student's family; a personal identifier, such as the student's social security number or student number; a list of personal characteristics that would make the student's identity easily traceable, or other information that would make the student's identity easily traceable.

6. *Student* means any individual who is or has been in attendance in the District and about whom the District maintains educational records.

General Guidelines

1. The District shall give full rights under this regulation to either parent/guardian of a student, unless the District is provided with a court order, state law or other legally binding document that specifically revokes the parent/guardian's rights to access under this regulation.

 Copyright © 2010 Missouri Consultants for Education

2. When a student reaches the age of 18, or attends a post-secondary institution of education the parent/guardian rights under this policy will transfer from the parent/guardian to the student.

3. The District will annually disseminate a notice of the rights available under this regulation to parent/guardian and eligible students. The annual notification will include a statement that the parent/guardian or eligible student is entitled:

   a. To inspect and review the student's educational records.

   b. To request changes to the educational records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.

   c. To consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that federal and state law authorize disclosure without such consent; and

   d. To obtain a copy of this policy and guidelines.

   The annual notification will also inform parents/guardians and eligible students where copies of the policy and guidelines are located.

4. Prior to making directory information public, the District will notify the parent/guardian regarding the categories of information that it has designated as directory. In addition, the District will allow a reasonable period of time after such notice for the parent/guardian or eligible student to inform the District that any or all of the designated directory information should not be released without the parent's/guardian's or eligible student's consent.

Procedures for Inspection and Review of Educational Records

1. The District's regulation permits parents/guardians and eligible students to inspect and review the educational records of the student.

2. After a request for access to records, the District will allow access within a reasonable period of time, but in no case more than forty-five (45) days after receipt of the request. All requests for access should be directed to the Building Principal.

 Copyright © 2010 Missouri Consultants for Education

3. After the parent/guardian or eligible student has had an opportunity to inspect and review the student's educational records, the parent/guardian may make a request for explanations and interpretations of the records to Building Principal. The District's designee shall respond to all reasonable requests for explanation or interpretation.

4. The District will not destroy any educational record if there is an outstanding request to inspect and review that record.

5. If a student's educational records contain information on more than one student, the parent/guardian or adult student may inspect, review or be informed of only the specific information about that student. That is, all information pertaining to another student will be redacted.

6. The District may employ the use of security videos in its hallways, classrooms and/or buses. Security videos maintained by the District's law enforcement unit (if any) or not maintained at all (recycled) are not considered educational records and therefore may not be inspected and reviewed under FERPA. If security videos are maintained by the District, such videos are protected educational records under FERPA and may be viewed by parents or patrons with a court order or written permission from the parent(s) of each student to whom the video is directly related.

7. The District may disclose personally identifiable information from an educational record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent/guardian or eligible student. Each party to whom disclosure may be made under this policy must first sign a statement in which he/she agrees to abide by this provision and agrees to use the information disclosed only for the purposes for which the disclosure was made. This does not apply to disclosures of directory information or to any information that the District is required to disclose under Missouri law.

Copies of Educational Records

1. The District has no obligation to provide copies of educational records to parents, their representatives or adult students under FERPA unless failure to provide copies prevents a parent or adult student from exercising the right to inspect or review the records, or is otherwise required by law. For example, if a parent does not live within driving distance of the school district, is hospitalized, or incarcerated, he or she may have a right to copies.

 Copyright © 2010 Missouri Consultants for Education

Though the District does not generally have an obligation to provide copies under FERPA, it will nonetheless provide up to 20 pages per student, per school year, without charge. All requests for copies over 20 pages per student, per school year will be charged 10 cents per page, which must be paid for in advance.

The District will administratively consider exceptions to this policy on a case by case basis. The factors to be considered in making such an exception include but are not limited to the purpose of the copies, whether the request is overly time consuming or burdensome, and the number of prior requests. If copies are requested to be sent to an agency or individual other than the adult student or parent/legal guardian, all proper releases must be signed.

Procedures to Request Amendment of a Student's Educational Records

1. If a parent/guardian or eligible student believes the educational records for that student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, he/she may ask the District to amend the record. All such requests should be directed to School Counselor.

2. The District's designee, in consultation with the administration or Board of Education as needed, shall decide whether to amend the record as requested within a reasonable time after the request.

3. If the District's designee decides not to amend the record, he/she shall inform the parent/guardian or eligible student of that decision and of their right to request a hearing on the request.

4. If a hearing is requested, the District will hold the hearing within a reasonable time after it has received the request and will give the parent/guardian or eligible student reasonable advance notice of the date, time and place of the hearing. The hearing may be conducted by any individual, including an employee of the District, who does not have a direct interest in the outcome of the hearing. The District will give the parent/guardian or eligible student a full and fair opportunity to present evidence relevant to the issue(s) raised by the parent/guardian or eligible student's request. The parent/guardian or eligible student may, at their own expense, be assisted or represented at the hearing by any individual of their choice, including an attorney.

5. The District will make its decision in writing within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing, and will include a summary of the evidence and the reasons for the decision.

 Copyright © 2010 Missouri Consultants for Education

a. If the District decides, as a result of the hearing, that the information is inaccurate, misleading or violates the student's rights, the District shall amend the record and inform the parent/guardian or eligible student of the amendment in writing.

b. If the District decides, as a result of the hearing, that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the District shall inform the parent/guardian or eligible student of that decision and shall inform the parent/guardian or student of his/her right to place a statement in the record commenting on the contested information or stating why he/she disagrees with the District's decision, or both. If the parent/guardian or eligible student submits such a statement, the District will maintain that statement with the student's educational records as long as the record is maintained and will disclose the statement whenever it discloses the portion of the record to which the statement relates.

Procedures Regarding Disclosure of Personally Identifiable Information Where Consent is Required

1. Before the District discloses personally identifiable information from a student's records (other than directory information), the District will obtain a signed and dated written consent from the parent/guardian or eligible student. The written consent will specify the records that may be disclosed; state the purpose of the disclosure; and identify the party or parties to whom disclosure may be made.

2. If the parent/guardian or eligible student so requests, the District will provide him/her with a copy of the records disclosed.

Copyright © 2010 Missouri Consultants for Education

Disclosure of Personally Identifiable Information Where Consent is Not Required

The District may disclose personally identifiable information from a student's educational records without the written consent of the parent/guardian or eligible student in the following circumstances:

1. Disclosure may be made to other school officials, including teachers, within the District whom the District has determined to have legitimate educational interests. In addition, the school official or his/her assistants who are responsible for the custody of the records and those parties authorized to audit the record keeping procedures of the District may inspect the records relating to each student without the consent of the parent/guardian or eligible student.

   The District designates Building Principal to make the determination as to whether a particular school official has a legitimate educational interest in accessing a student's educational records. Before accessing any student's educational records, the school official seeking access must submit a written request to Building Principal. The request must include the student's name, the reason for the request, the school official's name and the date of the request. The District's designee must provide in writing whether the request was granted or denied and the reason for the decision. If the request is granted, the request and the designee's decision must be maintained with the student's educational records.

2. Disclosure may be made to officials of another school district or post secondary educational institution where the student seeks or intends to enroll.

3. Disclosure may be made to authorized federal and state agencies and authorities.

4. Disclosure of acts of school violence, as set forth in Policy and Regulation 2673, may be made to District employees who are directly responsible for the student's education or who interact with the student in the performance of the employee's duties.

5. Disclosure related to past or potentially future violent behavior may be made to appropriate staff members of portions of any student's individualized education program team.

6. Disclosure may be made to law enforcement officials, as soon as is reasonably practicable, of the commission of the criminal acts listed in Regulation 2673.

Copyright © 2010 Missouri Consultants for Education

7. In appropriate circumstances, District administrators may disclose student educational records to law enforcement and/or juvenile authorities where necessary to serve students prior to adjudication. Officials to whom such educational records are disclosed are required to comply with federal law governing students' educational records.

8. Disclosure may be made to the appropriate division of the Juvenile Court of the suspension of more than ten (10) days of any student under court jurisdiction.

9. Disclosure of discipline records may be made within five (5) days to any requesting school district where the student seeks to enroll.

10. Disclosure may be made if such disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility, amount of aid, condition for the aid, or to enforce the terms and conditions of the aid.

11. Disclosure may be made to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction, if the study is conducted in a way that does not permit personal identification of parent/guardian and students, and the information is destroyed when no longer needed for the purposes for which the study was conducted.

12. Disclosure may be made to accrediting organizations to carry out their accrediting functions.

13. Disclosure may be made to comply with a judicial order or lawfully issued subpoena and only after the District makes a reasonable effort to notify the parent/guardian or eligible student of the order or subpoena in advance of the compliance.

14. Disclosure may be made to appropriate parties where the disclosure is in connection with a health or safety emergency and the information is necessary to protect the health or safety of the student or other individuals.

15. Disclosure may be made where the disclosure is of information the District has designated to be directory information.

16. Disclosure may be made to the parent/guardian of a noneligible student or to an eligible student.

Copyright © 2010 Missouri Consultants for Education

17. Disclosure may be made without the written consent of the parent/guardian or eligible student as otherwise may be specified by federal or state law.

Record Keeping Procedures

1. The District will maintain a record of each request for access to and each disclosure of personally identifiable information from the educational records of each student. Each Building Secretary will be responsible for keeping such records of requests and disclosures.

2. The District will maintain the record of each request and disclosure with the educational records of the student as long as the records are maintained by the District.

3. For each request or disclosure, the District's record will include the parties who have requested or received personally identifiable information from educational records and the legitimate interests the parties had in requesting or obtaining the information.

4. If the District discloses personally identifiable information from an educational record under the exceptions enumerated in the section above, the District will record the names of those persons to whom that party may disclose the information on behalf of the District and the legitimate interests which each of the additional parties has in requesting or obtaining the information.

5. If the District discloses information pursuant to a health or safety emergency, the District, within a reasonable time period, will record in the student's educational records the significant threat that formed the basis for the disclosure and the parties to whom the information was disclosed.

Board Reviewed November 19, 2015
Board Reviewed October 15, 2020

Copyright © 2010 Missouri Consultants for Education

Student Educational Records

Health Information Records

Student health information includes information required by state law including but not limited to:

1. Mandated immunizations;
2. Health and physical assessment data;
3. Health screenings for vision, hearing, scoliosis or cholesterol;
4. Injury reports;
5. Incident reports of alcohol or drug use in school;
6. Health assessments and other evaluation reports related to eligibility for services under the IDEA and Section 504; and
7. Referrals for suspected child abuse.

Student health information may also include:

1. Records of student-initiated visits to the school health officer, including assessments, interventions and referrals;
2. Records of meetings between education and health professionals for planning or identifying assessment measures, recommended interventions and student outcomes;
3. Records for in-school medication, including original signed orders from a physician, written consent from parent/guardian to administer a drug, medication logs for both routine and as-needed medications;
4. Physicians' orders, correspondence, evaluation reports, copies of treatment records, institutional or agency records, discharge summaries from outside health care providers or hospitals that have been released by parents/guardians to assist in planning individualized school health care or programs;
5. Evaluation reports or specialized assessments such as neurological tests;
6. Individualized emergency care plans for students with special health care needs, including routine and emergency interventions and methods for evaluating student outcomes;
7. An Individualized Healthcare Plan or a student's Individualized Education Program (IEP) for students whose health conditions adversely affect their education;
8. Psychologists' or guidance counselors' records of psychological test results, student interviews and counseling, consultations with school staff or parents/guardians, and referrals and consultation with outside counselors, therapists, psychologists or psychiatrists, all of which might be considered "mental health" records;
9. School social workers' case histories, counseling notes and interviews, or their records of consultations with school staff, parents/guardians, outside counselors, therapists, psychologists or psychiatrists; and
10. Case notes, evaluations and interventions by other student services personnel.

 Copyright © 2010 Missouri Consultants for Education

All information contained in a student's health information records, except information designated as directory information by the District, shall be confidential and shall be directly accessible only to school officials who demonstrate a legitimate educational interest in the student health information and to parents/guardians or eligible students.

Interviews with students, parents/guardians or staff members concerning student health information should take place in private offices. When student health information is discussed over the telephone, calls should be made from private offices, not in the presence of other students or staff members. Discussion or confidential information related to a specific student should end whenever a third party enters a room. Records containing student health information should never be left on top of a desk, nor should confidential health information be left as a message with a secretary, on voice mail or answering machines. When records are being typed, entered into a computer, copied or faxed, they should be protected from casual observers.

The District will comply with all state and federal law pertaining to the confidentiality of student health information.

Board Approved October 2002
Board Reviewed November 19, 2015

Copyright © 2010 Missouri Consultants for Education

Student Academic Achievement

Promotion and Retention

General Promotion and Retention Requirements

1. Students will be promoted to the next grade level if they are meeting grade level expectations as identified by local and State Department of Education core subject objectives.

2. "Double promotions," that is, acceleration beyond the normal grade placement, are approvable for students who are working at an academic level of more than a year above placement and are sufficiently mature, socially and emotionally, to work with students of the advanced grade. Parent/guardian, teachers and administrators must agree that it is in the best interest of the student under consideration.

3. A list of those students who are not meeting grade level objectives in reading, language arts or mathematics will be given to the building principal by the October, January and March reporting periods. With respect to any student who is reported as not meeting grade level objectives in reading, language arts or mathematics:

    a. The teacher, principal and counselor will meet to review the student's academic record, current test scores and work samples.

    b. The parent/guardian will be notified as soon after the review as possible that retention is being considered. A meeting with the parent/guardian will be scheduled. The parent/guardian will be informed that the student is not meeting grade level objectives and will be retained in the same grade unless there is strong and positive improvement in the student's work.

    c. A follow-up conference for the parent/guardian will be scheduled with the principal or the principal's designee to review the student's progress.

    d. An academic program including remediation will be offered the student.

4. In recommending promotion or retention, these factors will be considered:

    a. Academic achievement in all subject areas, especially attainment of grade level objectives, as determined by tests, teacher assignment, and work samples.

    b. Chronological age.

c. Study Habits.

d. Attendance.

e. Social and emotional maturity.

f. State-mandated retention requirements for primary/middle school students.

5. The decision for retention will be made by the principal and the classroom teacher in accordance with the above-referenced factors, and written notification of retention will be sent to the parent/guardian.

READING LEVELS AND STATE-MANDATED RETENTION

Third Grade Students

Third grade students who cannot demonstrate a reading level at or above the third grade level will be administered a reading assessment within forty-five (45) days of the end of their third grade year.

If this assessment reflects that the student is reading below the second grade level, the District will design and implement a reading improvement plan for the student's fourth grade year. The reading improvement plan must include a minimum of thirty (30) hours of additional reading instruction or practice outside the regular school day during the fourth grade year. In addition, the District may require the student to attend summer school for reading instruction as a condition of promotion to the fourth grade.

Fourth Grade Students with Reading Improvement Plans

Within forty-five (45) days of the conclusion of the fourth grade year, the District shall administer another reading assessment to those fourth grade students for whom reading improvement plans had been designed.

If this assessment reveals that the student is reading below a third grade level, the student shall be required to attend summer school to receive supplemental reading instruction. At the conclusion of summer school, the student shall be given another reading assessment. If the student is still reading below third grade level, the student shall not be promoted to fifth grade.

Students shall not be retained more than once on the basis of their inability to satisfy the third grade or fourth grade reading standards. However, the District may, at its discretion, retain any student with a reading improvement plan who has not completed summer school for supplemental reading instruction.

Fifth and Sixth Grade Students

The reading assessment process shall be repeated on a yearly basis through the end of students' sixth grade years, accompanied by a corresponding increase in the required reading level.

The reading assessment process will also be applied to students who initially enter the District in grades four, five or six and who have been determined to be reading below grade level.

The permanent record of students who are determined to be reading below the fifth grade level at the end of the sixth grade shall carry a notation stating that the student has been unable to meet the minimal reading standards. That notation will be removed from the student's record once the District determines that he or she has met the standards.

Exceptions

The following students are exempt from the reading assessments:

1. Students receiving special education services under an Individualized Education Program (IEP) pursuant to §162.670, RSMo.

2. Students who are receiving special education services pursuant to Section 504 whose service plan includes an element addressing reading.

3. Students who have limited English proficiency.

4. Students who have insufficient cognitive ability to meet the reading requirements. However, a reading improvement plan shall be provided for these students in accordance with law.

Appeal of Retention Decisions

Parents/guardians who wish to appeal a decision regarding a student's retention must first contact the building principal. If parents/guardians do not accept the decision at the building level, an appeal may be made in writing to the Superintendent. All appeals must be requested within two (2) weeks after the close of school.

Board Approved December 17, 2015
Board Reviewed November 17, 2020

Student Academic Achievement

Graduation Requirements

To be eligible to participate in the School Flex Program, an eligible student must:

1. Attend school a minimum of two instructional hours per school day within the District.

2. Pursue a timely graduation.

3. Provide evidence of college or technical career educational enrollment and attendance, or proof of employment and labor that is aligned with the student's career academic plan developed by the District.

4. Refrain from being expelled or suspended while participating in the School Flex Program.

5. Pursue course and credit requirements for a diploma.

6. Maintain a ninety-five (95%) attendance rate.

Board Adopted November 17, 2020

Copyright © 2009 Missouri Consultants for Education

STUDENTS **Regulation 2610**

Discipline

Misconduct and Disciplinary Consequences

The discipline code set out in this regulation is intended to be illustrative but not an exclusive listing of acts of misconduct and the consequences for each. Misconduct which is not specifically listed in this regulation may be deemed to warrant discipline up to and including expulsion following provision of all due process procedures. In addition, the disciplinary consequence listed for each offense may be increased or decreased by the Administration or the Board of Education due to mitigating or aggravating circumstances.

Copies of this regulation or the student handbook which includes the code of student conduct and disciplinary consequences, as well as the District's corporal punishment policy, if any, will be provided to each student at the beginning of each school year. Copies of these documents will also be available for public inspection during normal business hours in the Superintendent's office.

Alcohol - Possession of or presence under the influence of alcohol regardless of whether the student is on school premises

First Offense: Restricted from any activity for four (4) weeks.

Second Offense: Restricted from participation in any activity for four (4) months.

Subsequent Offenses: Restricted from participation in any activity for 365 days. (The ineligibility period may be reduced by two weeks if the student agrees to a minimum of six (6) weeks of counseling and/or activities. Failure to complete the full 6 weeks of counseling will result in the full ineligibility. This counseling and/or activities must be approved by the principal. All expenses for this counseling and/or activities will be at the expense of the student.)

Arson - Intentionally causing or attempting to cause a fire or explosion

First Offense: 11-180 days out-of-school suspension or expulsion, notification to law enforcement officials, and documentation in the student’s discipline record.

Subsequent Offenses: Expulsion, notification to law enforcement officials and documentation in student’s discipline record.

Assault - (Refer to Policy and Regulation 2673 - Reporting of Violent Behavior)

Assault of a Student or Staff Member - Use of physical force with the intent to do bodily harm.

First Offense: In-school suspension, out-of-school suspension or expulsion and conference with parents.

Subsequent Offenses: 11-180 days of out of school suspension or expulsion and notification of law enforcement officials.

Bullying – Intentional intimidation or infliction of physical, emotional, or mental harm (see Policy 2655).

First Offense: 10-30 Days of OSS

Subsequent Offenses: 180 Days of OSS to expulsion

Fighting - Physically striking another in a mutual contact as differentiated from an assault.

First Offense: Saturday detention, suspension or corporal punishment
Second Offense: 3-5 days ISS
Subsequent Offenses: As the district deems appropriate

Defiance of Authority - Refusal to obey directions or defiance of staff authority

First Offense: Saturday detention or 1-3 days in-school suspension

Subsequent Offenses: 3 days suspension or 5-10 suspension or long-term suspension

Disruptive Behavior - Conduct which has the intentional effect of disturbing education or the safe transportation of a student

First Offense: Saturday detention or 1-3 days in-school suspension, parent conference

Subsequent Offenses: 3-5 days of in-school suspension or 3-5 days out-of-school suspension, or referral to the Superintendent for Long-Term Suspension.

Drugs/Controlled Substance

Possession or presence under the influence of a controlled substance or substance represented to be a controlled substance while at school, on the school playground, on the school parking lot, a school bus or at a school activity whether on or off of school property.

First Offense: 10 day suspension

Subsequent Offenses: Referral to the superintendent for 30-day suspension, or expulsion.

Note: Disciplinary action may be reduced if the student participates in and successfully completes counseling program.

Sale of a controlled substance or substance represented to be a controlled substance while at school or at any of the locations described above.

First Offense: Expulsion, notification of law enforcement.

Prescription Medication

Possession of a prescription medication without a valid prescription for such medication on school premises or on a school bus.

First Offense: 10 days suspension

Subsequent Offenses: Referral to the superintendent for 30-day suspension, or expulsion.

Distribution of prescription medication to any individual who does not have a valid prescription for such medication on school premises or on a school bus.

First Offense: 10 days suspension and notification of law enforcement

Subsequent Offenses: 30-180 days suspension or expulsion, and notification of law enforcement.

Extortion - Verbal threats or physical conduct designed to obtain money or other valuables

First Offense: 5 day suspension

Subsequent Offenses: 10-180 days suspension or expulsion

Firearms and Weapons (Refer to Policy and Regulation 2620 - Firearms and Weapons in School)

Possession of a firearm or weapon

A "weapon" as used in this section shall include, but is not limited to, a firearm, a concealable firearm, a firearm silencer, an explosive weapon, a gas gun, knife knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun, or a switchblade knife. Other weapons may

include mace spray, any knife, or items which can be used to inflict injury upon another person or property.

First Offense: Minimum 365 days suspension, referral to criminal justice system

Subsequent Offenses: Expulsion

Harassment
First Offense: Saturday detention or 1-3 days in-school suspension, parent conference

Subsequent Offenses: 5 days in-school suspension, 5 days out of school suspension, or referral to superintendent

Improper Display of Affection - Consensual kissing, fondling, or embracing

First Offense: Saturday detention, or 1-3 days in-school suspension, parent conference

S**ubsequent Offenses: 3-5 days of in-school suspension**

Improper Language

Threatening Language-Use of verbal, physical or written threats to do bodily harm to person or personal property.

First Offense: Saturday detention or 1-3 days in-school suspension, parent conference

Subsequent Offenses: 5 days in-school suspension, 5 days out of school suspension, or referral to superintendent.

Use of Obscene or Vulgar Language- Language which depicts sexual acts, human waste, and blasphemous language

First Offense: 3-5 days in-school suspension, parent conference

Subsequent Offenses: 5 days in-school suspension, 1-180 days out of school suspension, or expulsion.

Disruptive or Demeaning Language or Conduct - Use of hate language to demean other persons due to the race, gender, disability, natural origin, or religious beliefs. This provision also includes conduct, verbal, written, or symbolic speech which materially and substantially disrupts class, school activities, transportation, or school functions.

First Offense: Saturday detention, or 1-5 days in-school suspension, or expulsion.

Subsequent Offenses: 3 or more days of suspension

Inappropriate Sexual Conduct

Physical touching of another student in the area of the breasts, buttocks, or genitals

First Offense: In-school suspension, 1-180 days out of school suspension, or expulsion

Subsequent Offenses: 11-180 days of out-of-school suspension.

Use of sexually intimidating language, objects, or pictures.

First Offense: Principal/student conference, or in-school suspension, or 1-180 days out of school suspension, or expulsion

Subsequent Offenses: in-schol suspension, 1-180 days out-of-school suspension, or expulsion.

Indecent Exposure - Includes display of breasts, buttocks and genitals in a public location

First Offense: Saturday detention, or 1-3 days in-school suspension and parent conference.

Subsequent Offenses: 5 days in-school suspension, or 1-5 days out of school suspension, or long-term suspension.

Theft - Nonconsensual taking or attempt to take the property of another

First Offense: Restitution, 5 days in school suspension, possible notification of law enforcement.

Subsequent Offenses: Restitution, 1-180 days of out of school suspension or expulsion, notification of law enforcement.

Tobacco - Possession or use of tobacco or tobacco products

First Offense: Saturday detention or 1-3 days ISS, parent conference

Subsequent Offenses: 3-5 days in-school suspension

Truancy - Absent or tardy from class or classes without authorization (See also Policy and Regulation 2340 - Truancy and Educational Neglect.)

First Offense: Saturday detention or 1-3 days in-school suspension and parent conference

Subsequent Offenses: 1-10 days in-school suspension or 3-5 days out of school suspension.

Vandalism - Intentional damage or attempt to damage property belonging to the staff, students, or the District

First Offense: Restitution and 5 days in-school suspension, and possible notification to law enforcement.

Subsequent Offenses: Restitution, 1-180 days of out of school suspension or expulsion, notification of law enforcement.

*****

January 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted October 20, 2005
Board Updated December 17, 2015
Board Updated February 15, 2018
Board Updated November 17, 2020

Discipline

Firearms and Weapons in School

Definition of Firearm

The term *firearm* includes, but is not limited to, such items as:

1. Any item which is a loaded or unloaded weapon, weapon frame, or weapon barrel and which is designed to, or may be readily converted to, expel a projectile by action of an explosive, or

2. Any item which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has a barrel with a bore of at least one-half inch in diameter, or

3. Any explosive, incendiary, or poison gas, such as: bombs; grenades; rockets with a propellant charge of greater than four ounces; and other similar devices as recognized under federal law, or

4. Any combination of parts either designed to or intended for use in converting any device into a device as described in paragraphs above.

Definition of Weapons

The term *weapon* shall mean a "firearm" as defined above, and shall also include the items listed below, which are defined as "weapons" in section 571.010, RSMo.

1. Blackjack
2. Concealable firearm
3. Explosive weapon
4. Firearm
5. Firearm silencer
6. Gas gun
7. Knife
8. Machine gun
9. Knuckles
10. Projectile weapon
11. Rifle
12. Shotgun
13. Spring gun
14. Switchblade knife

 Copyright © 2013 Missouri Consultants for Education

Other weapons:

1. Mace spray
2. Any knife, regardless of blade length (optional)
3. Items customarily used, or which can be used, to inflict injury upon another person or property.

Students Who Bring Firearms or Weapons to School

The District will take the following action upon determining that a student has brought a firearm or weapon to school:

1. The District will refer the student to the appropriate criminal justice or juvenile delinquency system, and

2. The District will suspend the student from school for a period of not less than one year (365 days) from the date of the infraction, and may, at its discretion, expel the student from school permanently. This suspension provision may be modified on a case-by-case basis upon recommendation of the District Superintendent if the Superintendent determines that circumstances justify such a modification.

3. The District may, at its discretion, provide a student suspended under this Regulation with educational services in an alternative setting.

Applicability of Regulation to Students with Disabilities

If the student with a disability under the Individuals with Disabilities Education Act carries or possesses a weapon, as defined by 18 U.S.C. § 930(g)(2), to or at school, on school premises, or to or at a school function under the District's authority, school administrators may remove that student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability. If a school administrator removes a student with an IDEA disability to an interim alternative educational placement, the District must convene the student's multidisciplinary and/or IEP team to conduct a manifestation determination within the statutory time frame and the student's IEP team must determine the interim alternative educational placement and the services that the student will be provided in order to receive a free appropriate public education and access to the general curriculum.

Board Approved May 20, 2010
Board Updated January 20, 2011
Board Reviewed December 17, 2015

 Copyright © 2013 Missouri Consultants for Education

Board Reviewed December 17, 2020

Copyright © 2013 Missouri Consultants for Education

STUDENTS **Regulation 2650.1**

Student Discipline

Student Drug Testing

(MSHSAA-Regulated Activities, Extracurricular Activities, and Parking Privileges)

For the safety, health, and well-being of the students of the Worth County R-III School District, the Board has adopted a random drug testing policy for students who wish to participate in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade in grades seven (7) through twelve (12), as well as Worth County R-III students who seek to receive a parking privileges allowing them to park on School property.

It is the belief of the Board of Education that this policy will assist in the district's efforts to reduce the use of drugs. This policy is intended to complement and supplement all other policies, rules, and regulations of the district regarding possession or use of drugs. The actions of this program relate solely to limiting the opportunity of any student in violation of this policy to participate in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade and to park on school property. There will be no suspension from school for violation of this policy, except when the district's discipline policy is also violated. Students will be subject to the penalties of the discipline policy and this policy as applicable.

Definitions

Consent Form—Parent/Guardian Drug Testing Consent Form adopted by the District's administration.

Drug Use Test – Scientifically substantiated method to test for the presence of drugs in a person's urine.

Drugs – The synthetic or generic equivalent or derivative drugs under federal, state or local laws including, but not limited to, marijuana, alcohol, heroin, hashish, cocaine, hallucinogens, depressants, and stimulants not prescribed for the user. This includes performance-enhancing and performance-enhancing derivatives or related substances that are not prescribed by a physician or are prescribed by a physician for uses not authorized by the manufacturer of the drug. This term shall include, but not be limited to, all drugs listed in the Narcotic Drug Act, § 195.101, RSMo., and Section 202 of the Controlled Substances Act, 21 U.S.C. § 812. The school reserves the right to test for as many of these drugs as deemed necessary to meet the stated goal of deterrence.

Medical Review Officer – A third-party healthcare professional who reviews student medications and makes a final determination on non-negative test results.

MSHSAA-Regulated Activities – MSHSAA-regulated activities, as defined within the confines of this policy, include interscholastic athletics, cheerleading, dance team, high school vocal music, high school instrumental music, academic competitions, speech and debate. The list is subject to

© 2007, Missouri School Boards' Association, Registered in U.S. Copyright Office

change on a yearly basis. The list of extracurricular activities subject to testing will be published at the annual drug testing program informational session at the start of school.

Negative Test Results – A toxicological test result that is considered to demonstrate the absence of a drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

Non-negative Test Result – An initial, unconfirmed toxicological test result that is considered to demonstrate the presence of a drug or the metabolite thereof using the standards customarily established by the testing laboratory administering the drug use test. After further testing of the sample and consideration of legally prescribed medication that might influence the test result, a final determination will be made by a Medical Review Officer.

Positive Test Result – When referring to a drug test administered under this policy, a toxicological test result that is considered to demonstrate the presence of a drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

Random Testing –Students covered by the policy will be subject to random selection for drug testing. In implementing the procedure, each participating student will be assigned a number. On testing days, a predetermined number of said students will be selected using a table of random numbers. If a student selected in this manner is absent, the next preceding number will be selected.

Drug Awareness Session/Consent Form

At the beginning of each school year, participating students and their parent/guardian will be invited to attend a drug awareness session. At the session, each student and parent/guardian will be given information about the problems of drug use and will be informed of where to review the Worth County R-III School District drug testing policy, procedures, and consent form. These documents explain that the student and parent/guardian must sign the consent form to be eligible to participate in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade at Worth County R-III High School and Worth County R-III Junior High School. A signed consent form is similarly required for students who park on school property. During each session, students and parent/guardian will have the opportunity to ask questions regarding the program.

At the conclusion of the session, the student will take home the drug testing information and have the consent form signed by both the student and a parent/guardian. If the student is 18 years of age and has established a residence on his/her own, the student's signature is all that is required. This consent form must be turned in prior to participation in covered activities, or the student will not be eligible to participate in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade or park on school property.

Once a student enters the pool, he/she must remain in the pool for the remainder of their academic career to be eligible to participate in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade or park on school property. If a student drops out of the pool, he or she will be ineligible to participate in covered activities or park on

© 2007, Missouri School Boards' Association, Registered in U.S. Copyright Office

school property for 365 days. Students who wish to drop out of the drug pool must have their parent/guardian come to the school and meet with the program administrator. The student and parent/guardian must sign a release form stating that they no longer wish to participate in the random drug testing pool. If the student is 18 years of age and living on his/her own, he/she will meet with the program administrator to drop out of the testing pool.

Confidentiality

All records related to the random student drug testing shall be kept in the confidential files separate from a student's permanent educational records. Those files will be destroyed upon the student's graduation from school or transfer to another district. Test results will only be released to the student, his/her parents/guardians, and approved school officials. If the student has a non-negative test, the administration will not use non-negative test result as a reason to search the student's locker, purse, backpack, or other area in which the student keeps his or her personal effects. Test results will not be turned over to the police or authorities without a court order and administration will not disclose test results without a court order for purposes of a criminal investigation.

Procedure

- After the student and parent/guardian have signed the consent form, the student will be assigned a number that will be maintained by the program administrator. This number will be the student's identification number for testing and will not change. Only the program administrator and the district staff designated by the superintendent to assist in administering the drug-testing program will have access to student numbers.
- Random testing will be scheduled periodically by school administration and will be conducted only during the school year.
- The school administration will determine the number of participants for each testing session based on the number deemed necessary to meet the District's stated goal of deterrence. Numbers will be drawn at random to select participants to provide a urine sample. A designated school official will match the selected number to the master list of participants.
- Any drug test required by the district under the terms of the policy will be administered by or at the direction of a drug-testing company chosen by the district. The third-party testing firm will use scientifically validated toxicological methods and will document to the district detailed written specification to assure chain of custody of the specimens, proper laboratory control and scientific testing.
- All aspects of the drug-testing program, including the collection of specimens, will be conducted to safeguard the personal and privacy right of participants. The test specimen shall be obtained in a manner designed to minimize the intrusiveness of the procedure. In particular, the specimen must be collected in a private restroom behind a closed door. The drug-testing company technician will supervise the participant and will wait outside the door until the specimen has been produced. The technician will verify the normal warmth and appearance of the specimen. If at any time during the testing procedure the technician has reason to suspect that a student is tampering with the specimen, the technician may stop the procedure to determine whether a new sample should be obtained.

© 2007, Missouri School Boards' Association, Registered in U.S. Copyright Office

- If the screening sample is non-negative, the result will be subject to confirmation by a second and different test of the same specimen. In order to keep the results of the initial testing confidential, the district may choose a certain number of samples for a confirmation test.
- Samples may be tested for adulterants. If an adulteration substance is found, the test will be considered positive.
- If the secondary test for confirmation of any participant has a positive result, the testing firm will contact the designated school official with the results. The designated school official will then notify the parent/guardian and request a meeting. At the meeting, the designated school official will inform the parent/guardian of the positive result and ask for permission to forward the result to a medical review officer. If permission is granted, the designated school official will obtain the parent/guardian's name, ID number and contact phone number and forward that information to the third-party testing firm, who will then forward the information to the medical review officer. If permission is not granted, or the parent/guardian will not meet with the designated school official, the lab results will be accepted as the final results.
- When the medical review officer receives the above information, he will contact the parent/guardian, verify identification and then discuss medications the student is taking. If any of the medications being taken by the student could explain the positive result, the medical review officer will verify with the pharmacy filling the prescription or the prescribing physician (in some cases, both) that there is a legitimate prescription in the student's name. Once all pertinent information has been obtained, the medical review officer will make a final determination of the test results. Those results will be forwarded to the third-party testing firm, who will then forward them to the designated school official.
- If a student does not produce a urine sample within three (3) hours, the student will have five (5) days to make an appointment with a physician to see if a medical reason exists to explain the inability to produce a urine sample. Documentation from the physician must be provided to the school district. If the student does not see a physician or if there is not a valid medical reason, then the test would be deemed positive. The medical review officer will make this determination.
- Upon confirmation of the positive test result, a designated school official will provide notice to the parent and the student of the restrictions resulting from the positive test.

Consequences

- A student who has initially consented to be tested may refuse to be tested, but if he/she chooses to do so, he/she will immediately be suspended from participating in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade and/or the privilege of parking on school property for 365 days.
- After a student tests positive for illegal substances, he/she will be subject to non-random testing at the request of the administration for the remainder of the student's participation in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade and/or parking on school property for a period of 365 days.

© 2007, Missouri School Boards' Association, Registered in U.S. Copyright Office

- First Offense
    - Consequences for the first offense is suspension from participation in all MSHSAA-regulated or other extracurricular activities for which students will not receive a grade for a period of 45 calendar days from when the test administrator finalized the results of the test, if the student's activity is in season.
    - If the student's MSHSAA-regulated activity is not in season, then the start date will be the day the student begins participation in a MSHSAA-regulated activity. The student will be expected to attend all practice sessions, all meetings, and team competitions during the suspension.
    - The student will not be allowed to park on school property for 45 calendar days.
- Second Offense
    - Consequences for the second offense is suspension from participation in all MSHSAA-regulated or other extracurricular activities for which students will not receive a grade for a period of 90 calendar day from when the test administrator finalized the results of the test, if the student's activity is in season.
    - If the student's MSHSAA-regulated activity is not in season, then the start date will be the day the student begins participation in a MSHSAA-regulated activity. The student will be expected to attend all practice sessions, all meetings and team competitions during the suspension.
    - The student will not be allowed to park on school property for 90 calendar days.
    - **To be reinstated to MSHSAA-regulated or other extracurricular activities for which students will not receive a grade and/or permitted to park on school property the student must submit proof of completion of an approved education drug/alcohol program that is offered outside of school and submit a negative drug test result. The laboratory testing facility must be pre-approved by the school district and the test must include the substances tested for in the school testing program. The student and/or parent/guardian is responsible for expenses associated with the program and testing.**
- Third Offense
    - Consequences for the third offense is suspension from participation in all MSHSAA-regulated or other extracurricular activities for which students will not receive a grade and revocation of parking privileges for a period of 365 calendar days from when the test administrator received the finalized the results of the test, if the student's activity is in season.
    - If the student's MSHSAA-regulated activity is not in season, then the start date will be the day the student begins participation in a MSHSAA-regulated activity. The student will be expected to attend all practice sessions, all meetings and team competitions during the suspension.
    - The student will not be allowed to park on school property for 365 calendar days.
    - **To be reinstated to MSHSAA-regulated or other extracurricular activities for which students will not receive a grade eligibility and/or permitted to park on school property the student must submit proof of completion of an approved education drug/alcohol program that is offered outside of school and submit a negative drug test result. The laboratory testing facility must be pre-approved by the school district and the test must include the**

© 2007, Missouri School Boards' Association, Registered in U.S. Copyright Office

substances tested for in the school testing program. The student and/or parent/guardian is responsible for expenses associated with the program and testing.

- Fourth Offense
    - Permanent suspension from participation in MSHSAA sanctioned or other extracurricular activities.
    - Permanent loss of parking privileges on school property.

Parent-Requested Participation

Parents/guardians of students who wish for their student to participate in the drug-testing program may voluntarily enroll the student in the district's program even if the student is not involved in MSHSAA-regulated or other extracurricular activities for which students will not receive a grade and does not park on school property. The student will be placed in the drug pool and noted as a voluntary participant. If selected and the test is positive, the parent will be notified of the positive test, but the student will not be penalized through this policy or the Student Discipline Policy of the Worth County R-III School District.

Drug Counseling and Assistance

The main goal of this program is to reduce/deter the use of drugs. As such, drug counseling and assistance programs may be sought by the parent of any student who has a positive drug test under this policy. If requested by the parents, assistance in obtaining additional help for the student will be provided by the school counselors. Any costs for assistance or enrollment into any drug counseling sessions will be exclusively the responsibility of the student or parent/guardian

Student Discipline Policy

The Student Drug-Testing Policy does not limit or otherwise affect board policy, regulation, or procedure regarding discipline for the sale, possession, use, distribution or purchase of drugs (or alcohol) when reasonable suspicion of such conduct arises out of circumstances other than the random testing conducted pursuant to the policy.

Board Adopted August 20, 2015
Board Reviewed December 17, 2020
Board Update June 16, 2021

© 2007, Missouri School Boards' Association, Registered in U.S. Copyright Office

STUDENTS **Regulation 2653**

Discipline

Student Participation in Secret Organizations and Gangs

The principal will establish procedures and regulations to ensure that any student wearing, carrying or displaying gang paraphernalia; exhibiting behavior or gestures which symbolize gang membership; or causing and/or participating in activities which intimidate or affect the attendance of another student, shall be subject to disciplinary action.

Consequences for such actions and/or behaviors may result in suspension or expulsion.

To further discourage the influence of gangs, District administrators shall:

1. Provide inservice for staff in gang recognition and special workshops for counselors.

2. Ensure that all students have access to counselors.

3. Work closely with the local law enforcement authorities and county juvenile officers who work with students and parents/guardians involved in gang activity.

4. Provide classroom or after-school programs designed to enhance individual self-esteem and foster interest in a variety of wholesome activities.

Board Adopted July 11, 2005
Board Reviewed January 21, 2016

STUDENTS **Regulation 2660**

Discipline

Detention

Certificated staff members may detain students after normal school hours for a reasonable time provided the following conditions are observed:

1. Students must have an opportunity to make arrangements for transportation home. Therefore, the detention may take place on any day after the day of notification to detain.

2. The detention may be for disciplinary or academic reasons.

3. The names of all students detained must be reported to the building principal.

4. All students detained must be supervised by a certificated staff member.

Board Adopted February 16, 2006
Board Updated March 17, 2011
Board Reviewed February 18, 2016
Board Reviewed January 21, 2021

STUDENTS **Regulation 2662**
(Form 2662)

Discipline

Suspension

Students are expected to conduct themselves in accordance with Board Policy 2600. Failure to do so may result in a student's suspension or expulsion from school.

A building principal may suspend a student for a period not to exceed ten (10) consecutive school days. Any suspension shall be reported immediately, in writing, to the student and the student's parent/guardian or others having custodial care of the student. A copy will be forwarded to the Superintendent. The Superintendent may revoke or reduce the suspension if the Superintendent concludes that circumstances warrant such action.

When a student is suspended, the principal/designee shall attempt to reach the student's parent/guardian to inform them of the school's action and to request that they pick up their child. If the parent/guardian is unable to pick up their child, the principal/designee may ask the parent/guardian for permission to send the student home. If the parent/guardian cannot be reached or if the above request is refused, the student must remain on school property until the close of the school day.

If the principal decides that a suspension in excess of ten (10) consecutive school days is warranted, the principal may petition the Superintendent for such suspension.

The Superintendent of Schools may suspend a student for a period not to exceed 180 consecutive school days.

No student shall be suspended by a principal or by the Superintendent unless:

1. The student shall be informed, orally or in writing, of the charge against him/her, and

2. If the student denies the charge, he/she shall be given an oral or written explanation of the facts which form the basis of the proposed suspension, and

3. The student shall be given an opportunity to present his/her version of the incident to the principal or Superintendent.

A student who is on suspension may not be within 1,000 feet of any school property unless he/she lives within 1,000 feet of the school, has a parent with him/her, or has been requested by the administration to attend a meeting at the school, or any activity of the District, regardless of whether or not the activity takes place on school property, unless the Superintendent/designee has authorized the student to be on school property. This restriction does not apply to suspended students enrolled and attending an alternative school which is within 1,000 feet of a District school.

 Copyright © 2010 Missouri Consultants for Education

If a suspension is ordered by the Superintendent for more than ten (10) consecutive school days, the Superintendent's order may be appealed to the Board of Education if written notice of appeal is delivered to the office of the Board of Education within five (5) days of receipt of the Superintendent's suspension letter. If such suspension is appealed, the Superintendent shall promptly provide the Board with a report of the facts involved in the suspension, the action taken by the Superintendent, and the reasons for the Superintendent's decision.

In such event, the suspension shall be stayed until the Board renders its decision, unless in the judgment of the Superintendent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the student may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

Any appeal to the Board of Education of the Superintendent's decision to suspend a student for more than ten (10) consecutive school days may be heard and determined by the full Board or by a quorum thereof, or by a committee of three Board members appointed by the President of the Board. Such committee shall have full authority to act in lieu of the Board.

Students will be readmitted or enrolled after expiration of their suspension from the District or from any other district only after a conference has been held to consider prior misconduct and remedial steps necessary to minimize future acts of similar misconduct. (See Policy and Regulation 2664 – Enrollment or Return Following Suspension and/or Expulsion.) Participants in such pre-admission conferences will include:

1. Any teacher directly involved in the suspension offense.

2. The student.

3. The parent/guardian.

4. The representative of any agency having legal jurisdiction, care, custody, or control of the student.

5. District staff members designated by the Superintendent/designee.

Note: For suspensions involving disabled students under Section 504 or the IDEA, see also Policy and Regulation 2672.

Copyright © 2010 Missouri Consultants for Education

Board Adopted May 20, 2010
Board Updated March 17, 2011
Board Reviewed February 18, 2016
Board Reviewed January 21, 2021

Copyright © 2010 Missouri Consultants for Education

STUDENTS **Regulation 2663**
(Form 2663)

Discipline

Expulsion

Unless a parent, custodian or the student, if at least eighteen years of age, waives in writing any right to a hearing before the board of education as provided under RSMo 167.161(1), no student may be permanently expelled from school without a prior hearing before the full Board or, at least, a quorum of the Board. Such a hearing shall generally be considered a contested case pursuant to Chapter 536 of the Missouri Administrative Procedures Act and therefore not subject to *de novo* review. A decision to expel a student requires the vote of a majority of those Board members present.

Due process for expulsion of students shall include the following:

1. Board action shall begin with a written notification of the charges against the student, which shall be delivered by certified mail to the student, his/her parent/guardian, or others having his/her custodial care. Such notification will include charges, contemplated action, and time and place of a hearing on such charges and that the student, parent/guardian, or others having custodial care shall have the right to attend the hearing and to be represented by counsel.

2. The hearing will be closed. At said hearing, the Board of Education or counsel shall present the charges, testimony, and evidence deemed necessary to support the charges. The Board will expect the principal in each case to be present and make oral and written reports and statements concerning the student's misconduct. The student, parent/guardian or others having custodial care, or counsel, shall have the right to cross-examine witnesses presented in behalf of the charges and to present testimony in defense there against.

3. At the conclusion of the hearing or in an adjourned meeting, the Board of Education shall render its decision to dismiss the charges, suspend the student for a specified time, or expel the student from the schools of the District. Prompt written notice of the decision shall be given to the student, parent/guardian or others having custodial care, and counsel, if applicable.

Board Adopted July 23, 2009
Board Updated March 17, 2011
Board Reviewed February 18, 2016
Board Reviewed January 21, 2021

Copyright © 2008 Missouri Consultants for Education

Discipline

Enrollment or Return Following Suspension and/or Expulsion

Conference Required

The conference shall include the appropriate school officials, including (1) any teacher employed in the District or directly involved with the conduct that resulted in the suspension or expulsion, (2) the student, (3) the parent/guardian of the pupil, and (4) any agency having legal jurisdiction, care, custody or control of the student.

The District shall notify in writing the parent/guardian and all other parties of the time, place, and agenda of any such conference. However, failure of any party to attend this conference shall not preclude holding the conference.

Not withstanding any provision of this regulation to the contrary, no student shall be readmitted or enrolled in a regular program of instruction if:

1. The student has been convicted of one of the offenses listed below.

2. The student been charged with one of the offenses and there has been no final judgment.

3. A juvenile petition has been filed alleging that the student committed an act, which if committed by an adult, would be one of the offenses listed below, and there has been no final judgment; or

4. The student has been adjudicated to have committed an act, which if committed by an adult, would be one of the offenses listed below.

Offenses to Which this Policy Applies

1. First degree murder under Mo. Rev. Stat. § 565.020

2. Second degree murder under Mo. Rev. Stat. § 565.021

3. First degree assault under Mo. Rev. Stat. § 565.050

4. Forcible rape under Mo. Rev. Stat. § 566.030

5. Forcible sodomy under Mo. Rev. Stat. § 566.060

6. Robbery in the first degree under Mo. Rev. Stat. § 569.020

 Copyright © 2014 Missouri Consultants for Education

7. Distribution of drugs to a minor under Mo. Rev. Stat. § 195.212

8. Arson in the first degree under Mo. Rev. Stat. § 569.040

9. Kidnapping, when classified as a Class A felony under Mo. Rev. Stat. § 565.110

10. Statutory rape under Mo. Rev. Stat. § 566.032

11. Statutory sodomy under Mo. Rev. Stat. § 566.062

Nothing in this regulation shall be construed to prevent the District from imposing discipline under the Student Code of Conduct for conduct underlying the above-listed offenses, even if the adult charge or juvenile petition has been dismissed, or the student has been acquitted or adjudicated not to have committed such acts in a criminal or juvenile court - if by a preponderance of the evidence, it can be established that the student engaged in the underlying conduct. The District may enroll a student, otherwise excluded under this regulation, in an alternative education program if the District determines that such enrollment is appropriate.

This policy shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability.

Students denied enrollment because of conviction of one of the acts set out in this regulation or due to an existing suspension or expulsion from another school district will be advised of the reasons for denial of enrollment and will be given an opportunity to respond to those reasons.

Suspension or Expulsion from Other Schools

Prior to enrollment, a student who is under suspension or expulsion from any other in-state or out-of-state public or private school and who is seeking admission will be evaluated by the Superintendent or Superintendent's designee. However, upon request, the Superintendent/ designee will confer with the pupil, parent/guardian or person acting as parent of a special education student to consider imposition of the other school's suspension or expulsion. If the Superintendent/designee determines that such conduct would have resulted in a suspension or expulsion had the conduct been committed in District schools, the suspension or expulsion will be implemented.

Board Adopted July 2005
Board Updated July 2014
Board Reviewed March 17, 2016
Board Reviewed January 21, 2021

 Copyright © 2014 Missouri Consultants for Education

STUDENTS **Regulation 2671**
(Form 2671)

Discipline

Student Discipline Hearings

Rules of Procedure in Hearings Before the Board of Education on Suspension and Expulsion Matters

1. Students or students' parents/guardians may request a hearing before the Board to contest any suspension in excess of ten (10) school days. The request will be addressed to the Superintendent who will review all matters concerning the suspension.

2. No student may be expelled until this matter is reviewed in a hearing before the Board of Education.

3. The parent/guardian may represent their student or may retain an attorney to act as a representative in the defense of the student. The representative will have the right to present witnesses, question any and all witnesses as herein provided, and make a statement and offer exhibits on the nature of the evidence and disposition of the case. If the parent/guardian elects to have the student represented by an attorney at the hearing, the parent/guardian shall notify the Superintendent of such representation at least twenty-four hours prior to the scheduled time of the hearing.

4. Prior to the hearing, the parties, or their attorneys, may examine at the Board Office the discipline report and all related records.

5. Upon the request of any party, the Superintendent shall submit for review at the hearing the student's behavioral and academic record. If necessary, the information contained in such record may be explained and interpreted by a person trained in its use and interpretation. All parties shall be instructed to respect the confidentiality of all such records and information.

6. At the hearing, the Board may consider a student's record of past disciplinary actions, criminal court records, juvenile court records, and any actions of the student which would be criminal offenses.

7. The parties may present evidence concerning the charges and make such showing by way of affidavits, exhibits, and witnesses as they may desire. Before testifying, witnesses shall be sworn.

8. The President of the Board of Education, or the Chairman of the designated committee of the Board, shall have full charge of the hearing and shall have the authority to direct its proceedings and to control the conduct of all persons present in accordance herewith. Such authority shall include the limitation of questioning that is unproductive, lengthy, or irrelevant. The Board may invoke reasonable limitations on the number of witnesses.

9. The hearing shall not be open to the public. In addition, the Board may set reasonable limitations on the number of people present during the hearing.

   The Board shall also have the right to exclude any person or persons if it shall determine that the hearing is being disrupted by any such person.

   Hearings may be attended only by members of the Board of Education, the Superintendent of Schools, the School Board attorney, the principal, the student, the parent/guardian and their representatives. Witnesses may be present only when giving information at the hearing. With parent/guardian permission, the student may be excluded at times when the student's psychological or emotional problems are being discussed.

10. A record shall be made of any information presented at the hearing. Statements and other written matter presented shall be kept on file by the District.

11. As soon as practicable after the hearing, the Board shall make its decision and transmit the same in writing to the parties and the Superintendent.

    The Board or its committee shall decide by majority vote whether the student has engaged in the misconduct charged by District administrators. The decision will be based solely on the evidence presented at the hearing and must include findings of fact on which the decision rests.

Board Adopted December 20, 2007
Board Reviewed March 17, 2016
Board Reviewed January 21, 2021

Discipline

Discipline of Students with Disabilities

Removal from Current Educational Placement for Not More Than Ten Consecutive School Days; Not More Than Ten Cumulative Days Removal for the Current School Year

A student with a disability who violates the District's discipline policy who has not been removed from the current educational placement for more than ten (10) cumulative days for the current school year may be disciplined for not more than ten (10) consecutive school days in the same manner as other students.

Services will not be provided to the student when the total number of days the students has been removed from the current educational placement is not more than ten (10) days, unless services are provided to children without disabilities who have been similarly removed.

Removal from Current Educational Placement for More than Ten Cumulative School Days

A student with a disability who violates the District's discipline policy who has been removed from the current educational placement for more than ten (10) cumulative days in the current school year may be disciplined for not more than ten (10) consecutive school days in the same manner as other students, if the pattern of short term exclusions totaling more than ten (10) cumulative days does not constitute a change of placement.

On the eleventh day of removal in a school year, the District will provide educational services. If the cumulative removals do not constitute a change of placement, the services to be provided will be determined by school personnel in consultation with the student's special education teacher.

A series of removals from the current educational placement for more than ten (10) days may amount to a pattern of exclusion that constitutes a change of placement. If a student with a disability has been removed for more than ten (10) cumulative school days and the removals constitute a change of placement, or if a school administrator determines that a removal for more than ten (10) consecutive school days is being considered, on the date a decision to make such a removal is made, the parents will be notified of the decision and provided a copy of the IDEA procedural safeguards.

Not later than ten (10) business days after commencing a cumulative removal that constitutes a change of placement or when considering a removal of greater than ten (10) consecutive school days, the District will convene an IEP meeting to develop a functional behavioral assessment plan if one has not previously been conducted. After completing the assessment, an IEP meeting will be held to develop a behavioral intervention plan if appropriate and necessary. If a behavior plan already has been developed, the IEP team will meet to review the plan and its implementation. The plan and its implementation will be modified as necessary.

 Copyright © 2010 Missouri Consultants for Education

In addition, not later than ten (10) days after the date of the decision to remove a student for more than ten (10) cumulative days constituting a change of placement, the IEP team and other qualified personnel will meet to review the relationship between the student's disability and the behavior subject to disciplinary action.

If a determination is made that the student's behavior was not a manifestation of the student's disability, disciplinary rules will be applied to the student in the same manner they would be applied to a student without a disability, except that a free appropriate public education will be provided to the student as determined by the IEP team.

Long-Term Changes in Placement (Drugs, Weapons, and Serious Injury)

In addition to any other actions consistent with this regulation, District administrators may assign a student to an interim alternative educational setting for a period of time not to exceed forty-five (45) calendar days, when a student with a disability is involved in a disciplinary action involving:

1. Possession of a weapon at school or at a school function; or

2. Possession or use of illegal drugs or sale or solicitation for sale of a controlled substance while at school or at a school function; or

3. A serious bodily injury.

On the date a decision to make such a removal is made, the parents/guardians will be notified of the decision and provided a copy of the IDEA procedural safeguards.

Not later than ten (10) business days after commencing such a removal, the District will convene an IEP meeting to develop a functional behavioral assessment plan if one has not been previously conducted. After completing the assessment, an IEP meeting will be held to develop a behavioral intervention plan if appropriate and necessary. If a behavior plan already has been developed, the IEP team will meet to review the plan and its implementation. The plan and its implementation will be modified as needed.

Not later than ten (10) days after the date of the decision to place a student in an interim alternative educational setting, the IEP team and other qualified personnel will meet to review the relationship between the student's disability and the behavior subject to the disciplinary action and to determine the interim alternative educational placement.

The IEP team will decide on an interim alternative educational setting that will allow the student to continue to progress in the general curriculum, to receive the services and modifications that

 Copyright © 2010 Missouri Consultants for Education

will enable the child to meet the goals set out in the student's IEP, and to receive services and modifications to attempt to prevent the student's behavior from recurring.

IDEA Disabled Students

Students who are disabled pursuant to the IDEA will be disciplined pursuant to the IDEA as amended an its implementing regulations, as well as applicable state statutes and the Missouri State Plan for Special Education Regulations Implementing Part B of the IDEA.

Section 504 Disabled Students

The following procedures apply to students who are disabled pursuant to Section 504 of the Rehabilitation Act alone (students who are not disabled pursuant to the IDEA). In general, most 504 students should be expected to follow the District's disciplinary policies, rules, regulations and procedures and this should be noted on the 504 Plan. When determining a student's 504 eligibility, the multidisciplinary team should consider whether the impairment that is substantially limiting has a direct impact on a student's behavior and, if so, the team may consider conducting a functional behavioral assessment as part of the student's evaluation. If the team concludes that the impairment has a direct and substantial relationship to the student's behavior, the team should address the behavior through the 504 Plan and should consider whether a behavior plan is necessary for the student to have an equal opportunity to participate.

Under Section 504, a disciplinary removal from a student's placement for more than 10 consecutive school days constitutes a change of placement and requires certain procedures be followed. When a student is suspended, out of school, for more than 10 consecutive school days or when a student's short term removals (10 days or less) constitute a pattern of exclusion as currently defined by the IDEA, the District will, within 10 school days of the date of the decision to change the student's placement through a disciplinary removal, convene a multidisciplinary team to determine if the student's act of misconduct is related to his or her disability. The multidisciplinary team will apply the IDEA manifestation standard that is in place at that time. Prior to, or as part of the manifestation determination, the team will conduct a reevaluation pursuant to Section 504. Such reevaluation may consist of a review of existing data alone or in conjunction with formal assessments. The parents will be invited to attend but are not required participants.

If the team concludes that the student's misconduct is related to his or her disability, the student can be suspended for up through 10 consecutive school days with no educational services provided or for any amount of cumulative school days, so long as a pattern of exclusion is not created. If deemed necessary, the team may need to convene to determine if a change of educational placement may be needed or if the student should be referred under the IDEA.

 Copyright © 2010 Missouri Consultants for Education

If the team concludes that the student's misconduct is unrelated to his or her disability, the student will be treated the same as nondisabled students and may be suspended or expelled according to District policy and the Student Code of Conduct. District administrators will determine the appropriate discipline including, but not limited to, a long-term suspension or expulsion. During the period of disciplinary removal, the District will not provide any educational services to the student unless it provides such services to its nondisabled students in similar circumstances.

A student is not considered to be disabled under Section 504 if he or she is currently engaged in the illegal use of drugs when the District is acting on the basis of that use. Therefore, when a 504 student is being disciplined for the current illegal use of a controlled substances (including alcohol), that student will lose his or her 504 protection and will be disciplined as if he or she was a regular education student. No manifestation determination will be held.

Definitions

Illegal Drug means a controlled substance not including drugs legally used or possessed under the supervision of a health care professional.

Weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

Controlled substance means a drug or other substance identified under schedules I, II, III, IV or V in 21 U.S.C. § 812 (c).

Adopted May 20, 2010
Board Updated March 17, 2011
Board Reviewed March 17, 2016
Board Reviewed February 19, 2021

Copyright © 2010 Missouri Consultants for Education

STUDENTS **Regulation 2673**
(Form 2673)

Discipline

Reporting of Violent Behavior

All school employees are required to notify their immediate supervisor if they have reason to believe that a student or District employee has committed any of the offenses set out below, has physically or sexually abused any District student, or has possessed a controlled substance or weapon in violation of District policy. The principal will immediately report to the appropriate law enforcement agency and to the Superintendent/designee any instance where a student is found to be in possession, on their person or in their possession, of any weapon defined in Regulation 2620 or of controlled substances, or is found to have placed such substances elsewhere on school premises. For purposes of this regulation, "school premises" shall be defined to include school property, school playgrounds, school parking lots, school buses, or at school activities whether on or off school property.

Reportable Offenses

1. First degree murder under section 565.020

2. Second degree murder under section 565.021

3. Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110

4. First degree assault under section 565.050

5. Rape in the first degree under section 566.030

6. Sodomy in the first degree under section 566.060

7. Burglary in the first degree under section 569.160

8. Burglary in the second degree under section 569.170

9. Robbery in the first degree under section 569.020 as it existed prior to January 1, 2017, or robbery in the first degree under section 570.023

10. Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture of a controlled substance under section 579.055

11. Distribution of drugs to a minor under section 195.212 as it existed prior to January 1, 2017, or delivery of a controlled substance under section 579.020

12. Arson in the first degree under section 569.040

13. Voluntary manslaughter under section 565.023

14. Involuntary manslaughter under section 565.024 as is existed prior to January 1, 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary manslaughter in the second degree under section 565.027

15. Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052

16. Assault (except as provided in the Agreement contained in Form 2673)

17. Rape in the second degree under section 566.031

18. Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120

19. Property damage in the first degree under section 569.100

20. Possession of a weapon under chapter 571

21. Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017, or child molestation in the first, second or third degree pursuant to section 566.067, 566.068, 566.069

22. Sodomy in the second degree pursuant to section 566.061

23. Sexual misconduct involving a child pursuant to section 566.083

24. Sexual abuse in the first degree pursuant to section 566.100

25. Harassment under section 565.090 as it existed prior to January 1, 2017, or harassment in the first degree under section 565.090

26. Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in the first degree under section 565.225

Teachers and other authorized personnel who report violent acts or threats of violent acts to their supervisors in compliance with state law and in conformity with District policies have civil immunity. Teachers and other authorized personnel who act in conformity with the District's discipline policies and regulations also have civil immunity.

Records of Serious Violations

The Superintendent/designee will prepare and maintain records of serious violations of the District's discipline policy. Individual student records are available to school employees who are directly responsible for the student's education or who interact with the student in the performance of the employee's duties. In addition, such discipline records will be made available within five (5) days to any requesting school district where the student seeks to enroll.

The District will report, in compliance with state regulations, the number, duration of and reasons for expulsions and suspensions of more than ten (10) days. The Superintendent will also notify the appropriate division of the Juvenile court of the suspension for more than ten (10) days of any student under court jurisdiction.

*****

January 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted October 2010
Board Updated March 17, 2011
Board Reviewed March 17, 2016
Board Updated February 15, 2018
Board Reviewed February 18, 2021

STUDENTS **Regulation 2710**

Student Welfare

Reporting Student Abuse

Procedure for Reporting Abuse and Neglect

1. When a student reports alleged sexual misconduct on the part of a teacher or other school employee to another school employee such employee and the Superintendent shall forward the information within twenty-four (24) hours of receiving the information to the Children's Division at 1-800-392-3738.

2. However, if the report of alleged sexual abuse or neglect is received from someone other than a student, a report will be made to the Children's Division if the District has reason to believe that a child has been or is likely to be abused or neglected by telephoning the Abuse Hotline at 1-800-392-3738. The call will be logged with the date, time and nature of the report.

3. School personnel will not notify the student's parents that a Hotline report has been made.

4. When CD representatives interview students on District property, a school staff member will be present. CD representatives may not meet with a child at any school or childcare facility where abuse of the child is alleged to have occurred.

5. When CD receives a report of suspected abuse involving a school employee, other than reports made under subsection (1), the CD is required to notify the Superintendent. If the alleged perpetrator is the Superintendent, CD will notify the Board President. However, if the report relates to spanking or the use of reasonable force to protect persons or property pursuant to Board policy, a report will be made to county law enforcement officials. The investigation into such report will be made by a law enforcement official in the county.

6. When the District and student involved request mediation of the child abuse situation in a school setting, the matter will be referred to the Office of Child Advocate.

Board Approved December 19, 2013
Board Updated November 19, 2015
Board Reviewed March 17, 2016
Board Reviewed February 18, 2021

Copyright © 2012 Missouri Consultants for Education

Student Welfare

Student Safety

The administration is responsible for notifying DESE upon the occurrence of the commission of any of the following violent criminal offenses on school premises:

1. Murder 1st Degree under section 565.020, RSMo;
2. Murder 2nd Degree under section 565.021, RSMo;
3. Kidnapping under section 565.110, RSMo;
4. Assault 1st Degree under section 565.050, RSMo;
5. Forcible Rape under section 566.030, RSMo;
6. Forcible Sodomy under section 566.060, RSMo;
7. Burglary 1st Degree under section 569.160, RSMo;
8. Burglary 2nd Degree under section 569.170, RSMo;
9. Robbery 1st Degree under section 569.020, RSMo;
10. Distribution of Drugs under section 195.211, RSMo;
11. Distribution of Drugs to a Minor under section 195.212, RSMo;
12. Arson 1st Degree under section 569.040, RSMo;
13. Voluntary Manslaughter under section 565.023, RSMo;
14. Involuntary Manslaughter under section 565.024, RSMo;
15. Assault 2nd Degree under section 565.060, RSMo;
16. Sexual Assault under section 566.040, RSMo;
17. Felonious Restraint under section 565.120, RSMo;
18. Property Damage 1st Degree under section 569.100, RSMo;

19. Possession of a Weapon under section 571, RSMo;

20. Child Molestation 1st Degree under section 566.067, RSMo;

21. Deviate Sexual Assault under section 566.070, RSMo;

22. Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or

23. Sexual Abuse under section 566.100, RSMo.

For purposes of this policy, any student who is the victim of any of the following violent criminal offenses on school premises is entitled to a transfer to another District school:

1. Kidnapping under section 565.110, RSMo;

2. Assault 1st Degree under section 565.050, RSMo;

3. Forcible Rape under section 566.030, RSMo;

4. Forcible Sodomy under section 566.060, RSMo;

5. Burglary 1st Degree under section 569.160, RSMo;

6. Robbery 1st Degree under section 569.020, RSMo;

7. Arson 1st Degree under section 569.040, RSMo;

8. Assault 2nd Degree under section 565.060, RSMo;

9. Sexual Assault under section 566.040, RSMo;

10. Felonious Restraint under section 565.120, RSMo;

11. Property Damage 1st Degree under section 569.100, RSMo;

12. Child Molestation 1st Degree under section 566.067, RSMo;

13. Deviate Sexual Assault under section 566.070, RSMo;

14. Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or

15. Sexual Abuse under section 566.100, RSMo.

Board Adopted April 20, 2006
Board Updated April 21, 2011
Board Reviewed April 21, 2016
Board Reviewed February 18, 2021

Student Welfare

District Wellness Program

The primary goals of the Worth Co. R-III School District's wellness program are to promote student health, reduce student overweight/obesity, facilitate student learning of lifelong healthy habits and increase student achievement. The following procedures will guide the implementation of the district wellness program.

Nutrition Guidelines

The district is committed to ensuring that all foods and beverages sold, provided or made available to students on school campuses during the school day support healthy eating and create an environment that reinforces the development of healthy eating habits. For that reason, and as required by law, the district has set the following nutrition standards for its meal programs, competitive foods and beverages sold outside the meal programs, and other foods and beverages provided or made available to students during the school day.

For the purposes of this procedure, the school day is the time period from the midnight before to 30 minutes after the official school day. These meal standards do not apply to food sold at other times, such as evening or weekend events.

Nutrition Standards for Meal Programs

The food sold to students as part of the district's meal programs will meet the requirements of the U.S. Department of Agriculture (USDA).

Nutrition Standards for Competitive Foods and Beverages

The foods and beverages sold and served during the school day outside the reimbursable school meal programs (competitive foods and beverages) will meet or exceed the USDA Smart Snacks in School (Smart Snacks) nutrition standards. These standards will apply in all locations any time foods and beverages are sold to students during the school day, which includes, but is not limited to, foods and beverages sold in vending machines, school stores, and snack or food carts; à la carte options in cafeterias; and food and beverages sold through district-sponsored fundraising, including fundraising by student-initiated groups, unless an exemption applies, as described below.

Fundraising Exemption to Nutrition Guidelines

Unless otherwise prohibited by Board policies or limitations on marketing, the following are exemptions to the rule requiring that foods sold as fundraisers meet USDA standards:

2017, Missouri School Boards Association

1. Foods sold off campus, outside the school day or to nonstudents do not have to meet the USDA standards.

2. Foods that do not meet USDA standards and are not intended for consumption at school may be delivered during the school day, and order forms for such food may be distributed during the school day, to the extent that these activities otherwise comply with district policies and procedures.

3. Each school building within the district may hold up to five one-day fundraisers per school year on district property during the school day that involve the sale of foods that do not meet USDA standards.

Nutrition Standards for Foods and Beverages Provided to Students during the School Day

All foods and beverages the district provides or makes available to students during the school day will meet or exceed the Smart Snacks nutrition standards. This includes, but is not limited to, foods and beverages provided or made available to students for celebrations, classroom parties and birthdays, regardless of the source of the food. The district will provide parents/guardians and district employees a list of foods and beverages that meet the Smart Snacks nutrition standards and a list of healthy party ideas, including nonfood celebration ideas.

Foods and beverages should not be used as a reward or withheld as punishment.

Water

Students will have access to safe and unflavored drinking water throughout the school day in every district facility used by students. Free, safe and unflavored drinking water will be available to students during mealtimes in the places where meals are served.

Nutrition Education

The district's nutrition education goal is to integrate sequential nutrition education with the comprehensive health education program and, to the extent possible, the core curriculum taught at every grade level in order to provide students with the necessary knowledge and skills to make healthy nutrition decisions. In order to achieve the nutrition education goal, the district will:

1. Provide students at all grade levels with adequate nutrition knowledge including, but not limited to:

    - The benefits of healthy eating.
    - Essential nutrients.
    - Nutritional deficiencies.

2017, Missouri School Boards Association

- Principles of healthy weight management.
- The use and misuse of dietary supplements.
- Safe food preparation, handling and storage.

2. Provide students with nutrition-related skills that minimally include the ability to:

    - Plan healthy meals.
    - Understand and use food labels.
    - Apply the principles of the USDA's Dietary Guidelines for Americans and MyPlate.
    - Critically evaluate nutrition information, misinformation and commercial food advertising.
    - Assess personal eating habits, nutrition goal-setting and achievement.

3. Provide instructional activities that stress the appealing aspects of healthy eating and are hands-on, behavior based, culturally relevant, developmentally appropriate and enjoyable. Examples of activities include, but are not limited to: food preparation, contests, promotions, taste testings, farm visits and school gardens.

4. Encourage district staff to cooperate with local agencies and community groups to provide students with opportunities for volunteer work related to nutrition, such as in food banks, soup kitchens or after-school programs.

5. Provide information to all school staff about the symptoms of nutrition-related conditions such as unhealthy weight, eating disorders and other nutrition-related health problems. Staff members who identify students who may have nutrition-related conditions will notify school counselors or student health services staff. When appropriate, school counselors or student health services staff will provide information about these conditions, including available treatment options, to the student and his or her parents/guardians.

6. Coordinate the food service program with nutrition instruction. Food service staff should also work closely with those responsible for other components of the school health program to achieve common goals.

Nutrition Promotion

Nutrition promotion that uses evidence-based techniques to encourage healthy nutrition choices and participation in school meal programs positively influences lifelong eating behaviors. Students and staff will receive consistent nutrition messages throughout district facilities. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently by school staff, parents/guardians and the community. The district will promote the importance of good nutrition in its schools and in the community through one or more of the following activities:

1. Offering healthy eating seminars for parents/guardians.

2. Providing nutrition information to parents/guardians via newsletters, handouts, presentations or other appropriate means.

3. Posting nutrition tips on district websites.

4. Offering appropriate, participatory activities, such as cooking lessons or demonstrations, taste testings, farm visits and school gardens.

5. Disseminating information about community programs that offer nutrition assistance to families.

6. Posting links on district websites to research and articles explaining the connections between good nutrition and academic performance.

7. Providing school meals that meet a variety of cultural preferences with a special emphasis on the populations served by the district.

8. Posting menus, including nutrient contents and ingredients, on district and school websites.

If practical, the district will provide information in a language understandable to the parents/guardians.

Marketing and Advertising

Marketing in district facilities will be consistent with the goals of the district's wellness program and comply with Board policy. The district will strive to promote the wellness program and educate parents/guardians regarding the quality of district foods.

Food and beverage marketing will be limited to the promotion of foods and beverages that meet the Smart Snacks nutrition standards. Other examples of marketing and advertising the district will scrutinize include, but are not limited to, pricing strategies that promote healthy food choices; audiovisual programming; educational incentive programs; scoreboards; book covers; district transportation; and vending machine displays.

Physical Activity

Moderate Physical Activity : Low-impact to medium-impact physical exertion designed to increase an individual's heart rate to rise to at least 75 percent of his or her maximum heart rate. Examples of moderate physical activity include, but are not limited to, running, calisthenics or aerobic exercise. Time spent in recess and physical education counts as moderate physical activity.

Recess: A structured play environment outside of regular classroom instructional activities that allows students to engage in safe and active free play.

The district's physical activity goal is to assist students in learning to value and enjoy physical activity as an ongoing part of a healthy lifestyle by ensuring that every student has the opportunity to develop the knowledge, skills and desire to perform a variety of physical activities, maintain physical fitness and regularly participate in physical activity. In order to achieve the physical activity goal, the district will:

1. Develop a sequential program of appropriate physical education aligned with Missouri Learning Standards for every student. The elementary program will provide for:

   - 30 minutes of recess per day. Recess may be incorporated into the lunch period, but will be scheduled before lunch and held outdoors when possible.

   - An average of 150 minutes of moderate physical activity each five-day school week or an average of 30 minutes per school day. The program will also provide 50 minutes per week minutes per week of physical education under the supervision of a certified physical education instructor.

   - The middle school program will provide for 240 minutes of moderate physical activity during each school week and 3000 minutes of physical education per year.

   - The high school program will provide for 2 unit(s) of physical education prior to graduation.

   All activity will:

   - Emphasize knowledge and skills for a lifetime of regular physical activity.

   - Meet the needs of all students, especially those who are not physically skilled or who have special needs.

   - Provide a variety of activity choices, feature cooperative as well as competitive activities, and account for gender and cultural differences in students' interests.

   - Prohibit exemptions from physical education courses on the basis of participation in an athletic team, community recreation program, ROTC, marching band or other school or community activity.

   - Contribute to achieving the goals established in the district's wellness policy and be closely coordinated with the other components of the overall school health program.

2. Provide opportunities and encouragement for students to voluntarily participate in before- and after-school physical activity programs designed to supplement, not replace, the district's physical education offerings, such as intramural activities, interscholastic athletics and clubs by:

   - Providing a diverse selection of competitive and noncompetitive, as well as structured and unstructured, activities to the extent that staffing and district/community facilities permit.

   - Offering intramural physical activity programs that feature a broad range of competitive and cooperative activities for all students.

   - Encouraging partnerships between schools and businesses. Promotion of such partnerships must be appropriate and in accordance with Board policy and applicable procedures.

3. Strive to provide joint school and community recreational activities by:

   - Actively engaging families as partners in their children's education and collaborating with community agencies and organizations to provide ample opportunities for students to participate in physical activity beyond the school day.

   - Working with recreation agencies and other community organizations to coordinate and enhance opportunities available to students for physical activity during their out-of-school time.

     Negotiating mutually acceptable, fiscally responsible arrangements with community agencies and organizations to keep district-owned facilities open for use by students, staff and community members during nonschool hours and vacations.

   - Working with local public works, public safety, police departments and/or other appropriate state and federal authorities in efforts to make it safer and easier for students to walk and bike to school.

4. Prohibit the use of physical activity as a form of discipline or punishment and ensure that physical education and recess will not be withheld as punishment.

5. Discourage periods of inactivity that exceed two or more hours. When activities such as mandatory schoolwide testing make it necessary for students to remain indoors for long periods of time, staff should give students periodic breaks during which they are encouraged to stand and be moderately active.

2017, Missouri School Boards Association

6. Provide and encourage verbally and through the provision of space, equipment and activities—daily periods of moderate to vigorous physical activity for all participants in on-site after-school childcare and enrichment programs sponsored by the district.

7. Provide opportunities and encouragement for staff to be physically active by:

   - Planning, establishing and implementing activities to promote physical activity among staff and providing opportunities for staff to conveniently engage in regular physical activity.

   - Working with recreation agencies and other community organizations to coordinate and enhance opportunities available to staff for physical activity during their out-of-school time.

Other School-Based Activities

The district's goal for other school-based activities is to ensure an integrated whole-school approach to the district's wellness program. The district will achieve this goal by addressing the areas itemized below.

Community Involvement

Staff will collaborate with agencies and groups conducting nutrition education in the community to send consistent messages to students and their families. A list of foods and beverages that meet the Smart Snacks nutrition standards and ideas for healthy celebrations, rewards and nonfood fundraising activities will be provided to community organizations that serve youth. Guest speakers invited to address students will receive appropriate orientation to the relevant policies of the district.

The wellness program shall make effective use of district and community resources and equitably serve the needs and interests of all students and staff, taking into consideration differences of gender, cultural norms, physical and cognitive abilities and fitness level.

Family Involvement

The district will strive to engage families as partners in their children's education by supporting parental efforts to motivate and help their children with maintaining and improving their health, preventing disease and avoiding health-related risk behaviors. Strategies the district may implement to achieve family involvement may include, but are not limited to:

1. Providing nutrient analyses of district menus.

2. Providing parents/guardians a list of appropriate foods that meet the district's nutrition standards for snacks.

3. Providing parents/guardians with ideas for nonfood rewards and healthy celebrations, parties and fundraising activities.

4. Encouraging parents/guardians to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the district's nutrition standards.

5. Designing curricular nutrition education activities and promotions to involve parents/guardians and the community.

6. Supporting efforts of parents/guardians to provide their children with opportunities to be physically active outside of school.

7. Providing information about physical education and other school-based physical activity opportunities available to students before, during and after the school day.

8. Sharing information about physical activity and physical education via the district's website, newsletter, other take-home materials, special events or physical education homework.

9. Working with families to provide consistent sun safety information that includes an overview of the district's sun safety program, an explanation of how parents/guardians can reinforce the program at home and how they can become involved with and support the district's program.

10. Encouraging parents/guardians to volunteer time in the classroom, cafeteria or at special events that promote student health.

11. Providing opportunities for parent/guardian involvement with the district wellness committee.

If practical, the district will provide information in a language understandable to parents/guardians.

Indoor Air Quality

District employees will refrain from using candles, oils, sprays, plug-ins and other sources of fragrance. Pesticides and cleaning products will be used only in accordance with district policies and procedures.

Mealtimes

Students are not permitted to leave school campus during the school day to purchase food or beverages. Mealtimes will comply with the following guidelines:

1. Mealtimes will provide students with at least 10 minutes to eat after sitting down for breakfast and 20 minutes after sitting down for lunch.

2. Activities such as tutoring or meetings will not be held during mealtimes unless students may eat during such activities.

3. At the elementary level, lunch periods should follow recess periods, if possible.

4. Free, safe and unflavored drinking water will be available to students during meals in the meal service area.

5. Students will have access to hand-washing facilities before they eat meals or snacks.

6. The district will take reasonable steps to accommodate the tooth brushing regimens of students.

7. Students will be allowed to converse during meals.

8. The cafeteria will be clean, orderly and inviting.

9. Adequate seating and supervision will be provided during mealtimes.

Outdoor Air Quality

The principal or designee of each school will be responsible for daily monitoring of Air Quality Index (AQI) information provided by local authorities.

1. When the AQI is "code orange" (unhealthy for sensitive groups of people), students with a history of reactions to ozone exposure will be permitted to reduce their outdoor exertion level or time spent outdoors, and the staff will arrange alternative indoor physical activities. Appropriately trained staff responsible for student supervision will monitor such students for symptoms of respiratory distress.

2. When the AQI is "code red" (unhealthy), students with a history of reactions to ozone exposure will remain indoors and participate in indoor physical activities. Appropriately trained staff responsible for student supervision will monitor such students for symptoms of respiratory distress. All other students will be allowed to engage in no more than one hour of heavy exertion (i.e., activities that involve high-intensity exercise such as basketball, soccer and running) while outdoors.

3. When the AQI is "code purple" (very unhealthy) or "code maroon" (hazardous), all students will be kept indoors and participate in indoor physical activities. Appropriately trained staff responsible for student supervision will monitor all students for symptoms of respiratory distress.

Staff Development and Training

All staff will be provided with ongoing training and professional development related to all areas of student wellness. The pre-service and ongoing in-service training will include teaching strategies for behavior change and will focus on giving teachers the skills they need to use non-lecture, active learning methods. Staff responsible for nutrition education will be adequately prepared and regularly participate in professional development activities to effectively deliver the nutrition education program as planned. Staff responsible for implementing the physical education program will be properly certified and regularly participate in area-specific professional development activities.

Qualified nutrition professionals will administer the district meal programs and will receive ongoing, area-specific professional development. The district will provide continuing professional development for all district nutrition professionals. Staff development programs will include appropriate certification and/or training programs for child nutrition directors, school nutrition managers and cafeteria workers according to their levels of responsibility.

Staff Wellness

The Worth Co. R-III School District highly values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. The district will offer staff wellness programs that include education on nutrition, healthy eating behaviors and maintaining a healthy weight for optimal health. The district will establish and maintain a staff wellness committee composed of at least one staff member; wellness committee member; registered dietitian, school nurse or other health professional; employee benefits specialist; and other appropriate personnel. The staff wellness committee will serve as a subcommittee of the district wellness committee. The staff wellness committee will develop, promote and oversee a multifaceted plan to promote staff health and wellness. The plan will be based on input solicited from district staff and will outline ways to encourage healthy eating, physical activity, sun safety and other elements of a healthy lifestyle. The staff wellness committee will provide a copy of its plan to the wellness program committee.

Sun Safety

"Sun safety" describes a range of behaviors that include wearing appropriate clothing, applying sunscreen and limiting sun exposure. The sun safety program will focus on outdoor behavior and will be developmentally appropriate, active, engaging and taught in lessons that emphasize the benefits of sun safety. Sun safety education will be designed to assist students with:

1. Knowledge about the harmful effects of the sun and ways to protect skin.

2. Sun-safe skills, including the correct use of protective clothing, hats, sunglasses, sunscreen and lip balm as well as seeking shade and limiting sun exposure when possible and practical during the hours of peak sun intensity.

3. Knowledge about how to assess personal sun safety habits, set goals for improvement and achieve these goals.

Tobacco

Tobacco use prevention education will focus on all grades with particular emphasis on middle school and reinforcement in all later grades. Instructional activities will be participatory and developmentally appropriate. Tobacco use prevention education programs will be implemented in accordance with Board policy, relevant administrative procedures and law.

Oversight and Assessment

The wellness program coordinators are responsible for monitoring implementation and assessing the effectiveness of the district wellness program by:

1. Completing the required triennial assessment.
2. Prioritizing wellness goals and writing work plans for each goal.
3. Measuring implementation of the district wellness policy and procedure.
4. Ensuring that the district meets the goals of the wellness policy and procedure.
5. Reporting to the Board on compliance and progress.
6. Comparing the district's policy to model policies.

Compliance Indicators

The program coordinators will use the Centers for Disease Control and Prevention (CDC) School Health Index as a measure of the overall effectiveness of the local wellness program. In addition, the wellness program coordinators will identify at least one other assessment tool, including those available through the USDA or CDC, that provides measures not covered by the School Health Index. Assessment tools may be locally created.

Policy Review

The wellness program coordinators will provide policy revision recommendations to the Board as part of the periodic report. The recommendations will be based on analysis of the compliance indicators and comparison of the district's policy to model policies provided, recommended or referenced by the USDA. The Board will revise the wellness policy as it deems necessary. Administrative procedures will be revised accordingly.

* * * * * * *

Board Adopted October 23, 2017

Board Reviewed February 13, 2021

MSIP Refs: 1.1, 1.2, 1.3

Worth Co. R-III School District, Grant City, Missouri

STUDENTS

Regulation 2760

Student Welfare

Students in Foster Care

The District educational liaison for foster care children will serve in an advisory capacity to:

- Ensure and facilitate proper educational placement, enrollment in school, and checkout from school;

- Assist foster care children when transferring from one school to another or from one school district to another, including, among other things, proper transfer of credit, records, and grades;

- Request school records, as provided in Policy/Regulation 2230, within two (2) business days of placement of a foster care child in a District school;

- Submit school records of foster care pupils within three (3) business days of receiving a request for school records from another School District as provided in Policy 2290; and

- Facilitate access to student records to any child placing agency for the purpose of fulfilling education case management responsibilities required of the juvenile officer or by law and to assist with the school transfer or placement of a child under foster care.

*****

January 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted April 21, 2016
Board Updated February 15, 2018

Student Welfare

Transfer of Care and Custody

A power of attorney delegating care and custody of a student must be witnessed by a notary public and contain the following information:

1. Full name of student whose care and custody is to be transferred;

2. Date of birth of such student;

3. Full name and signature of the attorney-in-fact, to whom care and custody is to be transferred;

4. Address and telephone number of such attorney-in-fact;

5. Full name and signature of the parent or legal guardian;

6. The term for which delegation is transferred and a statement the delegation may be revoked at any time; and

7. One of the following statements:

    a. I delegate to the attorney-in-fact all of my power and authority regarding the care, custody, and property of each minor child named above including, but not limited to, the right to enroll the child in school, inspect and obtain copies of education and other records concerning the child, the right to give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function or treatment that may concern the child. This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on, or for the child, or the termination of parental rights to the child; or

    b. I delegate to the attorney-in-fact the following specific powers and responsibilities (insert list). This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on, or for the child, or the termination of parental rights to the child.

*****

August 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted October 18, 2018
Board Reviewed March 18, 2021

STUDENTS **Regulation 2785**

Student Welfare

Student Suicide Awareness

The district will address suicide awareness and prevention through the following policy components[1]:

1. Crisis response team
2. Crisis response procedures
3. Procedures for parent involvement
4. Community resources available to students, parents, patrons and employees
5. Responding to suicidal behavior or death by suicide in the school community
6. Suicide prevention and response protocol education for staff
7. Suicide prevention education for students
8. Publication of policy

1. Crisis Response Team

The district will include suicide awareness and prevention in already established district or building crisis response teams or will establish such team(s) if not already in existence. Crisis response team members will include administrators, counselors and the school nurse, and may also include school social workers, school resource officers, teachers and/or community resources as appropriate. The crisis response team will be responsible for implementation of crisis response procedures.

The district will adopt an evidence based/informed tool for assessing suicide risk. The crisis response team, the building administrator, or his/her designee will receive training and coaching in using this tool to collect and document student suicidal behaviors and safety planning strategies.

2. Crisis Response Procedures

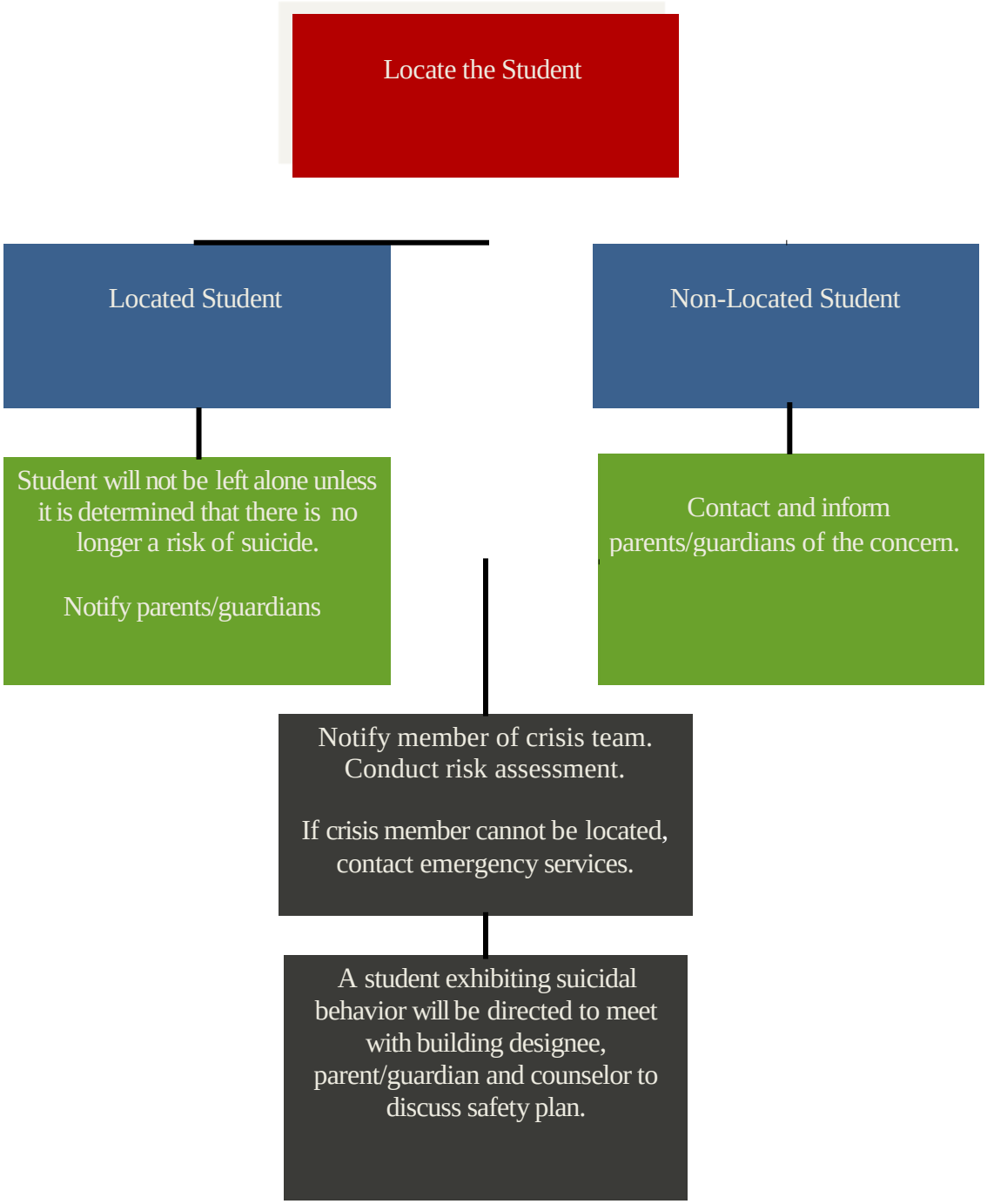
Student suicidal behaviors are not confidential and may be revealed to the student's parents, guardians, school personnel or other appropriate authority when the health, welfare or safety of the student is at risk.

Any school employee who has a reasonable belief that a student may be at risk for suicide or witnesses any attempt towards self-injury will notify a member of the crisis response team, the building administrator or his/her designee.

If a student suicide behavior is made known to any school employee and a member of the crisis response team, the building administrator or his/her designee is not available, the employee will notify the student's parent/guardian, the National Suicide Prevention Lifeline (800-273-8255) or local law enforcement in an emergency situation. As soon as practical, the employee will notify the building designee or principal.

[1] Department of Elementary and Secondary Education Youth Suicide Awareness and Prevention Model Policy

The following steps will be employed in response to any risk of student suicide:



3. Procedures for Parent Involvement

A member of the crisis response team, the building administrator or his/her designee shall reach out to the parents/guardians of a student identified as being at risk of suicide to consult with them about the risk assessment of their student, to make them aware of community resources, and to discuss how to best support the student's mental well-being and safety.

If the parent refuses to cooperate or if there is any doubt regarding the student's safety, local mental service providers and/or law enforcement may need to be engaged, and a report may need to be made to the Child Abuse and Neglect Hotline.

Contact with a parent concerning risk of suicide will be documented in writing.

4. School and Community Resources

A student exhibiting suicidal behavior will be directed to meet with the building designee, their parent/guardian and counselor to discuss support and safety systems, available resources, coping skills and a safety plan as necessary.

The district will, in collaboration with local organizations and the Missouri Department of Mental Health, identify local, state and national resources and organizations that can provide information or support to students and families. A basic list of resources can be found on the Department of Mental Health website and the district will strive to develop its own list of local resources to be made readily available.
http://dmh.mo.gov/mentalillness/suicide/prevention.html

5. Responding to Suicidal Behavior or Death by Suicide in the School Community

When the school community is impacted by suicidal behavior or a death by suicide, the district will confer with their crisis response teams and, when appropriate, confer with local community resources and professionals to identify and make available supports that may help the school community understand and process the behavior and/or death.

The crisis response team, the building administrator or his/her designee will determine appropriate procedures for informing the school community of a death by suicide and the supports that will be offered. Staff and students who need immediate attention following a death by suicide will be provided support and resources as determined necessary.

6. Suicide Prevention and Response Protocol Education for Staff

All district employees will receive information annually regarding this policy and the district's protocol for suicide awareness, prevention and response. The importance of suicide prevention, recognition of suicide protective and risk factors, strategies to strengthen school connectedness and building specific response procedures will be highlighted.

Such information shall include the following:

1. Current trends in youth mental health, wellbeing and suicide prevention and awareness
2. Strategies to encourage students to seek help for themselves and other students
3. Warning signs that indicate a student may be at risk of suicide
4. The impact of mental health issues and substance abuse
5. Communication to students regarding concerns about safety and that asking for help can save a life
6. Understanding limitations and boundaries for giving help and techniques to practice self-care
7. Identification of key school personnel who are comfortable, confident and competent to help students at risk of escalated distress and suicide

All district staff will participate in professional development regarding suicide awareness and prevention.

7. Suicide Prevention Education for Students

Starting no later than fifth grade, students will receive age appropriate information and instruction on suicide awareness and prevention. Information and instruction may be offered in health education, by the counseling staff or in other curricula as may be appropriate.

Student education will include the following:

1. Information about mental health, well-being and suicide prevention and awareness
2. Promotion of a climate that encourages peer referral and which emphasizes school connectedness
3. Recognition of the signs that they or peers are at risk for suicide
4. Identification of issues that may lead to suicide including depression, anxiety, anger, and drug/alcohol dependency
5. Directive to not make promises of confidence when they are concerned about peer suicide
6. Identification of a trusted adult on campus with whom students can discuss concerns about suicide

8. Publication of Policy

The district will notify employees, students and parents of this policy by posting the policy and related procedures and documents on the district's website and discussing this policy during employee training as detailed herein.

Reference: DESE Youth Suicide Awareness and Prevention Model Policy

*****

October 2017, Copyright 2017 Missouri Consultants for Education, LLC

Board Adopted October 20, 2016
Board Updated January 18, 2018
Board Reviewed March 18, 2021

STUDENTS **Regulation 2850**
(Form 2850)

Student Services

Inoculations of Students

As mandated by the Missouri Department of Health, students must have up-to-date immunizations before being permitted to attend classes. Form 2850 provides a chart of immunization requirements by grade level.

1. The District will maintain an individual health record for each student, including an immunization history supplied by the parent/guardian.

2. A complete immunization history will be required upon entrance to school. Satisfactory evidence of immunization is a statement, certificate or record from a physician or health facility that verifies the type of vaccine, the month, day and year of administration. The parent/guardian will be informed that any needed immunizations must be obtained prior to enrollment and attending school.

3. In certain special situations, exemptions or "In Progress" statements may be needed.

    a. If a student has received all immunizations that are age appropriate but has not completed the minimum required for school attendance, the parent/guardian must obtain an "In Progress" card from a physician or health department that identifies when the next dose is due.

    b. If the student cannot receive the needed immunization(s) for medical reasons, a medical exemption will be completed and signed by a physician and filed in the student's health record.

    c. If the parent/guardian objects to immunizations for religious reasons, an exemption must be signed by the parent/guardian and verified by the school nurse. This must be renewed annually. Protection against disease as a desirable measure for the protection of the student will continue to be emphasized.

4. In the event of an outbreak, students who are exempt from immunizations for any reason will be excluded from school for their own protection and that of other students, in accordance with State Rule 13 CSR 50-101.0412. The only exception will be students exempted by a physician because they have already had the disease and have available laboratory confirmation of immunity.

5. The District will notify the parent/guardian if a student will require any additional doses of a vaccine, giving the date by which the vaccine must be given to remain in compliance with the law.

6. To the extent that the District provides information on immunizations, infectious disease, medications, or other school health issues to parents/guardians, the District will include information that is at least similar to the information provided by the Center for Disease Control and Prevention about influenza and influenza vaccinations.

7. The District will prepare the immunization report (CD 31) for the Missouri Department of Health by the specified date. Any deficiencies will receive follow-up as recommended. Every effort will be made to return excluded students to school as soon as possible. The parent/guardian will be advised of resources available to obtain needed protection. The parent/guardian who does not make an effort to comply with the law in order to return students to school within ten days may be reported to the local juvenile authority for enforcing the truancy law.

8. An ongoing review of immunization records will be made to ensure that entering transfer students, students who are "In Progress," and those needing Td boosters during the school year have adequate protection. Students will be notified in the spring that Td boosters will be due during the next school year. The records of entering transfer students and those due for boosters will be flagged, or a separate file or a line listing of these students will be maintained, to facilitate compliance with the statute.

*****

August 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted April 20, 2006
Board Updated April 21, 2011
Board Updated November 19, 2015
Board Reviewed May 19, 2016
Board Update October 18, 2018
Board Reviewed April 22, 2021

STUDENTS **Regulation 2860**

Student Services

Students with Communicable Diseases

The following administrative guidelines have been developed to assist in implementing Policy 2860.

1. The District's policy and regulations on communicable diseases, including detailed information about procedures to be implemented if a student with a chronic infectious disease is enrolled, will be made available to parents of all students attending District schools.

2. All employees will follow the most recent guidelines issued by the Centers for Disease Control, including applicable universal precautions in cleaning up body fluid spills (a copy of which shall be on file in the office of the Supervisor of Health Services and in the office of each school nurse), regardless whether an individual infected with a body fluid or blood-borne pathogen is known to be present in the school environment or related activities. Willful or negligent disregard for these precautions by any staff member will be cause for disciplinary action.

Acute Infectious Disease

1. A staff member who has reason to believe that a student has been exposed to a contagious or infectious disease or who observes symptoms of such a disease, shall inform the principal. The principal will consult with the school nurse about the child.

2. If the school nurse determines that the student has an acute contagious or infectious disease, the principal will exclude the student from school for the number of days specified in the latest revision of the Missouri Department of Health Publication, "Prevention and Control of Communicable Diseases - A Guide for School Administrators, Nurses, Teachers and Day Care Operators," PACH-16, or until a physician certifies that the student no longer is liable to transmit the disease.

3. If a student has been excluded from school by the principal because the student has or is suspected of having an acute contagious or infectious disease, the student and his/her parent/guardian may appeal such decision in writing to the Superintendent. The Superintendent may require the student to be examined by a physician designated by the District, the child's own physician, or both, at the option of the Superintendent. The student shall not attend classes or participate in school activities during the appeal period.

Chronic Infectious Disease

1. If the principal, after consulting with the school nurse, determines that a student may

have a chronic infectious disease, the student may be excluded from school and provided an education in an alternative setting until the following procedures have been concluded. Prior to excluding the student, the student's parents/guardians shall receive written notification of the intent to exclude and their procedural safeguards as set forth in the District's compliance plan for Section 504 of the Rehabilitation Act of 1973.

The principal shall immediately report any student who has or is suspected of having a chronic infectious disease to the Superintendent or his/her designee. The Superintendent or his/her designee shall within three (3) working days appoint a Review Committee to assess the student's medical condition. The Committee should include the following:

a. The student's parents/guardians.

b. The student's physician.

c. A physician specialist in public health or infectious diseases.

d. The Supervisor of Health Services, who shall serve as Chairperson of the Review Committee, or his/her designee.

e. The principal.

f. The Superintendent or his/her designee.

g. Others mutually agreed upon by the District and the parents/guardians.

The District's legal counsel may serve on the Committee in an advisory capacity.

If the student has been identified as a student with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA), the student may be excluded from school and provided with an education in an alternative setting, so long as such exclusion does not constitute a change in placement pursuant to the IDEA. The student's medical condition and educational placement will be evaluated in accordance with the procedures set forth above, with the following additional provisions:

a. Prior to excluding the student, the student's parents/guardians shall receive written notification of their procedural safeguards as set forth in the District's compliance plan for implementing the IDEA, in addition to written notice of their procedural safeguards pursuant to Section 504 of the Rehabilitation Act of 1973.

b. The Review Committee shall include the chairperson of the student's Individual Educational Program Committee or his/her designee.

2. The members of the Review Committee shall determine the fitness of the student to attend school. The Committee will assess the student's condition, the school conditions, and the risks of exposing others to the disease in the school environment, and shall determine whether the student should (1) be permitted to attend school without restrictions; (2) attend school under stated restrictions and conditions; or (3) be excluded from attending school and provided an alternative educational program. The Committee will prepare a written individual school health care plan for the student and establish dates and/or conditions under which the student's status will be reviewed. The Committee will also identify the persons who have a medical need to know the identity of the student because they are responsible for providing proper health care, and will provide the names of those persons to the Superintendent or his/her designee.

3. Within three (3) working days after the Committee is convened, the Committee will make a determination and prepare findings of fact, which the Chairperson shall communicate in writing to the student's parents/guardians, the principal, and the Superintendent. The parents/guardians shall again receive written notification of their procedural safeguards as set forth in the District's compliance plan for Section 504 of the Rehabilitation Act of 1973 (and in the District's compliance plan for implementing the IDEA, if applicable). The meetings, records, and votes of the Review Committee shall not be open to the public. The determination will be final unless reversed on appeal pursuant to the Complaint Procedures set out in the District's compliance plan for Section 504 (or the procedures in the District's compliance plan for implementing the IDEA, if applicable).

4. If a student with a chronic infectious disease is permitted to attend school, the Superintendent will notify those persons who were identified by the Review Committee as having a medical need to know the student's identity and conditions under which the student is attending school. Willful or negligent disclosure of confidential information will be cause for disciplinary action.

5. Staff members who have a medical need to know the identity of a student with a chronic infectious disease include (1) those who are designated by the District to determine the fitness of the student to attend school; (2) those who are responsible for providing health care to the student, such as the school nurse; and (3) those who are most likely to be in a position to render first aid to the student in case of an accident or medical emergency.

6. A student who has a chronic infectious disease shall be evaluated pursuant to the District's compliance plan for Section 504 of the Rehabilitation Act of 1973 (and the District's compliance plan for implementing the IDEA, if applicable) to determine whether any accommodations or related services are necessary for the student to receive a

STUDENTS **Regulation 2870**
(Form 2870)

Student Services

Administering Medicines to Students

Prescription Medication

The student's authorized prescriber shall provide a written request that the student be given medication during school hours. The request shall state the name of the student, name of drug, dosage, frequency of administration, route of administration, and the prescriber's name. The diagnosis/indication for use of the medicine shall be provided. When possible, the prescriber should state adverse effects and applicable emergency instructions.

The District shall require that a prescription label be properly affixed to the medication in question. Said label must contain the name of the student, name of the drug, dosage, frequency of administration, route of administration, diagnosis and the prescriber's name.

A parent/guardian must request in writing that the School District comply with the authorized prescriber's request to give medication. (The District will not administer the initial dose of any new prescription except in an emergency.)

Over-the-Counter Medication

The student's authorized prescriber shall provide a written request that the student be given medication during school hours. The request shall state the name of the student, name of drug, dosage, frequency of administration, route of administration, and the prescriber's name. The diagnosis/indication for use of the medicine shall be provided. When possible, the prescriber should state potential adverse effects and applicable emergency instructions.

A parent/guardian will provide a written request that the District comply with the authorized prescriber's request to give medication.

Emergency Medication

Written standing orders will be obtained annually for the administration of emergency medication.

Storage and Administration of Medication

A parent/guardian or other responsible party designated by the parent/guardian will deliver all medication to be administered at school to the school nurse or designee. All medication, prescription or over-the-counter, must be in a pharmacy or manufacturer-labeled container. The District shall provide secure, locked storage for medication to prevent diversion, misuse, or ingestion by another individual.

The administration of medication, including over-the-counter medications, is a nursing activity, governed by the State of Missouri Nursing Practice Act. It must be performed by the registered professional school nurse. The nurse may delegate and supervise the administration of medication by unlicensed personnel who are qualified by education, knowledge and skill to do so. The registered nurse must provide and document the requisite education, training, and competency verification. The nurse is also empowered to contact the prescriber or pharmacist filling the prescription to discuss the prescription if the nurse has questions regarding the administration of such medication. Qualified employees will be held harmless and immune from civil liability for administering medication or medical services in good faith and according to standard medical practices.

School employees who are not qualified according to standard medical practices will not be required to administer medications or medical services. Such unqualified employees who refuse to administer medications or medical services will not be subject to disciplinary action for such refusal.

Pre-filled Auto Syringes

A school nurse or other school employee trained and supervised by the nurse may be authorized by the Board of Education to maintain an adequate supply of pre-filled auto syringes of epinephrine with fifteen hundredths milligram (15/100 mg) or three tenths milligram (3/10mg) delivery at school. The school nurse shall recommend to the school board, through the superintendent, the number of pre-filled epinephrine auto syringes to be maintained at each school. Licensed school nurses have the discretion to use an epinephrine auto syringe on any student the school nurse believes is having a life-threatening anaphylactic reaction based upon the nurses training in recognizing an acute episode of an anaphylactic reaction. Trained employees administering life-saving methods will be immune from civil liability for administering life-saving methods for administering a pre-filled auto syringe in good faith consistent with standard medical practices.

Self-Administration of Medication

Students with asthma, anaphylaxis, or any chronic health condition may carry with them for self-administration metered-dose inhalers containing "rescue" medication. Possession and self-administration of these prescription medications must comply with the Missouri Safe Schools Act, 1996. The directives of this Act will be given to each parent/guardian who requests that his/her student be permitted to carry and self-administer such medication. A permission form for self-administration (Form 2870) is required. Provided however, that:

1. A licensed physician has prescribed or ordered such medications for use of the student and has instructed the student in the correct and responsible use of such medications;

2. The student has demonstrated to the student's licensed physician or designee and the school nurse, the skill level necessary to use the medications and any device necessary to administer such medications;

3. The student's physician has appended and signed a written treatment plan for managing asthma and anaphylaxis episodes of the student and for medications for use of the student. Such plan will include a statement that the student is capable of self-administering the medication under the treatment plan;

4. The student's parent/guardian has completed and submitted to the school the student's treatment plan and liability statement.

5. The student's parent/guardian has signed a statement acknowledging that the district and its employees will incur no liability as a result of any injury arising from self-administration of medication by the student or administration of such medication by school staff. (see Form 2870.1)

The authorization for the possession and self administration of medication to treat a student's asthma or anaphylaxis permits authorized students to possess and self administer such student's medication while in school, at a school sponsored activity, and in transit from school or school sponsored activity. Such authorization will be effective for the school year when issued and for the school attended when the authorization is issued. Such authorization must be renewed each subsequent year in order to remain effective. Information concerning the student's condition treatment plan, authorization, and related documents will be kept on file in the school nurse's office and be easily accessible in the event of an asthma or anaphylaxis emergency. Duplicate prescribed medication, as described in this policy, will be kept in the school's nurses' office and be reasonably accessible to the student and school staff in the event of an asthma or anaphylactic emergency.

Cardiopulmonary Resuscitation Training

Upon Board of Education authorization, the District will provide instruction in cardiopulmonary resuscitation to District students grades 9-12. The instruction will be part of a health educational course and will include hands-on practice and skill testing to support cognitive learning. However, the District may elect to develop an agreement with a first responder to provide the required practice and testing. Students with disabilities may participate to the extent appropriate as determined by the student's IEP or 504 Plan.

Automated External Defibrillators

Should the District acquire an automated external defibrillator and maintain it on school premises, the District will:

a) Comply with applicable regulations;
b) Ensure the defibrillator is tested at least every two years and after every use;
c) Ensure that the defibrillator is maintained according to the manufacturer's operation and maintenance guidelines;
d) Ensure that an inspection is made of the defibrillator at least every ninety (90) days for potential issues related to its operation, including blinking lights or defects suggesting tampering or other problems.

Any person who gratuitously and in good faith renders emergency care by use of the District's defibrillator will not be liable for any civil damages or subject to any criminal penalty unless the user acts in a reckless or wanton negligent manner.

Where the District possess and maintains a defibrillator, training will be provided along with existing training in cardiopulmonary resuscitation for students in grades 9-12. Such defibrillator training will follow the standards set by the American Red Cross, the American Heart Association or similar training from a nationally recognized organization.

Administration of Asthma Rescue Medication

The Board of Education, by a majority vote, may authorize a licensed registered nurse to maintain a supply of asthma related rescue medication at each District school. The nurse will recommend the quantity of such medication to be maintained. The asthma rescue medication will be obtained by prescription written by a licensed physician, a physician's assistant, or nurse practitioner. Such prescription shall list the District as the patient, will contain the nurse's name, and will be filled at a licensed pharmacy. A school nurse or other school employees trained by and supervised by the nurse shall have the discretion to use asthma related rescue medications on any student the school nurse or trained employee believes is having a life-threatening asthma episode based upon their training in recognizing an acute asthma episode. Immunity, under §167.624, from civil liability for trained employees administering life saving methods shall apply to trained employees administering an asthma related rescue medication under this policy.

Parent/Guardian Administration

In situations where the above requirements are not met, or any time the parent/guardian chooses, the parent/guardian may come to school to administer medicine to his/her student.

Exception for Potentially Harmful Administration

It shall be the policy of this District that the District will not knowingly administer any medication to a student if the District's registered professional school nurse believes, in his/her professional judgment, that such administration could cause harm to the student, other students, or the District itself. Such cases may include, but are not necessarily limited to, situations in which the District is being asked to administer medication in a dosage that exceeds the highest recommended dosage listed in the current annual volume of the Physician's Desk Reference or other recognized medical or pharmaceutical text.

*****

August 2020, Copyright © 2020 Missouri Consultants for Education, LLC

Board Adopted September 17, 2020
Board Reviewed April 22, 2021

Student Services

Student Allergy Prevention and Response

The school nurse shall oversee the administration of these procedures in consultation with the food service director, the School Health Advisory Council (SHAC), the wellness committee, the transportation director, local health authorities and, where appropriate, the special education director or 504 coordinator.

Definitions

Allergen – A substance that triggers an allergic reaction.

Allergic Reaction – An immune system response to a substance that itself is not harmful but that the body interprets as being harmful. Allergic reactions trigger inflammation in the skin (hives, itching, a rash); in the respiratory system (coughing, wheezing, difficulty breathing); in the gastrointestinal tract (vomiting, diarrhea, stomach pain); and the cardiovascular system (lowered blood pressure, irregular heartbeat, shock). Anaphylaxis is another type of allergic reaction.

Anaphylaxis – A life-threatening allergic reaction that involves the entire body. It may be characterized by symptoms such as lowered blood pressure, wheezing, nausea, vomiting or diarrhea and swelling and hives. Anaphylaxis may result in shock or death.

Emergency Action Plan – An EAP is a written plan for students who have life-threatening conditions, such as an allergy. This plan is designed to inform school district personnel who may be called upon to respond.

Individualized Health Plan – An IHP is a document created by the district in cooperation with the parents and, when appropriate, a student's health care provider for students who have specific health care needs. It is a nursing care plan that has student-centered goals and objectives, and describes the nursing interventions designed to meet the student's short and long-term goals.

Life-Threatening Allergy – An allergic reaction that is severe enough to potentially cause death.

General

In accordance with Board policy, the nurse or designee will provide training to all staff members about the causes and symptoms of and responses to allergic reactions and the proper administration of epinephrine. This training will be provided to current staff members within thirty (30) calendar days of the adoption of the Allergy Prevention and Response policy and on an annual basis thereafter. Staff members who are hired after this training has been conducted will be provided the information within ten (10) calendar days of the first day of employment.

Pursuant to Board policy, students may carry medication for the treatment of allergies. In addition, epinephrine premeasured auto-injection devices are available in each building and stored in the following locations:

 Copyright © 2010 Missouri Consultants for Education

Building: Worth County R-III School Location: Health Office

Response to an Allergic Reaction

Any staff member who becomes aware that a student is having an allergic reaction must:

1. Stay with the student;
2. Notify the nurse immediately or direct another person to do so; and
3. Contact the parents.

If a staff member determines that the allergic reaction is potentially life-threatening the staff member will implement the student's 504 Plan, Individualized Health Plan (IHP) or Emergency Action Plan (EAP) if the staff member is familiar with the plan.

If the student does not have a 504 Plan, IHP or EAP, the staff member is not familiar with the 504 Plan, IHP or EAP or such plan is not immediately available, the staff member will immediately take or direct another person to take the following actions.

1. Call 911.
2. Notify the school nurse or, if the nurse is not available, notify building principal or office staff.
3. Administer epinephrine, if available, at the direction of the school nurse pursuant to his/her training or designee. If the school nurse is not present, the staff member may administer epinephrine pursuant to his/her transcript, if available, if the staff member determines it is necessary to safeguard the health of the student.
4. Notify the parents.
5. Provide first responders with information about the student's allergy and reaction and any actions already taken.
6. A staff member will remain with the student until a parent/guardian or emergency contact arrives or until the student is transported from the district by first responders.

As soon as possible after the life-threatening allergic reaction, the nurse will consult with the 504 compliance coordinator and the student's parent/guardian to determine whether a 504 Plan or IHP/EAP would be appropriate for the student.

Instructional Areas

No food preparation or consumption will take place in any instructional area unless the instructor has permission from the building administrator. Courses that include food preparation or consumption as a regular part of the curriculum are exempt from this provision, but instructors in these courses have an increased responsibility to monitor student adherence to prevention procedures.

 Copyright © 2010 Missouri Consultants for Education

Dining Areas

The school nurse or designee will provide the food service director with a copy of any 504 Plan or IHP that concerns diet, along with a photograph of the student. Any 504 Plan or IHP that requires food substitutions must include a written statement from a licensed physician that:

1. Describes the disability or condition.

2. Explains how the student is restricted as a result of the disability or condition.

3. Identifies the major life activities affected by the disability or condition.

4. Lists omitted and permitted substitute foods.

The food service director will provide information to food service personnel as necessary. Food service personnel will not act on individual requests for dietary accommodations. If a student or parent/guardian of a student who does not have a 504 Plan or IHP/EAP on file with the food service director requests an accommodation, he or she will be referred to the school nurse and/or the Section 504 Coordinator for assistance.

The food service director will arrange for all food service staff to be trained in food label reading, cross-contamination avoidance, safe food handling and food item labeling requirements.

If there is any change in the menu after the menu has been posted, the food service director will notify the school nurse or designee. The nurse or designee will notify parents of students with a 504 Plan or IHP/EAP for food allergies, if necessary and applicable.

The principal may designate one (1) or more tables in the dining area as peanut and/or nut-free areas. Any student may use these tables, but may not have any food or beverage that contains or may contain peanuts or other nuts. If any student has been identified as having life-threatening allergies to a food or beverage other than peanuts or nuts, the principal may instead designate one (1) or more tables as allergen-free areas and specify the prohibited foods and beverages. Staff responsible for cleaning dining areas will clean any such designated tables prior to each use according to United States Department of Agriculture (USDA) recommendations using separate cleaning supplies. No student will be required to sit at the designated table.

Staff members supervising dining areas will promote a "no sharing/no trading" environment to prevent students from trading food, beverages or dining utensils.

Transportation and Off-Site Activities

Except as otherwise outlined in this procedure, drivers will not allow students to eat or drink on district transportation unless the student has written permission from his or her building principal. Written permission will be provided if the student has a medical need to consume food or beverages during the time the student is transported. A student who has a medical need to consume food or beverages on district transportation must have an IEP, 504 Plan or IHP that addresses which foods or beverages the student may consume.

 Copyright © 2010 Missouri Consultants for Education

Students being transported to and from activities on district transportation may be allowed to consume food and beverages if the staff member serving as sponsor has verified that none of the students being transported have documented life-threatening food allergies.

Staff members must submit a list of students taking part in off-site activities, such as competitions and field trips, to the nurse at least five (5) days prior to the activity. The nurse will verify which, if any, students have allergies and provide the staff member with a copy of the relevant 504 Plans or IHPs or EAPs and any medications that may be needed in the case of an allergic reaction.

* * * * *

Board Adopted January 20, 2011
Board Updated May 17, 2011
Board Reviewed July 21, 2016
Board Reviewed April 22, 2021

Copyright © 2010 Missouri Consultants for Education

STUDENTS **Regulation 2910**

Activities and Athletics

Student Publications

Purposes Of Student Publications

The publications fulfill a vital role within the school community in providing a means by which students, faculty, administrators, and community can communicate with other students, faculty, administrators and community members. The publications serve as a forum for the constructive expression of ideas, opinions, plans for innovation, events, etc., in a factually informative, interpretive, and entertaining manner, thereby providing primarily the students but also the faculty and administrators with an instrument of constructive leadership for influencing the school and community.

Student publications offer students an opportunity for practical and legitimate journalistic experience in terms of writing, editing, organizing, administering, financing and budgeting, etc. Assuming a position of leadership on the student publication signifies the student's acceptance of responsibility. The acceptance of this responsibility also provides the student with the opportunity to develop the potential which he/she possesses.

Standards

In fulfilling their roles as participants in the community media, students must demonstrate their maturity and dependability, and must show that they are capable of analyzing problems and making sound judgments. The following statement is adapted and modified from the Canons of Journalism by the American Society of Newspaper Editors.

1. Responsibility - The welfare and the best interests of school and community members must be the guideline for the publication of all material.

2. Freedom -With every freedom of speech and of the press there is a corresponding responsibility. No freedom, not even that of speech and of the press, is absolute. Student publications must be free to print what has been responsibly considered, researched and written. The staffs must demonstrate objectivity, but at the same time must be free to express viewpoints after presenting all sides of an issue. This policy should not rule out articles marked as news analysis advocating a particular point of view.

3. Accuracy - Thorough research of all materials -- news, editorials, features and sports -- will be conducted and the facts presented in an objective, balanced and truthful manner. The facts will be verified; the reporter will present them in the proper perspective; and the publications will print only that which is based on fact after careful research and investigation.

4. Fairness - Student publications will not make unjust or undue attacks on any individual group or person, and will provide an open forum for any viewpoints which are opposed to those of the publication.

5. Decency - Material published -- language, pictures and artwork -- will not be offensive, obscene, pornographic or injurious to any person or group.

Objectives and Responsibilities of the Publication Staff

In student publications, staff members must assume the following responsibilities:

1. To make a concerted effort as a staff to learn and to apply correct journalistic techniques of writing, editing, advertising and to seek the aid of professional journalists and responsible adults when and where necessary.

2. To assume obligations of a journalist in being responsible, honest, sensitive, fair, impartial, decent and dedicated to the necessity of a free and responsible press.

3. To be open-minded and representative of all feeling and ideas within the community, not only their own.

4. To plan each issue of the paper in order to provide a balance of informational, interpretive and entertaining material (all factually based); to give consideration to the importance, significance and value of each article and to the possible effect each article will have on the general welfare of the readers.

5. To research and verify all story ideas and related material and to refuse to publish any material until it has been verified as truthful and accurate.

6. To set priorities for material covered in the newspaper based on the importance, significance and interest of the material to the majority of the readers.

7. To develop a keen sense of observation and awareness about school, student and community activities and to report these accurately.

8. To establish a schedule of deadlines and to meet those deadlines as professionals.

9. To correct promptly all errors of fact for which the newspaper is responsible.

10. To develop faculty and administrative confidences and to keep those confidences.

11. To be supportive of the total school community and its activities and personnel. (Supportive - defined as praise, comment, or constructive criticism based on the offering of alternative suggestions and plans. It also involves the inclusion of names in the news in order to promote a sense of personal involvement on the part of the readers.)

12. To encourage intelligent thought and action from the readers.

Coverage of Material

News stories in student publications will be objective - free from opinion and bias. Stories will be based on facts obtained through thorough research and investigation. An emphasis will be placed on previewing upcoming events and activities to create interest. Newsworthy occurrences will receive attention in coverage articles. The stories will be presented on the pages of the paper in such a way that undue attention will not be given to articles of lesser value, interest or significance.

The primary function of features or special-interest articles is informational and entertainment. A special emphasis will be placed on in-depth coverage of material deemed to be of significant interest to the readers.

Sports articles will provide accurate description and records of athletic activities. Individual athletes will not be revered as stars or heroes, but proper credit for outstanding records, honors or performances will be given when due. The sports section of the paper will carry advance information to create interest in upcoming events as well as coverage articles for events. Material on the page will be varied to appeal to all readers, not just athletes and their avid fans. Proper coverage will be given to all teams and athletic activities, male and female, varsity and sub-varsity.

Responsibility for Handling Materials to be Published

Unchallenged Material

1. Writer directed to submit article and/or picture to page editor to whom reporter is immediately responsible; or unsolicited article submitted to an editor in that area.

2. Material reviewed by page editor responsible to determine if it meets standards for publications.

3. Materials reviewed by Editor-in-Chief.

4. Material reviewed by Faculty Advisor.

5. Material published.

Challenged Material

1. Editorial Level

   If material submitted to a page editor is rejected, the writer, after a conference with the editor, may appeal to the Editorial Board. If the Editorial Board rejects the material, the writer may appeal to the faculty advisor. The faculty advisor, after hearing both sides, considering all factors and giving guidance and counsel, shall submit in writing his/her recommendations and resolutions. The Editorial Board may by a two-thirds vote reject the proposal of the faculty advisor and not publish the material. The statement of the final action taken by the Editorial Board will be signed by all parties.

2. Editor-in-Chief Level

   If material presented by a page editor is rejected by an editor-in-chief, the writer after a conference with the editor-in-chief may appeal to the Editorial Board. If the Editorial Board rejects the material, the writer may appeal to the faculty advisor. The faculty advisor, after hearing both sides, considering all factors and giving guidance and counsel, shall submit in writing his/her recommendations and resolutions. The Editorial Board may by a two-thirds vote reject the proposal of the faculty advisor and not publish the material. A statement of the final action taken by the Editorial Board will be signed by all parties.

3. Faculty Advisor Level

   Material found unobjectionable by the Editorial Board but questioned by the faculty advisor shall be discussed by both parties. If the difference cannot be resolved, the material shall be presented to the building principal for review and guidance.

   Material still found unobjectionable by the Editorial Board but questioned by the faculty advisor and/or building principal shall be presented at a joint meeting of the Editorial Board and the advisor. The faculty advisor must give specific reasons for his/her objections and give guidance to the group. The student writer shall be afforded an opportunity to present his/her viewpoint. If the Editorial board by a two-thirds vote still finds the material unobjectionable it may be printed. A quorum will be considered present when two thirds of the Editorial Board attend a meeting, and two thirds of those present must agree.

   A brief statement summarizing the dialogue held and signed by all parties shall be presented to the building principal. The building principal shall forward the statement and

copies of the article to the Superintendent and the Board of Education for their information. The signed statement shall signify that the Editorial Board fully understand the reservations of the faculty advisor and/or building principal and has chosen to exercise its option under the Board Policy.

4. Building Principal Level

   The building principal/designee may delay or stop distribution of any materials proposed for printing or that have been printed which may be reasonably forecast to cause substantial and material disruption or obstruction of any lawful mission, process or function of the school.

   The building principal/designee must forward a copy of the material to the Superintendent and a statement of reasons for delay or stoppage. The Superintendent shall schedule a hearing with all parties immediately to determine if the delay or stoppage was warranted.

Editorial Page Policy

An Editorial Board (composed of the editor-in-chief, chairman, the managing editor, news editor(s), editorial editor(s), feature editor(s), sports editor(s), photography editor(s), business manager, production manager, art editor and the head advertising manager) determines the content of the editorial page. Editorial ideas are presented to the Editorial Board for consideration. Editorials in the school publication will only be printed after all sides of an issue are considered and researched. The staff should consult with their advisor before printing issues which have a controversial connotation. The principal may also be consulted at the staff's discretion. There are basically four types of editorials that appear in the student publication:

1. The unsigned staff position: These editorials will deal with issues which the Editorial Board considers to be of importance to the school community and on which members of the Board reach a majority consensus after careful consideration and research of both sides of the issue. The purpose and content of each editorial or column will be stated in the article. Any editorial board member representing the minority opinion in these instances will be given space in which to express his/her view if he/she wishes. In instances of extremely controversial issues, unsigned editorials must represent the unanimous opinion of the Editorial Board. If a unanimous decision is not reached, both sides of the issue shall be printed under by-lines. Unsigned articles shall be designated as representative or staff opinion in the masthead of each issue.

2. By-line editorials: These editorials deal with issues the Editorial Board considers to be of importance, but on which they do not wish to take a staff position. These editorials may also represent issues on which members of the student body, not regularly affiliated with

the student publication staff, wish to express an opinion after researching the issue, perhaps in response to an unsigned editorial.

3. Letters to the Editor: Letters to the editor shall be accepted from any reader so long as those letters are signed and are in keeping with the policy of the student publication. The staff reserves the right to edit any letter after consulting with the author. The staff may refuse any letters which it feels are malicious, libelous, or irresponsible. Any letter that criticizes an individual or group shall be presented to that individual or member of that group before the letter is published so that the individual or group being attacked may make a response or reply if they so desire. The two letters shall then be published simultaneously. If the writer of any letter to the editor presents a good cause, his name may be withheld. This shall be so designated in the publication by "Name withheld upon request." The name of the writer may be available to legitimate authority for legitimate reasons if the student publication faculty advisor, the editor, and the writer so agree, legal requirements excepted.

4. Reviews and Critiques: Periodically, movies, books, plays and musical performances are reviewed or critiqued. This expression of interest in cultural activity is deemed as a legitimate function of the student publication in bringing these things to the readers' attention. All reviews and critiques - favorable and unfavorable - shall be constructive and in keeping with good taste. They shall not be malicious or irresponsibly done.

Pictures and Artwork

Pictures and artwork in the publications shall add to the meaning of a story, shall serve to identify individuals, and shall generally add reader interest to the publication. These pictures shall cover many and varied individuals and activities. The photographs shall not violate the right of privacy and shall present a truthful situation. Cartoons and artwork shall have a definite function within the editorial context of the publication.

Copyright Law

All published materials and reproductions of artwork, etc., must not violate copyright laws.

Advertising and Business Management

Financial Arrangements

The financial operation of student publications must be approved by the building principal in accordance with current district funding practices. At no time are financial arrangements to be entered into without principal or school district approval.

Advertising

1. Allocation of Space

   The amount of space allocated to advertising in school publications should not dominate the overall image of the paper. This situation should be examined from time to time by the faculty advisor so as to protect as much editorial space as possible to develop the writing abilities of students. The publication schedule and the size of the individual issues of the school publication shall be a matter of judgment of the faculty advisor and editorial staff.

2. Advertising Rates

   Advertising rates per column inch will be sent by each school publication with approval of the faculty advisor.

3. Acceptable Advertising

   Advertising shall be accepted from bona fide business firms in operation for a year or more or from new firms of a stable and permanent character.

   Any advertising offering employment opportunities promising high earnings, travel or other extravagant claims should be thoroughly investigated.

4. Types Prohibited

   a. No advertising of liquor, tobacco or narcotics shall be accepted.

   b. Advertising soliciting sales of patent medicines, health treatments, salacious literature, joke devices, firearms, lotteries or any other items prohibited by postal laws shall not be accepted.

   c. When students and/or staff pictures are used in advertising, they shall be requested to sign permission slips.

   d. Advertising for motion pictures rated "X" may not be accepted. Pictures rated "R", "G" and "PG" may be advertised.

5. Collections

   Advertising contracts between the student publication and the advertiser are binding to both parties as per terms of the contract. In cases where the advertiser does not pay his

due bill, the business manager shall send at four (4) week intervals three (3) "reminder" letters. If the bill remains unpaid, the business manager shall make a personal call on the advertiser. If at this time the bill remains unpaid, the advertiser's name and contract shall be turned over to the building principal for action, as is stated in the third reminder sent to the advertiser. If the student publication staff fails to fulfill its contract terms, the contract is automatically canceled at no expense to the advertiser if he/she so desires.

Violations of Standards

If any school publication or publication other than those sponsored by schools is in violation of standards of school publications, the principal/designee shall request the distributor to desist distribution and call for a hearing immediately with parties involved.

Hearing procedures shall follow those in the school district guidelines.

Board Adopted January 1998
Board Reviewed June 21, 2016
Board Reviewed May 20, 2021

STUDENTS **Regulation 2920**
(Form 2920)

Activities and Athletics

Interscholastic Activities and Athletics

Interscholastic competition for secondary school students shall be provided through a variety of activities and athletics. Students are allowed to attain the privilege of representing their school by meeting the standards of eligibility as set forth by the Missouri State High School Activities Association (MSHSAA). These standards may include academic requirements, citizenship, age maximums, passing medical examinations and other items that are posted in the school and discussed by the coaches and sponsors with their students as well as mailed home to the parents/guardians of all student participants.

Interscholastic competition may be withheld from any student as a condition of discipline. Furthermore, all policies that apply to the regular school day apply also to interscholastic competition. Coaches and sponsors may establish policies for their groups in addition to those stated herein.

A student must be in attendance for the full day on days of extracurricular participation. Failure to do so will eliminate the student from practice or participation that day. Exceptions may be granted in special cases.

The following criteria will be followed:

1. Students will meet the eligibility requirements set out by MSHSAA.

2. Any student failing a class may be required to attend study sessions after school.

3. Any student receiving an incomplete grade because of failure to promptly complete work will be placed on the ineligibility list. Incomplete grades resulting from illness or other special circumstances during the last week or two of a grade period may be exempted.

4. Students displaying unacceptable citizenship behaviors may be suspended from participation.

5. Each coach and sponsor will establish written guidelines for their groups. These guidelines shall be presented orally and in written format. A copy of such guidelines will be on file with the principal.

The interscholastic competition program is an integral part of the secondary schools and shall supplement the curriculum program by providing worthwhile experiences to students that will enable them to develop the attributes of good citizenship. These programs will be administered by the principal/designee.

Copyright © 2009 Missouri Consultants for Education

Participation in interscholastic competition is for students in grades nine through twelve (9 - 12) as determined by the local area athletic conference and the MSHSAA.

Programs of interscholastic competition will be planned in accordance with MSHSAA regulations and conference rules, and will include programs reflective of student interest. All student members should participate insofar as feasible. Access shall be provided contingent on budgetary limitations and in accordance with District guidelines for the following:

1. School facilities.

2. Sponsors and coaches.

3. Scheduling of meetings, practice times and games.

4. Number of events at each level of competition.

5. Equipment, supplies and services.

All faculty sponsors and coaches must hold a valid Missouri State Teacher's Certificate. Non-faculty head coaches must have as a minimum a four-year college degree and a valid Missouri Substitute Teaching Certificate. Non-faculty assistant coaches must have as a minimum a valid Missouri Substitute Teaching Certificate. Non-faculty head and assistant coaches must successfully complete the MSHSAA/NFHS Coaching Principles and Sports First Aid courses. Sponsors and coaches are required to follow all District regulations.

A student engaged in interscholastic competition must portray good citizenship in the school and community. He/she shall be required to be in conformance with all general school rules and regulations, rules established by the sponsors and coaching staff for the program in which he/she is participating, and conformance with the laws of the community.

The District's High School is a member of the MSHSAA. In all interscholastic competition matters, this school will adhere firmly to the rules and regulations of MSHSAA. The MSHSAA handbook will be considered a part of this regulation.

Regulations Governing Student Participation

A student must be under nineteen (19) years of age on or before July l preceding the opening of school, pass a medical examination and have parent/guardian permission. Ninth grade students must not be older than sixteen (16) years of age prior to July 1.

Copyright © 2009 Missouri Consultants for Education

A student shall not be considered eligible while under out-of-school suspension. A student expelled or who withdraws from school because of disciplinary measures shall not be considered eligible for 365 days from the date of expulsion or withdrawal.

A student who is absent from school on the day of a interscholastic contest or on a Friday before an interscholastic contest on a Saturday will not be permitted to participate in said contest without a written release from the school principal.

Credit earned or completed after the close of the semester shall not count as having been earned that semester, except in case of a delayed final examination because of illness certified by a physician. Credit earned in summer school may count for or against the student's record for eligibility purposes if the classes are required for graduation from the local school. Students may count up to one (1) unit of credit for summer school toward establishing their eligibility for the fall semester. Summer school electives will not count toward eligibility.

A student shall not accept a cash or merchandise award in any competition in which MSHSAA member schools compete interscholastically. Awards for participation in nonschool competitions during the summer shall meet the same standards as awards given by schools during the school year.

The student must meet all other eligibility requirements of MSHSAA and the local area high school athletic conference.

Competition by students in organized nonschool-sponsored competition must meet the following conditions:

1. During the season, a student who represents his/her school by competing in an interscholastic contest shall not compete as a member of a nonschool team or as an individual participant in an organized nonschool competition in that same contest.

2. A student may compete in organized nonschool competition in other events in which MSHSAA member schools compete interscholastically if no school time is missed to compete, practice for, or travel to the site of nonschool competition; and if the student does not practice for or compete in the nonschool competition on the same date he/she practices or competes for the school.

District participation in interscholastic competition will be subject to approval by the Board.

Budgeting for the interscholastic competition program will include gate receipts and be incorporated into the general District budget. No expenditures for interscholastic competitions may be made in excess of those listed in the budget without approval by the Superintendent.

Copyright © 2009 Missouri Consultants for Education

Hazing

Student hazing is expressly prohibited by Board of Education policy. For purposes of this policy, hazing is defined as willful conduct directed at another student, whether occurring on or off school property, for purposes of initiation or admission to any school-related activity or athletic team. Conduct prohibited by this policy includes, but is not limited to, exposure or contact of genitals, buttocks, or breasts (female students), directly or indirectly through contact with undergarments; threats of physical harm; and infliction of physical or mental harm or humiliation.

Students found to have violated this policy will be subject to suspension/expulsion from school and suspension and exclusion from activities/athletic participation depending on the severity of the misconduct.

Nonstudents who participate or enable the hazing of students may be excluded from attendance at school activities and school athletic events. District employees, including sponsors and coaches who have knowledge of student hazing but fail to take corrective action will be subject to discipline up to and including termination.

Board Adopted June 15, 2006
Board Reviewed June 21, 2016

Copyright © 2009 Missouri Consultants for Education

STUDENTS **Regulation 2921**

Activities and Athletics

Participation by Non-Traditional Students

High School Enrollment Assessment

Prior to consideration and determination of eligibility, high school staff will review, among other things:

1. Past classes taken
2. Academic history
3. Credits
4. Logs
5. Attendance
6. Transcripts
7. Student's age
8. Semester taken in-state and out-of-state
9. Semester taken in non-traditional academic events

The purpose of this review will be to determine "prior semester" earned credit and the students' grade placement upon enrollment. In doing so, staff will determine if credit for courses taken will be granted for purpose of the 80% requirement rule.

Determining Status of Bonafide Students[1]

Consider whether:

1. Seat time credit (minimum of one unit of credit) will be placed on the transcript
2. Outside courses must be approved and validated in meeting the 80% rule.
3. Review and assess outside classes including where relevant testimonial evidence, course syllabi, timeliness for such classes
4. Review of Academic Success, including work logs, attendance, hours of instruction, grades achieved, transcripts, confirmatory testing where deemed necessary
5. Ensure close of semester for non-traditional option 2 students is designated
6. All students, traditional and non-traditional, must satisfy citizenship standards, semester rules, age rules, etc.
7. Uniformity of standards and policies for all students

*****

October 2017, Copyright © 2017 Missouri Consultants for Education, LLC

Board Adopted January 18, 2018

[1] 2017-18 MSHSAA Official Handbook, By-Law 2.3.4, page 44

Board Reviewed May 20, 2021

STUDENTS **Regulation 2940**

Activities and Athletics

Student Group Use of School Facilities

Secondary schools will provide an opportunity for student-initiated non-curricular groups to meet on school premises during non-instructional time when the following criteria have been met:

1. A meeting must be voluntary and student-initiated. No student shall be in any way coerced to participate in religious or other activity. Teachers and school administrators, when acting within the course and scope of their employment, will strictly observe a policy of official neutrality regarding religious activity.

2. No school employee may sponsor, promote, lead, or participate in any student-initiated, non-curricular meeting. However, a teacher, administrator, or other school employee may be assigned to monitor the group's facility use and student conduct.

3. Employees and agents of the school may be present at student-initiated religious meetings only in a non-participatory capacity.

4. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school.

5. Nonschool persons may not direct, conduct, control, or regularly attend the meetings of a student-initiated, non-curricular group.

Board Adopted October 1999
Board Reviewed June 21, 2016
Board Reviewed May 20, 2021

FINANCIAL OPERATION **Regulation 3100**

Financial Management

The following procedures or actions shall be taken:

1. The Missouri Financial Accounting Manual, published by the Missouri Department of Elementary and Secondary Education, shall be adopted for financial accounting.

2. All receipts, including student activity funds, shall be deposited in the School District account as provided by law. There shall be no separate accounts of any organization, individual, or department for funds collected or received in connection with any school activity or program.

3. All expenditures shall be paid by check except that a petty cash fund of $250.00 shall be kept by the Secretary of the Board for purposes of payment of obligations for which no charge account can be arranged. A descending ascending register shall be maintained showing all petty cash transactions. Also, consecutively numbered receipts shall be maintained whereby all expenditures shall be described relative to amount, date, and purpose, with all receipts being attached to the voucher to be approved by the Board. All receipts shall be signed by the person disbursing and receiving petty cash from the fund.

4. The Superintendent shall formulate administrative procedures to facilitate the orderly expenditure and receipt of funds. The Superintendent is empowered to purchase for the District within limits as set forth by the budget approved by the Board of Education; however, purchases of single items with a unit cost of $1,000.00 or more shall be approved by the Board, except for emergency items which are necessary to prevent interruption of school operations.

5. The District accountant shall maintain student activity accounts for various classes and organizations. Upon graduation any funds which remain in the account of the graduating class shall be transferred to the Student Council Account.

Board Adopted December 18, 2008
Board Reviewed November 21, 2013
Board Reviewed August 16, 2018

FINANCIAL OPERATION **Regulation 3110**

Financial Management

Preparation of Budget

On or before the first Thursday in March of each year, the Superintendent shall prepare and submit to the Board for its consideration a preliminary draft of the annual budget covering salaries of the teachers, principals, and other employees, and an estimate of other current expenses for the next fiscal year together with an estimate of the income or revenue available and necessary for the purpose of fixing the annual levy to be submitted to the voters according to the law.

After the beginning of the fiscal year in July, the Superintendent shall prepare and present to the Board for its consideration a detailed annual budget covering all estimated expenditures for the ensuing fiscal year in accordance with the levy authorized by the voters. The aggregate estimated expenditures shall not exceed ninety-eight percent (98%) of the estimated income plus any fund balances carried forward from the previous fiscal year. This annual budget, with such changes or additions as the Board may desire to make, shall be adopted by the Board on or before the first Thursday of September of each year.

Income

Estimates of income are based on previous receipts, information such as new legislation, new programs and phasing out of present programs; interest rates; tax rate (less 3% uncollectible). Unencumbered balance is defined as the end-of-fiscal year balance minus anticipated expenditures between July 1st and November 1st.

Expenditures

Budget expenditures are to reflect the needs and priorities of the District's programs. By law, the expenditures cannot exceed the estimated revenue to be received plus any unencumbered balance.

Board Adopted December 18, 2008
Board Reviewed November 21, 2013
Board Reviewed August 16, 2018

Copyright © 2008 Missouri Consultants for Education

FINANCIAL OPERATION **Regulation 3140**
(Form 3140)

Financial Management

Banking Services

For purposes of letting bids, the Board will divide District funds into no less than two nor more than ten equal parts. Each eligible bidder may bid for any number of the parts. However, the bid for each part must be separate. Notice that bids for depositary of District funds will be received will be published in a newspaper within the county which publishes at least five times per week or, if no such publication exists, then notice will be published in a newspaper of general circulation within the county. Notice that bids will be received will be published at least twenty days prior to the date designated for acceptance of bids.

Each eligible bidder is required to deliver to the secretary of the Board a sealed bid stating the rate of interest or the method by which the interest will be determined for the term of up to five years as specified in the notice to bidders. Each bid must be accompanied by a certified check drawn upon a county bank or a bank in an adjoining county made out to the District in an amount of no less than two thousand five hundred dollars. The bidder's certified check is required as a guaranty of good faith that if selected as depositary, it will deposit the required security. Bids will not be disclosed prior to opening at a public meeting.

On the date designated for acceptance of bids, the Board/designee will publicly open each bid and will verbally read and document each such bid. After discussion and after any clarification of bids, the board will select the successful bidder(s) for each fund part let for bid. Upon award of the depositary bid(s), the security checks will be returned to all bidders. The Board reserves the right to reject any and all bids. Depositary contracts may be terminated at any time by the mutual agreement of the Board and the depositary.

Interest on funds deposited will be computed on the daily balance and will be payable on the first day of each month to the treasurer of the District for credit of the District. No later than the fifth day of each month, the District's depositary(s) will provide to the secretary of the Board a written accounting of the interest paid by the depositary on District funds.

District funds will be deposited in the name of the District. No funds may be withdrawn except by a legally drawn check bearing the signatures of the president and the treasurer of the Board or by wire transfers executed by a person designated by the Board to execute such transfers.

Board Adopted July 11, 2005
Board Reviewed December 19, 2013
Board Reviewed September 20, 2018

FINANCIAL OPERATION **Regulation 3155**

Financial Management

Payments from Federal Awards/Cash Management

Cash Management Procedure

In order to ensure compliance with Cash Management Improvement Act (CMIA), the following procedures have been implemented:

1. The individual District Manager for each Federal grant will review and prepare each payment request to ensure compliance with CMIA and related regulations.

2. The District's financial officer will, as an additional check, review the payment requests prepared by the Federal grant manager to ensure compliance with federal and state regulations.

3. Payment requests will be made for each Federal program on a monthly basis. If the amount to be requested in any month is $500.00 or less, the District's financial manager may elect to carry over the sum until the succeeding month.

4. All Federal funds will be documented by an individual program and tracked by the District's financial officer.

5. The District's financial officer will monthly track Federal funds as individual expenditures in the District's general ledger.

6. The District's financial officer will have initial responsibility to ensure overall compliance of cash management requirements. The District's external auditor will monitor utilization of Federal funds to ensure compliance with federal and state cash management requirements.

*****

January 2017 Copyright © 2017 Missouri Consultants for Education, LLC

Board Adopted July 24, 2017
Board Reviewed October 18, 2018

FINANCIAL OPERATION **Regulation 3160**

Financial Management

Investment of District Funds

In achieving the District's investment objectives, District officials will be guided by the following criteria:

1. Legality – District funds will be invested only as permitted by the Constitution and Statutes of the State of Missouri as well as federal law and applicable federal regulations. Investments outside the legal requirements will not be permitted.

2. Safety – Safety of the District funds is the foremost objective of the District's investment program. Investments will be made in a manner that seeks to ensure the preservation of capital.

3. Liquidity – The District's investments will remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Of necessity, District investments will consist largely of securities with active secondary or resale markets.

4. Yield – District investments will be designed with the objective of obtaining a market rate of return throughout budgetary and economic cycles. However, rate of return is less important than realizing the safety and liquidity objectives.

Permissible Investments

The following categories of investments are authorized for investment of District funds:

1. United States Treasury Securities – The District may invest in obligations of the United States government for which the full faith and credit of the United States are pledged for the payment of principal and interest.

2. United States Agency Securities – The District may invest in obligations issued or guaranteed by any agency/instrumentalities or any wholly owned corporation of the United States Government.

    a. U.S. Government Agency Coupons and Zero Coupon Securities – Bullet coupon bonds with no embedded options and with final maturities of five (5) years or less.

    b. U. S. Government Agency Discount Notes – Purchased at a discount with maximum maturities of one (1) year.

c. U. S. Government Agency Step-Up Securities – The coupon rate is fixed for an initial term. At a coupon date, the coupon rate rises to a new, higher fixed term. This provision is restricted to securities with final maturities of five (5) years or less.

d. U. S. Government Agency Collateral Securities – Restricted to securities callable at par only with final maturities of five (5) years or less.

e. U. S. Government Agency Floating Rate Securities – The coupon rate floats off one index and resets at least quarterly with final maturities of three (3) years or less.

f. U. S. Government Mortgage Backed Securities – Restricted to securities with stated final maturities of five (5) yeas or less.

3. Repurchase Agreements – Such agreements must be purchased through approved broker/dealers and may not be entered into for periods in excess of ninety (90) days. Approved broker/dealers must have a signed Public Securities Association Master Repurchase Agreement on file with the State Treasurer's Office. The purchaser in a repurchase agreement (repo) enters into a contractual agreement to purchase Treasury and government agency securities while simultaneously agreeing to resell the securities at predetermined dates and prices. Overnight and open repurchase agreements must be collateralized at 100% with approved securities. Term repurchase agreements must be collateralized at 100%. The market value of all repurchase agreement collateral will be reviewed at least weekly to determine collateral adequacy.

4. Collateralized Public Deposits (Certificates of Deposit) – Instruments issued by financial institutions which state that specified sums have been deposited for specified periods of time and at specified rates of interest. The certificates of deposit are required to be backed by acceptable collateral securities as described in §§ 110.010 - .020, RSMo.

5. Commercial Paper – Investments are limited to paper which has received the highest letter and numerical ranking (A-l/P-1) as provided by Standard & Poor's and Moody's. Issues are limited to corporations that are organized and operating in the United States and have a total commercial paper program in excess of $500,000,000 and have long term debt ratings, if any, of "A" or better from Standard & Poor's and Moody's. Such purchases may not exceed 180 days to maturity.

6. Banker's Acceptances - Issuing banks for such bills of exchange or time drafts must have the highest letter and numerical rating by Standard and Poor's and Moody's. Such banks must be organized and operating in the United States. Banker's acceptance agreements may not have maturity dates exceeding 180 days.

Prohibited Transactions

1. Leveraged Borrowing for Investment Purposes – Leveraging is prohibited whether through a reverse repurchase agreement or otherwise.

2. Use of "Structured Note" – (e.g. inverse floaters, leveraged floaters, and equity-linked securities) is not permitted. Investment in any instrument, which is commonly considered a "derivative" instrument (e.g. options, futures, swaps, caps, floors, and collars), is prohibited.

3. Contracting to sell securities not yet acquired in order to purchase other securities for purposes of speculation on developments or trends in the market is prohibited.

Collateralization

Collateralization will be required on two (2) types of investment: certificates of deposit and repurchase agreements. In order to anticipate market changes and provide a level of security for all funds, the market value (including accrued interest) of the collateral should be at least 100%. For certificates of deposit, the market value of collateral must be at least 100% or greater of the amount of certificates of deposit plus demand deposits with the depository, less the amount, if any, which is insured by the Federal Deposit Corporation.

All securities, which serve as collateral against the deposits of a depository institution, must be safekept at a non-affiliated custodial facility. Depository institutions pledging collateral against deposits must, in conjunction with the custodial agent, furnish the necessary custodial receipts within five (5) business days from the settlement date.

Repurchase Agreements

The securities for which repurchase agreements will be transacted will be limited to Treasury and government agency securities that are eligible to be delivered via the Federal Reserve's Fedwire book entry system. Securities will be delivered to the District's designated Custodial Agent. Funds and securities will be transferred on a delivery vs. payment basis.

All deposits placed in financial institutions must be at least 100% collateralized with approved securities. All securities, which serve as collateral against the deposits of a depository institution must be safekept at a nonaffiliated custodial facility. Depository institutions pledging collateral against deposits must, in conjunction with the custodial agent, furnish the necessary custodial receipts.

Asset Allocation

District investment will be diversified to minimize the risk of loss resulting from over concentration of assets in specific maturity, specific issuer, or specific classes of securities. At a minimum District investments will fall within the following minimum and maximum allocations.

INVESTMENT TYPE	MINIMUM ALLOCATION	MAXIMUM ALLOCATION
U.S. Treasuries/Securities having principal and interest guaranteed with the U.S. Government	0%	100%
U.S. Government Agencies and Government-sponsored Enterprises	0%	100%
U.S. Government Agency Callable Securities	0%	30%
Repurchase Agreements	0%	50%
Collateralized CDs/Time and Demand Deposits	0%	100%
Commercial Paper and Banker's Acceptances	0%	50%

Maximum Maturity

To the extent possible, the District will attempt to match its investments with anticipated cash flow requirements. Investment in bankers' acceptances and commercial paper will mature and become payable not more than 180 days from the date of purchases. All other investments will mature and become payable not more than five (5) years from the date of purchase.

Internal Controls

In keeping with the emphasis the Board has placed in ensuring the safety of public funds, the District will maintain and enhance its internal controls of funds. Every reasonable effort will be made to minimize the potential for loss of funds from fraud, employee error, misrepresentations by third parties, unanticipated changes in financial markets or imprudent actions by employees. Investments that are downgraded below the minimum acceptable rating levels will be reviewed for possible sale within a reasonable time period. At least quarterly, the District's investments will be revalued to reflect prevailing market prices.

Internal controls to achieve investment safety include, but are not limited to:

1. Separation of duties;

2. Separation of transaction authority from accounting and record keeping;

3. 3rd Party Custodial safekeeping;

4. Clear delegation of authority;

5. Written confirmation of telephone transactions;

6. Documentation of transaction strategies;

7. Monitoring of ethics and conflict of interest provisions provided in this policy/regulation.

Reporting

The Superintendent/designee will direct preparation of a report at least quarterly to the Board concerning the current status and performance of the District's investments. The quarterly investment report will include but not be limited to:

1. Investment type, issuer, maturity, par value, and dollar amount invested in all securities and monies held by the District.

2. Funds or investments managed by contracted parties.

3. Market value as of the date of the report and the source of valuation.

4. Citation of compliance with the District's investment policy/regulation or an explanation for noncompliance.

5. Statement of the ability or inability to meet expenditure requirements for six (6) months, as well as an explanation of why funds will not be available if that is the case.

6. Statement of the percentage of the District total investments which comprise each category of the investment set out herein.

7. Rating levels for commercial paper and bankers acceptances.

The quarterly investment report will be delivered at an open session of a regular meeting of the Board. A copy of the District investment policy/regulation will be provided to each outside manager of District investment funds. Commitment to compliance with this policy/regulation will be a precondition for initial placement of District funds. Adherence to District policies/regulations will be condition for continued retention as a manager of District funds.

****

September 2015, Copyright © 2015 Missouri Consultants for Education, Inc.

Board Approved December 19, 2013
Board Updated November 19, 2015
Board Reviewed October 18, 2018

Procurement Standards – Federal Contracts

Procurement Standards – Federal Contracts

Conflict of Interest

The District maintains a written code of standards of conduct which governs the performance of District employees who may be engaged in the award and administration of contracts. These standards will include a prohibition against employees who are involved in the selection, award or administration of a contract supported by Federal funds, if a conflict of interest, real or apparent, would be involved.

A conflict of interest would arise if a District board member or employee, any member of their family, their partner, or an organization which employs or is about to employ any of the parties named in this paragraph, has a financial or other interest in the firm selected for the award.

Neither District board members, nor employees will accept gratuities, favors, or anything of monetary value from contractors, potential contractors or parties to sub-agreements. This rule will not apply to gifts of less than ten dollars ($10.00), or is an unsolicited item of nominal intrinsic value. Violations of these conflict of interest provisions will result in disciplinary action up to and including termination for employees, and up to and including public sanction of a violating Board member.

Avoidance of Unnecessary/Duplicate Purchase

The District will review proposed procurements to avoid purchases of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. Where appropriate to foster great economy and efficiency, the District will consider entering into state and local intergovernmental agreements for procurement, or lease of common goods and services. Moreover where appropriate, the District will use Federal excess and surplus property in lieu of purchasing new equipment and property.

The District will, when appropriate, consider and utilize value engineering clauses in contracts for construction projects for cost reductions. In making awards, the District will select contractors to successfully perform under the terms of the procurement. In analyzing the suitability of contractors, consideration will be given to contractor integrity, compliance with public policy, past performances, as well as, financial and technical services.

Recordkeeping

The District will maintain records sufficient to detail the significant history of a procurement. These records will include, but not be limited to, the following:

- rationale for the method of procurement;
- selection of contract type;
- contractor selection/rejection; and
- basis for the contract price.

Time and Material Type Contracts

The District will use time and material contracts only after a determination has been made that no other contract is suitable and, if the contract includes a ceiling price, which the contractor may exceed only at its own risk.

Contractor Compliance Resolution

The District is responsible for resolution and settlement of all contractual and administrative issues arising out of Federal related procurements including, but not limited to, source evaluation, protests, disputes and claims. Violations of law will be referred to the local, state or federal authority having jurisdiction.

The District will maintain procedures to handle and resolve procurement disputes, including provisions to share information regarding the protest to the awarding agency.

Competition for Contract Awards

The District will conduct all procurement transactions in a manner providing full and open competition. In doing so, the District will avoid:

- placing unreasonable requirements on firms seeking to qualify to do business;
- requiring unnecessary experience or excessive bonding;
- noncompetitive pricing practices among bidders;
- noncompetitive awards to consultants that are retainer contracts;
- organizational conflicts of interest;
- specifying only a brand name product instead of allowing an equal product to be offered; and
- any arbitrary actions in the procurement process.

The District will avoid in such Federal procurements administratively imposed in – state or local geographical preferences in the evaluation of bids or proposals, except where federal law expressly mandates or encourages such preferences. However, when contracting for architectural and engineering services, geographic locations may be a selection criteria provided that the use of such criteria leaves a sufficient number of qualified firms to compete for the contract.

Procedures for Procurement Transactions

The District will ensure a clear and accurate description of the technical requirements for the material, product or service to be provided under federally related procurements. The description may include a statement of the qualitative nature of the material, product or service to be procured and when appropriate will set forth those minimum essential characteristics and standards to which it need conform in order to satisfy the intended use. Where appropriate, a "brand name or equal" description may be used to define the performance or other requirements of a procurement.

The District will ensure that all prequalified lists of persons, firms, or products are current and include enough qualified sources to ensure maximum open and free competition. Potential bidders will not be precluded from qualifying during the solicitations process. Prior to purchases exceeding $25,000, the District will review the current "Excluded Parties List" to ensure that the successful vendor is not debarred or suspended.

Methods of Procurement Affecting

Micro Purchases

Where small purchases under Ten Thousand Dollars ($10,000.00) price quotations will be obtained from an adequate number of qualified sources. Micro Purchases will be distributed equally among qualified vendors.

Small Purchases

The District will utilize the following procurement procedures for purchases of $250,000 or less. The District where feasible will obtain at least three (3) bids or quotes for each such purchase. The District will maintain documentation for all "small purchases" including the small purchase item; identity of quotes/bids; amount of such bid/quotes; and the date of purchase.

Sealed Bids

When procurement is by sealed bid (formal advertising), bids are publically solicited and a firm-fixed price contract is awarded, the award will be made to the responsible bidder whose bid, conforming with all material terms and conditions of the invitation to bid, is the lowest in price. The sealed bid procurement method will be utilized for all purchases in excess of $250,000. The sealed bid method is preferred for construction if the following conditions apply:

- a complete adequate and realistic specification is available;
- two or more responsible bidders are willing and able to compete for the project;
- the procurement lends itself to a firm price contract; and
- selection of the successful bidder can be made principally on the basis of lowest price.

If sealed bids are used, the following requirements apply:

- invitation to bid will be publically advertised and bids will be solicited from an adequate number of known suppliers providing them sufficient time to bid;
- invitation to bid will define the items or services to be bid;
- all bids will be publically opened at a time and place described on the invitation to bid;
- firm fixed-price contract award is made to the lowest responsive and responsible bidder; and
- any and all bids may be rejected when there is a sound documented reason.

Competitive Proposal

The District will utilize a competitive proposal method when conditions are not appropriate for the use of sealed bids. This method will be utilized where either a firm-fixed price is capped or cost reimbursement contract is available. When this method is used, the following requirements will apply:

- requests for proposals will be publicized along with evaluation factors and their relative importance;
- proposals will be solicited from any adequate number of qualified sources;
- a clear method of technical evaluations of the proposals and selective of any awardee will be utilized;
- awards will be made to the firm whose proposal is most advantageous to the program with price and other factors considered; and
- this method may be used for selection of architectural and engineering firms where qualifications are evaluated and the most qualified firm is selected subject to negotiations; and
- more than one contractor/vendor is submitted an offer.

Noncompetitive Sole Source

Where appropriate, procurement may be made by a proposal from any one source or after solicitation, competition is deemed inadequate. This method will be used when small purchase procedures, sealed bid, or competitive proposals are not feasible and one of the following applies:

- item is available from only one source, or there is an emergency situation;
- using the services of the Small Business Administration and the Minority Business Development Agency;
- requiring the prime contractor, where subcontracts are to be left to utilize the steps set out above sole source purchases will be well documented concerning the necessity for all sole source purchases.

Contract Cost and Price

The District will perform a cost or price analysis in connection with every procurement action. At a minimum, the District will make independent estimates before receiving bids or proposals. A cost analysis will be required when adequate price competition is lacking and for sole source procurements, unless price reasonableness can be established on the basis of catalog or mailed price. The District will negotiate profit as a separate element of the process for each contract.

- public emergency will not permit a delay in competitive solicitation; and
- the awarding Federal agency authorizes this method.

Contracting with Small and Minority Firms, Women's Business Enterprise and Labor Surplus Area Firms

The District will take all necessary steps to assure participation of such firms. Affirmative steps will include:

- placing such firm on a solicitation list;
- assuring that such firms are solicited whenever possible;
- when economically feasible dividing total requirements into smaller contracts or quantities; and
- when economically feasible establishing delivery requests which encourage participation for such firms in which there is no price competition and small cases where cost analysis is performed. Consideration will be given to the complexity of the work, the risk to be borne, contractor's investment, the amount of subcontracting, quality of contractors' work on similar work.

Costs or prices on estimated costs will be allowable only to the extent that costs incurred or cost estimates are consistent with Federal cost principals. The District will not use a cost plus a percentage of cost and a percentage of construction cost method.

Agency Review

The District will make available, upon request of the Federal agency, all documents, including but not limited to, procurement specifications; invitations to bid; procurement procedures; pre-award documents.

Biding Requirements

The District will require bonding for all construction or facility improvements ensuring that the awarding Federal agency's interests are adequately protected as provided in federal regulations.

Contract Provisions

The District's contracts under the Regulation will include:

- administrative, contractual or legal remedies for contractor breaches and provide appropriate remedies for such breaches;
- compliance with Executive Order (EO 11246);
- compliance with Copeland Anti-Kickback Act;
- compliance with Davis Bacon Act;
- compliance with § 103 and 107 of the Contract Work Hours and Safety Standards Act;
- notice of awarding agency's requirements and regulations pertaining to reporting;
- notice of awarding agency's requirements and regulations pertaining to patent rights;
- notice of awarding agency's requirements and regulations relating to copyrights and rights in data;
- access to contractor's book documents, papers and records which are pertinent to the contract;
- compliance with all applicable standards, order or requirements under §306 of the Clean Air Act, §508 of the Clean Water Act (EO 11738) and Environmental Protection Act Regulations; and
- mandatory standards and policies relating to emergency efficiency contained in the state emergency conversation plan.

Background Checks

All District vendors shall conduct criminal record and sexual offender background checks on each of its employees who, under a procurement contract, may provide services on District property or at District events. Copies of such record requests will be provided to the District upon request.

Faith Based Organizations

Faith based organizations are eligible to contract with those Districts on federally related contracts on the same basis as any other private organization. In such contracting, the District will not discriminate for or against an organization based on the organization's religious character or affiliation. However, private organizations that engage in inherently religious activities, such as religious workshops, instruction or proselytization must offer these services separately in a time or location separate from any programs or services supported by a federally related District contract.

A faith based organization that contracts with the District on a federally related contract may retain its independence, autonomy, right of expression, religious character and authority over its governance.

*****

March 2021, Copyright © 2021 Missouri Consultants for Education, LLC

Board Adopted May 20, 2021

FINANCIAL OPERATION **Regulation 3166**

Financial Management

Federal Awards – Allowable Costs

Allowable, Reasonable, Allocable Cost Principles

Allowable

To be allowable under a Federal award, costs will meet the following criteria:

1. Be necessary and reasonable for the performance of the Federal Award and be allocable to the Award.
2. Conform to limitations or exclusions in these principles or in the Federal award as to types or amounts of cost items.
3. Be consistent with policies and procedures that apply uniformly to both federally–financed and other District activities that are non-Federal.
4. Be given consistent treatment. A cost may not be assigned as a direct cost if any other cost for a like purpose is assigned as an indirect cost.
5. Be in accordance with generally accepted accounting principles.
6. Not be included as a cost or used to meet cost sharing or matching request of any other federally financed project in either the current or a prior project.
7. Be adequately documented.
8. Be net of all applicable credits.

Reasonable

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a reasonable person under the prevailing circumstances. In determining reasonableness of a specific cost, consideration must be given to:

1. Whether the cost is generally recognized as ordinary and necessary for the operations of the District, or the proper and efficient performance of the Federal award.
2. The restraints or requirements imposed by sound business practice, and terms of the Federal grant.
3. Market prices for comparable goods or services for the District's geographic area.
4. Whether District individuals involved in the Federal grant acted with prudence.
5. Whether the District has significantly deviated from its established practices and policies regarding the incurrence of costs.

Allocable

A cost is allocable to a particular Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the benefits received. This standard is met if the cost:

1. Is incurred specifically for the Federal award.
2. Benefits both the Federal award and other work of the District and can be allocated on proportions using reasonable methods.
3. Is necessary to the overall operation of the District and is assignable in part to the Federal award.

Allowability Procedures

At the time of budgeting for a Federal award, all costs, direct and indirect, will be reviewed by the District's Federal Grant administrator to assure compliance with Federal allowability principles.

1. All purchase orders/invoices will be screened by the District's finance officer to ensure consistency of the budgeted items with Federal allowability principles.
2. An annual risk assessment will be conducted consistent with 2 CFR Part 200.331(b).
3. The District's outside auditor will review compliance with Federal allowability standards as part of the annual audit.

Documentation of Personnel Costs

Semi-Annual Certification – Where employees are expected to work solely on a single Federal award or cost objection, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the certification period.

Monthly Personnel Reports

Where District employees work on multiple activities or cost objectives, a distribution of their salary and wages will be supported by personnel activity reports. Similar procedure will be used for District employees working on cost sharing or matching activities.

If the District elects to work under a substitute system for time and effort, the District will seek approval by DESE.

Stipends and Extra Duty Pay

Where the District pays for extra work beyond an employee's regular contract, the District will have developed written documentation that demonstrates the extra work to be performed; the dates of performance; and the amount or rate to be paid to such employee. A contract will also be signed by the District and the employee to show acceptance of the terms. In addition, the employee must complete time and effort documentation that supports the extra work beyond the employee's regular contract. This documentation may be a semi-annual time certification or monthly personnel activity report.

*****

January 2017 Copyright © 2017 Missouri Consultants for Education, LLC

Board Adopted July 24, 2017
Boar Reviewed October 18, 2018

FINANCIAL OPERATION **Regulation 3230 (Form 3230)**

Payroll

Expenditures for Certificated Staff

The District will expend for tuition, teacher retirement and compensation of certificated staff a percentage of current operating costs that is no less than two (2) percentage points less than the base school year certificated salary percentage.

Or
Have an unrestricted fund balance in the combined incidental and teachers' fund on June 30, which is equal to or less than ten percent (10%) of the combined expenditures for the year from those funds.

Or
Maintain or increase its fiscal instructional ratio of efficiency (FIRE) compared to the District's FIRE for the 1997-98 base year.

The District's FIRE is the quotient of the sum of the District's current operating costs plus the cost of improvement of instruction and the cost of purchased services and supplies for operation of the facilities housing those programs, and excluding student activities divided by the sum of the District's current operating cost for kindergarten through grade twelve, plus all tuition revenue received from other districts minus all noncapital transportation and school safety and security costs.

Exceptions

The above provisions do not apply to qualifying districts when the state distributes ninety-six percent (96%) or less for the formula than it did in fiscal year 2002. A qualifying district:

1. Must have had on June 30th of the preceding fiscal year a combined incidental and teacher fund balance which was seventeen percent (17%) or less of the combined incidental and teacher fund expenditures for that fiscal year.

Or

2. Must have had one person or a corporation with ten percent (10%) or more of the District's assessed valuation be delinquent in a property tax payment.

Or

3. Must have had a combined incidental and teacher fund balance on June 30th of the preceding fiscal year that was fifty percent (50%) or less than the local property tax revenue for that fiscal year.

Or

4. Will receive in the current fiscal year ninety-six percent (96%) or less of their fiscal year 2002 formula distribution.

Board Adopted August 2005
Board Reviewed January 16, 2014
Board Reviewed November 15, 2018

FINANCIAL OPERATION **Regulation 3320**

Revenue

Tax Rate Hearing

The Board of Education will annually conduct tax rate hearing(s) prior to September 1. The purpose of the tax rate hearing process is to provide administrative recommendations, obtain community input and adoption of a tax rate. Notice of all tax rate hearings will be provided by posting in at least three District sites or publication in a local newspaper at least seven (7) days prior to the hearing. Written notice will include the District's assessed valuation, proposed tax rate, date, time and place of hearing and will advise where copies of the proposed tax rate may be obtained.

Board Adopted February 20, 2014
Board Reviewed November 15, 2018

FINANCIAL OPERATION **Regulation 3330**

Revenue

Bonded Indebtedness

The Missouri state law guidelines shall serve to direct the Board's bond issues. Guidelines currently include the following provisions:

1. A two-thirds vote is required to approve the issuance of bonds if the issue is not submitted at a general, primary or municipal election.

2. A four-sevenths vote is required before bonds may be issued if the proposal is submitted at a general, primary or municipal election.

3. Revenues from taxes levied for the purpose of satisfying bonded indebtedness, including principal and interest, will be recorded in the debt service fund.

4. Twenty years is the maximum number of years for which bonded indebtedness may be obligated.

5. Bonds shall be issued in denominations of one thousand dollars or multiples thereof.

6. The limit for District bonded indebtedness is 15% of the value of taxable tangible property as documented by the last completed assessment for state and county purposes.

Board Adopted February 20, 2014
Board Reviewed December 20, 2018

FINANCIAL OPERATION **Regulation 3380**

Revenue

Sale/Lease of Real Property

If the Board of Education affirmatively votes to sell or lease unneeded real property, the sale will be conducted as follows:

Listing with Real Estate Broker

At its option, the Board may list the property with one or more real estate brokers licensed by the State of Missouri. In such cases, the Board is authorized to pay a commission upon successful completion of such sale or lease.

Sales/Lease to Highest Bidder

If the Board chooses not to list the unneeded real property with a real estate broker, the notice of the sale or lease will be published in a newspaper of general circulation in the community in which the District is located in whole or in part. Notice of the sale or lease will be published at least once a week for two consecutive weeks with the last publication to be at least seven (7) days prior to the sale or lease. Property will then be sold/leased to the highest bidder. The Board reserves the right, in its sole discretion, to set a minimum bid.

Sale/Lease to City, State, or Governmental Subdivision

The Board may also elect to sell or lease such real property to a city, state agency, municipal corporation, or other governmental subdivision located within the District for public use or purpose. In such case, the notice will be given by publication in a newspaper of general circulation as set out in the preceding section. The price for sale or lease of the property will be as agreed upon by the District and the governmental entity.

Regardless of how sold/leased, the lease or deed of conveyance will be signed by the Board President and attested to by the Board Secretary. The proceeds from such sale/lease, except for districts identified as financially distressed, will be placed in the capital projects fund.

Disposal of Previously Donated Property

If after ten years following the donation of real property, the District may sell the donated property after first offering to return the property to the previous owner. If the previous owner declines, the District may sell the property as surplus.

Board Adopted March 24, 2014
Board Reviewed January 17, 2019

 Copyright © 2010 Missouri Consultants for Education

FINANCIAL OPERATION **Regulation 3440**

Accounting and Reporting

Travel and Reimbursement

Travel Expense Allowance

Upon approval of the Superintendent, employees may be authorized to attend conferences, meetings, conventions, etc. When full expenses are allowed, they shall be deemed to include registration, transportation fees, lodging and meals.

Each employee allowed travel expenses shall file with the Superintendent/designee an itemized account of expenses; he/she may request an advance of estimated expenses subject to adjustment upon filing of the itemized account. Each employee shall submit to the Superintendent/designee such other reports as may be required.

The Superintendent may authorize attendance at professional meetings by staff members, Board members and others working on District matters, and may approve reasonable expenditures that include an amount set annually by the Board for lodging, travel expenses and applicable registration fees.

The Superintendent shall notify the Board of the date and purpose of the event for which such approval is granted, name(s) of person(s) attending, and cost to the District.

The Superintendent shall have the power to excuse any employee from duty for the above purposes for a period not to exceed one (1) day without allowance for expenses

Reimbursement Policies

1. Mileage reimbursement is not authorized between home and office/base school.

2. Employees who travel directly from home to other than office/base school on official business are entitled to a mileage allowance of the distance in excess of that from home to office/base school. The same policy is applicable to return trips. In this case a reimbursement request must show that all mileage excludes round trip mileage from home to office/base school.

3. Employees who travel from school to school on official duty are authorized mileage from the first to the last school visited subject to the restrictions outlined in the paragraph above.

4. When transportation is performed by privately owned vehicle, mileage is authorized at an annually determined rate, subject to provisions of the following paragraph.

5. When private transportation can be pooled, the driver of the vehicle is authorized reimbursement at the annually determined rate. When transportation pooling is not desired by the individuals concerned, each traveler will be limited to an equal share of the annually determined rate per mile.

6. In performing necessary local travel, personnel will use the most direct well-traveled route between any two points. Claims for mileage reimbursement will be for actual miles driven based on odometer readings.

Federal Award Programs

If lodging and subsistence costs are charged directly to the Federal award, documentation must justify that:

1. Participation of the individual is necessary to the Federal award; and

2. The costs are reasonable and are consistent with the District's travel policy.

Such documentation may include any or all of the following:

1. Agenda
2. List of attendees
3. Prior written approval
4. Written qualification statement

Grant funds will not be used for temporary dependent care costs unless specifically permitted by the awards' authorizing statute, regulation or department.

*****

January 2017 Copyright © 2017 Missouri Consultants for Education, LLC

Board Adopted July 24, 2017
Board Reviewed January 17, 2019

FINANCIAL OPERATION **Regulation 3450**

Accounting and Reporting

Sales Tax

Suppliers or retailers selling rings, pictures, sweaters, jackets, school annuals, musical instruments, shoes and similar items, or renting of gowns, caps and other items which are for personal, individual benefit and use of a student, should include and collect the sales or use tax on such sales or rentals.

Purchase orders will designate if purchases are for school purposes and not for students' individual and personal ownership. If the purchases are for the school's purposes as part of its regular educational activities, no tax should be collected by the sellers. (Examples of nontaxable purchases: books, desks, school supplies and equipment; diplomas, medals, awards or cups; athletic, musical or other equipment and supplies purchased for the athletic and other departments; and items for the general use by or benefit of all students entered or engaged in regularly sponsored school athletic or other educational programs, classes, events or activities.)

Operators of vending machines or commissaries located in schools, but not operated by the schools or any school group, are required to report the tax on the gross receipts from these vending machines or commissaries operated by them (retailers).

Tax will not be collected on admissions charged to school plays or entertainment sponsored as a part of the regular school program, as such activities are considered occasional in nature. However, when entertainment or programs are put on by individuals, entertainers or groups who make this a business and receive as compensation a portion of the net receipts, then the sales tax must be collected on the admission charge even though sponsored by the school, and the profits, if any, are intended to be used for school purposes.

Board Adopted March 24, 2014
Board Reviewed February 21, 2019

Financial Disclosure

Bond Proceeds Reporting

In order to ensure compliance with the Security Exchange Act of 1954, the District hereby adopts the following policies and procedures:

(a) *Disclosure Officer*. The Superintendent of the District is hereby designated as the officer responsible for the *Disclosure Procedures*.

(b) *Official Statements*. Whenever an Official Statement will be disseminated in connection with the issuance of obligations by the District, the Disclosure Officer will oversee the process of preparing the Official Statement pursuant to the following procedures:

1. The Disclosure Officer shall review and make comments on the first draft of the Official Statement. Such review shall be done in order to determine that the Official Statement does not include any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made in the Official Statement not misleading. The Disclosure Officer shall also be responsible for ensuring that the financial data presented with regard to the District is accurate and corresponds with the financial information in the District's possession, including but not limited to information regarding bonded indebtedness, notes, certificates, outstanding leases, tax rates or any other financial information of the District presented in the Official Statement.

2. After completion of the review, the Disclosure Officer shall (a) discuss the first draft of the Official Statement with the members of the Working Group and such officials of the District as the Disclosure Officer deems necessary and appropriate and (b) provide comments, as appropriate, to the members of the Working Group. The Disclosure Officer shall also consider comments from members of the Working Group and whether any additional changes to the Official Statement are necessary or desirable to make the document compliant.

3. The Disclosure Officer shall continue to review subsequent drafts of the Official Statement.

4. If, in the Disclosure Officer's reasonable judgment, the Official Statement is compliant, the Official Statement may be released for dissemination to the public.

 Copyright © 2015 Missouri Consultants for Education

(c) *Annual Financial Information*. The Disclosure Officer will oversee the process of preparing the Annual Financial Information pursuant to these procedures:

1. By November 27 of each year, the Disclosure Officer shall prepare (or hire an agent to prepare) the Annual Financial Information. The Disclosure Officer shall also review the audited or unaudited financial statements, as applicable, to be filed as part of the Annual Financial Information. In addition to the required updating of the Annual Financial Information, the Disclosure Officer should consider whether additional information needs to be added to the Annual Financial Information in order to make the Annual Financial Information, including the Financial Statements, taken as a whole, correct and complete in all material respects.

2. If, in the Disclosure Officer's reasonable judgment, the Annual Financial Information, including the Financial Statements, is correct and complete, the Disclosure Officer or retained agent shall file the Annual Financial Information with EMMA within the requisite timeframe.

(d) *EMMA Notices*. Whenever the District is required to file an EMMA Notice, or whenever the District decides to make a voluntary filing to EMMA, the Disclosure Officer will oversee the process of preparing the EMMA Notice.

1. The Disclosure Officer or retained agent shall prepare the EMMA Notice. The EMMA Notice shall be prepared in the form required by the MSRB.

2. If, in the Disclosure Officer's reasonable judgment, the EMMA Notice complies with the Undertaking and is correct and complete, the Disclosure Officer, or retained agent, shall file the EMMA Notice with EMMA within the timeframe allowed for such filing.

(e) *Additional Responsibilities of the Disclosure Officer*. The Disclosure Officer, in addition to the specific responsibilities outlined above, shall have general oversight of the entire disclosure process, which shall include:

1. Maintaining appropriate records of compliance with this Disclosure Policy and decisions made with respect to issues that have been raised;

2. Evaluating the effectiveness of the procedures contained in this Disclosure Policy; and

3. Making recommendations to the Board of Education as to whether revisions or modifications to this Disclosure Policy are appropriate.

Copyright © 2015 Missouri Consultants for Education

(f) *General Principles*.

1. All participants in the disclosure process should be encouraged to raise potential disclosure items at all times in the process.

2. The Disclosure Officer should consider whether changes in form and content of Disclosures are necessary or desirable in order to ensure the Disclosures are accurate and complete.

3. When speaking to the market of potential investors, District officials ensure that the released information does not make any untrue statement of a material fact or omit to state a material fact necessary or desirable in light of the circumstances in which they were made.

4. The review and maintenance of the Disclosures is a fluid process and recommendations for improvement of the Disclosure Procedures should be solicited and regularly considered.

Board Adopted February 18, 2015
Board Reviewed February 21, 2019

Copyright © 2015 Missouri Consultants for Education

PERSONNEL SERVICES **Regulation 4120**
(Form 4120)

Employment

Employment Procedures

Certificated Staff

All staff members shall be appointed by the Board only upon recommendation of the Superintendent. Should a person nominated by the Superintendent be rejected by the Board, it shall be the Superintendent's duty to make another nomination.

The Superintendent shall assure that all persons nominated for employment meet certification requirements and the qualifications established for the particular position.

Interviewing and selection procedures shall assure that the principal or other administrator to be directly responsible for the work of the staff member has, to the extent possible, an opportunity to aid in his/her selection; however the final selection shall be made or approved by the Superintendent.

All candidates shall be considered on the basis of their merits and qualifications and the needs of the school system. In each instance the Superintendent and others playing a role in the selection shall seek to hire the best-qualified person for the job. No person shall on the basis of sex, race, religion, national origin, marital status, age or disability that will not impair performance be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment for recruitment, consideration, or selection, therefore, whether full-time or part-time, certificated or noncertificated, under any educational program or activity operated by the District.

To teach in the public schools of' Missouri, the teacher must possess an appropriate and valid teaching certificate. The laws state specifically that the teacher must not assume that a portion of the school year can be taught before obtaining a certificate, because the certificate must be in force for the full time for which the contract is effective, beginning the first day of school. If the teacher does not already have a teacher's certificate or has not made arrangement to secure it, he/she should contact the office of the Superintendent/designee at once to make such arrangements. This certificate, along with official copies of transcripts showing all college hours and degrees must be kept on file with this office. If the certificate or letter of intent from the State Department is not on file, no salary payments will be made.

Support Staff

Letters of employment for support staff are issued as soon as feasible after salary schedule and terms have been approved by the Board. Since full-time employees begin their year on July 1, target date for issuance of letters of employment is as close to the beginning of the fiscal year as possible.

The work year for support staff personnel will be set by the Board based on classification and responsibilities.

Support staff employees will be paid on the Board-approved salary schedule.

Immigration Reform and Control Act

The federal Immigration Reform and Control Act requires all employers to hire only American citizens and aliens who are authorized to work in the United States in order to preserve jobs for those who are legally entitled to them. The District will implement the following procedures to assure compliance with the law:

1. Any employee hired after November 6, 1986, will complete an Eligibility Verification Form (Form I-9), and will produce documents that will establish his/her identity and eligibility to work. (Form I-9 contains a list of documents that will fulfill this requirement.)

2. The District will retain an individual's Form I-9 for three years after the date of hire or one year after the individual is terminated, whichever is later.

3. The form may be reviewed by the Department of Homeland Security (DHS) and potentially by other federal agencies. In order to minimize potential intrusion, Eligibility Verification Forms will be maintained separately from the employee's personnel files as stipulated in Policy 4860.

For further information concerning the procedures surrounding the Form I-9 or the District's obligations under the Act, consult the District office responsible for personnel matters.

Missouri Automated Criminal History Site (MACHS)

Applicants whose fingerprints have been taken as part of the MACHS criminal record check, as required by the District, are entitled to the following rights:

1. Notification that the applicant’s fingerprints will be used to check the criminal history records of the FBI.

2. If the applicant is determined to have a criminal record, he/she will be provided with an opportunity to challenge the report.

3. Applicants determined to have a criminal history record will be advised of the procedure for obtaining a change, correction or update within Title 28 Code of Federal Regulation.

4. If the applicant has a criminal record history, the applicant will be given a reasonable amount of time to correct the record before employment is denied because of the criminal history.

****

September 2015, Copyright © 2015 Missouri Consultants for Education, Inc.

Board Updated November 19, 2015
Board Reviewed September 22, 2016
Board Reviewed August 19, 2021

PERSONNEL SERVICES **Regulation 4130**
(Form 4130)

Employment

Certificated Staff Contracts

Probationary

Teachers without previous teaching experience will receive a probationary contract for each of their first five years of full-time employment or for the corresponding period of part-time service.

Probationary teachers will be notified in writing of the Board's intent to reemploy them for the next school year. This written notice will be provided on or by April 15. Teachers who are not provided a timely notice will be automatically reemployed for the next school year.

Probationary teachers will be provided with a written contract on or by May 15 and will be required to provide the Board with a written acceptance or rejection within fifteen (15) days of receipt of the contract. Failure to provide a timely acceptance of the contract will be deemed a rejection of the Board's employment contract.

Permanent

Permanent teachers will be provided with an indefinite contract as provided by state statute. Indefinite contracts may be modified by the Board on or before May 15 with respect to the school year and with respect to annual compensation. Permanent teachers will receive copies of contract modifications within thirty (30) days of Board adoption.

Administrative

All administrators will be provided with contracts of from one-to-three-year duration. Administrative personnel, other than the Superintendent, who are employed under a one year contract will be notified on or before April 15 of the Board's wish to reemploy them in their present administrative position. Failure to provide a timely notice of reemployment will result in the administrator's reemployment in the present position and salary. Administrators employed on one-year contracts, and who are notified of renewal, will receive a written contract on or by May 15, and will have fifteen (15) days to accept the contract.

Board Adopted November 16, 2006
Board Reviewed October 20, 2011
Board Reviewed September 22, 2016
Board Reviewed August 19, 2021

PERSONNEL SERVICES **Policy 4220**
(Regulation 4220)

Personnel Assignment and Transfer

Certificated Staff Duties, Schedules and Working Hours

The school year will be set annually by the Board of Education. The start date, end date, and number of contracted days will be contained in staff contracts. The length of the teaching day will also be set by the Board.

Certificated staff are required to be on duty during the teaching day. In addition to the teaching day, certificated staff are required to attend scheduled staff meetings, parent conference days, IEP meetings, and other meetings as may be determined by the administration and Board of Education.

Board Adopted December 21, 2006
Board Reviewed September 22, 2016
Board Reviewed September 16, 2021

PERSONNEL SERVICES **Policy 4221**
(Regulation 4221)
Personnel Assignment and Transfer **(Form 4221)**

Support Staff Duties, Schedules and Working Hours

The school year and work calendars will be set annually by the Board of Education. Work hours may be changed by the administration as needed.

Regular attendance is essential in order to maintain a high quality of instruction. Support staff employees, with reasonable notice, will be subject to disciplinary action when their absenteeism is deemed to be excessive.

Overtime/Compensatory Time

Employees who work overtime must receive prior authorization from their immediate supervisors.

Board Adopted December 21, 2006
Board Updated September 22, 2016
Board Reviewed September 16, 2021

designee shall schedule a conference with the employee and his/her employee representative if desired. Within ten (10) days of the conference the Superintendent's designee will provide the employee with a written response to the dispute.

Step Three: Review by the Superintendent

If the employee is not satisfied with the resolution of Step Two, the employee may refer the dispute in writing for the Superintendent's direct review. To proceed to Step Three, the written dispute referral must be submitted to the Superintendent within four (4) days of receipt of the Step Two decision. Within four (4) days of receipt of the written referral, the Superintendent shall schedule a conference with the employee and his/her employee representative, if desired. Within ten (10) days of this conference, the Superintendent will provide the employee with a written response to the dispute.

Step Four: Board of Education Review

If the employee is not satisfied with the resolution at Step Three, the employee may refer the dispute in writing for the Board's consideration. To proceed to Step Four, the written dispute referral must be submitted to the Superintendent within four (4) days of receipt of the Step Three decision. At the next regular Board meeting following submission of the Step Four referral, the Board will consider the dispute and determine whether to conduct a formal review of the dispute. If the Board determines that its formal review is not necessary, the decision at Step Three becomes final.

If the Board determines that its formal review is warranted by the dispute, the Board will set a date for formal review. At formal review both parties are entitled to be represented by legal counsel. Procedures for formal presentations of the dispute are determined by the Board in its discretion. Within ten (10) days of the formal review, the Board will provide the employee with its written decision. The decision of the Board is final and binding on all parties.

Miscellaneous Provisions

1. Failure of an employee to comply with the timelines provided in the procedures above will result in final rejection of the dispute.

2. Failure of the administrator to comply with the timelines provided in the procedures above will result in the dispute being advanced to the next step.

3. Neither party to a dispute will be permitted to add witnesses or documentation that were not provided at preceding steps.

4. No employee will be retaliated against for the good faith submission and processing of a dispute under these regulations

Board Adopted November 2003
Board Reviewed May 24, 2012
Board Reviewed May 17, 2017

PERSONNEL SERVICES **Regulation 4320**

Absences, Leave and Vacation

Personnel Leave

Certified Personnel

Paid Time Off

The Board of Education shall grant to each full-time certified employee thirteen (13) days of paid time off (PTO) at the beginning of each school year. Certified employees who have achieved tenure with the District by the first day of any given school year shall be granted fifteen (15) days PTO per year. Part-time certified employees will have their PTO prorated based on the percentage of the equivalent full-time position they are assigned.

PTO includes sick, and personal leave, including but not necessarily limited to absences for the following reasons:

a. Illness, injury or incapacity of the employee.
b. Illness, injury or incapacity of a member of the employee's family.
c. Pregnancy, childbirth and adoption.
d. Family events, such as weddings or graduation.
e. Conducting personal business of such a nature that it cannot be performed on a Saturday, Sunday or before or after school hours, including parent-teacher conferences.
f. Any other absence authorized by law, policy or the Board that would otherwise be unpaid including, but not limited to, leave under the FMLA.
g. Leave for other purposes as approved by the principal.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

For any leave that is potentially FMLA-qualifying, the District reserves the right to seek any necessary and authorized certifications. For leave that is designated as FMLA-qualifying, the employee taking leave will be required to use any available PTO concurrently with FMLA leave (See Board Regulation 4321). The administration reserves the right to deny request of PTO usage if said usage will adversely affect the district or its students, where allowed by law. Examples of reasons a supervisor may deny PTO are adverse weather days or vacation.

Requests for PTO must be made in writing to the designated administrator at least five business days in advance of the time leave is requested with the following exceptions:

- Emergencies and Sudden Illness – provide notice as soon as practicable.

- Foreseeable FMLA-qualifying leave – An employee who can reasonably foresee the need to take FMLA leave is required to notify the District of the date of commencement and the expected duration of the leave at least thirty (30) days in advance of the leave, or if the need for the leave is not foreseeable, as soon as practicable. (See Regulation 4321).

The administrator will respond promptly to the employee's written or electronic request.

A district employee may not use PTO while the employee is absent from work due to a work-related injury and receiving payment from Workers' Compensation.

Any certified employee who is a member of a retirement system shall remain a member during any period of leave under PTO provisions of the District or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

Any unused portion of PTO each year will be allowed to accumulate to 75 days. Days above 75 left unused at the end of the school year will be reimbursed at $20 per day. Retirees who are working part-time for the District and are receiving monthly retirement benefits may accumulate up to 37 days of PTO. Any days above 37 left unused at the end of the school year will be reimbursed at $20 per day.

Personnel who leave from the District after serving a minimum of three full years of service will be paid $20 per accumulated PTO day. The stipend will be paid at the end of the school year. Retirees who worked on a part-time basis for the District for a minimum of three school years will be paid $20 per accumulated PTO day with their final paycheck.

Bereavement Leave

In the case of a death in the immediate family, up to five (5) days per school year of bereavement leave with full pay may be granted. The immediate family shall consist of the employee’s father, mother, wife, husband, son, daughter, brother, sister, grandparent. Two (2) of the days may be used for death of immediate in-laws. One (1) of the days may be used in any case of death which affects the employee, subject to the approval of the Superintendent. The leave shall not be accumulative and shall not be deducted from regular PTO leave. In addition to paid bereavement leave, three (3) days of available PTO may be allowed with 48 hours prior approval by the Superintendent. .

Leave for Jury Duty

Employees called for jury duty, for participation in the jury selection process, or subpoenaed to testify in a civil or criminal proceeding will be granted leave with pay. Employees will receive their normal pay less any jury or witness fees received. Employees called for jury selection or

service on a jury will not be requested or required to use PTO for time required in such civic service.

Military Leave

An employee who is a member of the National Guard, or an organized military service of the United States, and who is required by laws of the United States or the State of Missouri to report for military duty, including training, shall be eligible for a grant of military leave.

Application for military leave shall be made in advance, as soon as practicable after the employee becomes aware of his/her obligation to report and immediately upon the employee's receipt of official notice to report. A copy of the official orders must be added to the leave application. The Superintendent/designee must approve the application. Emergency mobilization orders shall be dealt with on an individual basis.

The District recognizes that employees who receive notice to report for duty typically are not provided with discretion as to when to report. However, whenever an employee has a choice as to when to report for military duty, the employee's military leave shall be arranged during periods in which school is not in session. When the employee is given a choice as to when to report for duty, the Superintendent/designee may request that the employee seek a change in military orders if such a change appears to be in the best interest of the District.

Employees shall receive leave with pay for up to one hundred twenty (120) hours of military leave in each federal fiscal year. Additional military leave shall be without pay, except as required by federal and state law. Any person entitled to military leave shall only be charged military leave for any hours which the person would otherwise have been required to work had it not been for such military leave at a minimum of one hour and additional charges will be in multiples of one hour.

Each employee shall furnish a copy of the employee's military payroll voucher to the Superintendent/designee within thirty (30) days of the employee's return to regular assignment so that the necessary salary adjustments can be made.

Employee eligibility for reinstatement after military duty is completed shall be determined in accordance with federal and state laws.

Domestic/Sexual Violence Victim Leave (See Policy and Regulation 4322).

Leave of Absence

Upon the recommendation of the Superintendent/designee and the approval of the Board, an employee of the District may be granted a leave of absence for non-Family and Medical Leave Act (FMLA) child care, education, or other good cause. Such leave is renewable upon written

request for one additional year only. Application for leave is to be made in writing to the Superintendent/designee via Principal/supervisor and must include the period for which the leave is requested and the reasons for the request. The period should be set to least disrupt the education of students. Requests for leave for an entire school year should normally be made in writing before March 1 of the preceding year.
If leave is approved by the Board, the employee is not paid for the period of the leave. Insurance benefits may be continued by the employee by making all payments to the Payroll Office, one month in advance.

Whenever a leave of absence has been granted by the Board to the end of the school year, the employee must notify the Superintendent in writing by the first day of March of an intention to resume his/her position at the beginning of the next school year. Failure to notify the Superintendent/designee of such intention will be regarded as a resignation.

Upon completion of an approved leave, provided proper notification is given, a teacher will be reemployed by the District unless placed on involuntary leave of absence if tenured; or, if notified of nonrenewal of contract by April 15 if a probationary teacher. If desired, and whenever feasible, the employee will be placed on the same or equivalent position to the one held prior to the approved leave.

NOTE: Leave of absence without pay under the provisions of this regulation does not apply as service towards tenure for probationary teachers.

Non-Certified Personnel

Paid Sick Leave

Full Time (12 Month) non-certified personnel shall be granted 12 days leave of absence, personal illness, or injury with full pay. Sick leave shall be accumulative to a maximum of 45 days. Days above 45 days left unused at the end of the school year will be reimbursed at $15 per day.

Those people employed for the regular school term (9 months) will receive 9 days sick leave per year accumulative to 45 days.

Those people employed less than 12 months but more than 9 months will receive leave on a prorated basis. Part-time employees will have the leave prorated based on the percentage of fulltime position they are assigned. Retired employees may accumulate up to 23 days. Days above 23 days left unused at the end of the school year will be reimbursed at $15 per day.

Personnel who leave from the District after serving a minimum of three full years of service will be paid $15 per accumulated sick leave day. The stipend will be paid at the time retirement is filed. Retirees who worked on a part-time basis for the District and serve a minimum of three

years as a part-time employee collecting retirement will be paid $15 per accumulated sick leave day with their final paycheck.

Personal Leave

Paid personal leave may only be used for personal business that cannot be transacted in non-work hours. Personal leave days cannot be used for work stoppages, vacation, or recreation use. The Superintendent/designee has the right to deny any request for personal leave that does not conform to the policy or would cause a hardship to students or to staff. Full-time (12 month) non-certified personnel shall receive three (3) days of personal non-accumulative leave with 48 hours prior approval by the Superintendent. Those people employed for the regular school term (9 months) will receive 1 day personal leave non-accumulative. However, when additional personal leave is required, sick leave may be used for personal business.

Emergency Leave

In case of death and/or serious illness in the immediate family, up to five days of absence with full pay may be granted. The immediate family shall be construed to mean father, mother, son, daughter, brother, sister or grandparent. This leave shall not be accumulative and shall not be deducted from the regular sick leave and is subject to the approval of the school administration. Staff may use two days of the above five for immediate in-laws.

Leave for Jury Duty

Employees called for jury duty, for participation in the jury selection process, or subpoenaed to testify in a civil or criminal proceeding will be granted leave with pay. Employees will receive their normal pay less any jury or witness fees received. Employees called for jury selection or service on a jury will not be requested or required to use annual vacation, personal leave, or sick leave for time required in such civic service.

Absence Without Pay

Absence without pay may be authorized by the Superintendent for purpose which is considered urgent and necessary. For such absences, deduction from the employee's salary will be made in accordance with the school district's pay deduction regulations.

The involuntary absence not heretofore provided for may be excused by the Superintendent. The employee shall make application to the Superintendent immediately for an excuse for such absence and deductions in salary shall be made unless such deductions are specifically waived by the Superintendent.

Other absences than those herein provided for, or failure to follow the foregoing regulations, may be deemed to be neglect of duty and may be sufficient grounds for dismissal.

Vacations and Holidays

Vacation policy for custodians and secretaries employed full time for twelve months:

Full-time employees who have served a full year (12 months) are entitled to two weeks of vacation with pay. Any full-time employee (12 months) is entitled to three weeks of vacation after 5 years of continuous service in the position with the district. Custodians, however, may only take two weeks in the summer.
The Superintendent shall establish a vacation schedule for all non-certified employees of the district.

Vacations shall be taken during the summer season, unless approved by the Superintendent.

Vacation time may not accrue from one year to the next and must be used prior to the end of the fiscal year (June 30), unless approved by the Superintendent.

Paid holidays for full-time employees:

- Fourth of July
- Labor Day
- Thanksgiving and the day following
- Christmas Eve, Christmas Day, and the following day
- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day (if school is not in session)
- Good Friday
- Memorial Day

In the event school is held on any of the listed days, employees are entitled to a vacation day scheduled between them and their supervisor.

Board Adopted July 2005
Board Updated July 22, 2010
Board Reviewed December 12, 2011
Board Updated July 25, 2015
Board Updated October 20, 2016
Board Updated December 16, 2021

Absences, Leave and Vacation

Family and Medical Leave

A. ELIGIBLE EMPLOYEES

Employees eligible for family and medical leave must:

1. Have been employed for a total of at least twelve (12) months (not necessarily consecutive); and

2. Have worked at least 1,250 hours during the twelve (12) months immediately preceding the commencement of the leave (for noninstructional staff and part-time instructional staff), or have been considered full-time (for instructional employees); and

3. Be employed at a work-site where the employer employs at least fifty (50) employees within a 75-mile radius.

B. QUALIFYING REASONS FOR LEAVE

An eligible employee may take unpaid leave for the following reasons:

1. The birth of the employee's child (leave must be concluded within one (1) year of the date of birth).

2. The placement of a child with the employee for adoption, or foster care when foster placement is pursuant to State action (leave must be concluded within one (1) year of the date of placement).

3. The care of the employee's child (including biological, adopted, or foster child, stepchild, legal ward, or child of a person standing in loco parentis, who is either under age 18, or age 18 or older and is incapable of self-care because of mental or physical disability), spouse or parent (including a person who stood in loco parentis to the employee when the employee was a child -- but not parent "in-law"), who has a serious health condition.

4. The serious health condition of the employee that makes the employee unable to perform the essential functions of the employee's position.

5. Any qualifying exigency arising out of the fact the employee’s spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.

6. The care for a covered servicemember with a serious injury or illness, if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember.

 Copyright © 2008 Missouri Consultants for Education

Absences, Leave and Vacation

Domestic/Sexual Violence Victim Leave

Definitions

Abuse: any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse. Victims of abuse shall also include any victims of sex trafficking or severe forms of trafficking.

Domestic Violence: abuse or stalking committed by a family or household member, as such terms are defined in this section.

Employment Benefits: all benefits provided or made available to employees by an employer, including life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan".

Family or Household Member: for employees with a family or household member who is a victim of domestic or sexual violence, means a spouse, parent, son, daughter, other persons related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household.

Reasonable Safety Accommodation: an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of safety procedure, or assistance in documenting domestic violence that occurs at the workplace or work-related settings, in response to actual or threatened domestic violence. Any exigent circumstances or danger facing the employee or his or her family or household member shall be considered in determining whether the accommodation is reasonable.

Reduced Work Schedule: a work schedule that reduces the usual number of hours per work week, or hours per workday of an employee.

Sexual Assault: causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent.

Sexual Exploitation: knowingly recruiting, enticing, harboring, transporting by any means, including the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threating to cause financial harm to another person for the use or employment of such person in a commercial sex act, sexual conduct, a sexual performance, or the production of explicit sexual

materials without his or her consent or benefit, financially or by receiving anything of value from participation in such activities.

Sexual Violence: a sexual assault or trafficking for the purposes of sexual exploitation.

Victim Services Organization: a nonprofit, nongovernmental organization that provides assistance to victims of domestic violence or to advocate for such victims, including a rape crisis center, a child advocacy center, an organization carrying out a domestic violence program, an organization operating a shelter or providing counseling services, or a legal services organization or other organization providing assistance through the legal process.

Activities Entitled to Leave

1. Seeking medical attention for or recovering from physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member.

2. Obtaining service from a victim service organization for the employee or for the employee's family or household member.

3. Obtaining psychological or other counseling for the employee or for the employee's family or household member.

4. Participating in safety planning, temporarily or permanently relocating or taking other actions to increase the safety of the employee or for the employee's family or household member from future domestic or sexual violence, or to ensure economic security.

5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Certification Requirement

The District requires employees using unpaid leave under this Policy to provide certification that the employee or the family or household member is a victim of domestic or sexual violence. The certification shall also provide that the leave is for purposes provided in this Policy. Such certification shall be provided to the employee's supervisor within a reasonable period after the notice of intent to take leave.

Certification of leave shall include employee's sworn statement and the following:

1. Documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of such violence; or

2. A police or court record; or

3. Other corroborating evidence.

All information provided to the District by the employee seeking or receiving leave shall be retained in the strictest confidence by the District. For purposes of the Sunshine Law, these documents are considered to be a closed record.

Benefits and Status Reporting

Employees taking leave under this Policy will not incur any loss of employment benefits which had accrued up to the date of leave. The District will recover from employee the premiums paid by the District for maintaining coverage for the employee and for the employee's family or household member if the employee fails to return from leave. The District will require employees utilizing leave to periodically provide the District with the status and intention of the employee to return to work.

Reasonable Safety Accommodation

Eligible employees seeking a reasonable safety accommodation, as defined in this Policy, will be required to submit a written statement signed by the employee or by an individual acting on the employee's behalf. Such statement must certify that the requested reasonable safety accommodation is for the purposes authorized by this Policy.

*****

August 2021, Copyright © 2021 Missouri Consultants for Education, LLC

Board Reviewed November 17, 2021

C. DEFINITIONS

1. Serious Health Condition - An illness, injury, impairment, or physical or mental condition that involves the following:

a. **Inpatient Care**: Inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care.

b. **Continuing Treatment**: Continuing treatment by a health care provider, including the following:

i. *Incapacity and Treatment*: A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:

1. Treatment two or more times, within 30 days of the first day of incapacity, by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under order of, or on referral by, a health care provider; or

2. Treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of a health care provider. The in-person treatment visit must take place within seven days of the first day of incapacity.

ii. *Pregnancy or Prenatal Care*: Any period of incapacity due to pregnancy, or for prenatal care (even if the absence does not last more than three days and the employee or family member does not receive treatment from a health care provider during the absence);

iii. *Chronic Conditions*: Any period of incapacity or treatment for such incapacity due to a chronic serious health condition (even if the absence does not last more than three days and the employee or family member does not receive treatment from a health care provider during the absence). A chronic serious health condition is one which:

1. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;

2. Continues over an extended period of time (including recurring episodes of a single underlying condition);

Copyright © 2008 Missouri Consultants for Education

3. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

iv. *Permanent or Long-Term Conditions*: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

v. *Multiple Treatments*: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health cares services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

c. **Exceptions**: Unless complications develop, a Serious Health Condition **does not** include cosmetic treatments, such as most treatments for acne or plastic surgery, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc. Treatment for substance abuse by a health care provider or on referral by a health care provider may be a serious health condition if the conditions of this policy are met. Absence due to use of the substance, rather than for treatment, does not qualify for FMLA leave.

2. Treatment - examinations to determine if a serious health condition exists and evaluations of the condition. "Treatment" does not include routine physical, eye, or dental examinations.

3. Health Care Provider - includes doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors (for limited purposes), nurse practitioners, nurse-midwives, clinical social workers, so long as they are licensed (if required by state law) and are performing within the scope of their practice as defined under state law; Christian Science practitioners listed with the First Church of Christ, Scientist, Boston, Massachusetts; any health care provider from whom an employer or a group health plan's benefit manager will accept certification to substantiate a claim for benefits; a health care provider as defined above who practices in a country other than the United States and is licensed in accordance with the laws of that country.

4. Regimen of continuing treatment - A course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. A "regimen of continuing treatment" that includes the taking of over-the-counter medications such as aspirins, antihistamines, or salves, or bed rest, drinking fluids, exercise, and other similar activities that can he initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.

Copyright © 2008 Missouri Consultants for Education

5. Qualifying Exigency – One of the following activities or conditions, occurring while the employee's spouse, son, daughter, or parent is on active duty or call to active duty status in the National Guard or Reserves:

a. Short-notice deployment - notice is received seven days or less from date of deployment;
b. Military events and related activities;
c. Childcare and school activities - arranging for alternatives or changed circumstances;
d. Financial and legal arrangements;
e. Counseling;
f. Rest and recuperation – during period of deployment;
g. Post-deployment activities; and
h. Additional activities agreed upon by the employer and employee.

6. Covered Servicemembers – Any **current** member of the Armed Forces, including the National Guard or Reserves.

7. Instructional employee - A person employed principally in an instructional capacity, whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aids who do not have as their principal function actual teaching or instructing, or auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

D. LENGTH OF LEAVE

1. General Rule**:** An eligible employee is entitled to up to twelve (12) workweeks of unpaid leave within a twelve-month period without loss of seniority or benefits. When both spouses in a family work for the District, they will be entitled to a total of twelve (12) weeks of unpaid leave (rather than 12 weeks each) for the birth, adoption, or foster placement of a child, or to care for a parent with a serious health condition.

- The amount of leave available to an employee at any given time will be calculated by using a "rolling" 12 month period measured backward from the date an employee uses any FMLA leave.

- All leave taken under the policy and leave for any other reason that would qualify under FMLA (e.g., worker's compensation leave that qualifies as a serious health condition), will be counted against the employee's leave entitlement under FMLA.

- When an employee is not required to report for work for one or more weeks (e.g., instructional employees who do not report for work during Christmas/New Year

Copyright © 2008 Missouri Consultants for Education

holiday, or during the summer), such days will not count against the employee's FMLA leave.

2. Care of Covered Servicemembers Leave: An eligible employee is entitled to 26 workweeks of leave to care for a covered servicemember with a serious injury or illness during a single twelve-month period, which begins on the first day the eligible employee requests this type of FMLA leave. The employee may take leave to care for a covered servicemember and leave for one of the other FMLA-qualifying reasons; however, in no event may an employee take more than 26 weeks of leave in a single twelve-month period.

3. Instructional Employees - End of Term Exceptions:

a. If an instructional employee seeks leave for any purpose, including the employee's own serious health condition, of at least three (3) weeks in duration and the requested leave would begin more than five (5) weeks prior to the end of the academic term (school semester), the District may require the employee to continue taking leave until the end of the school term, if the instructional staff member's return to employment would otherwise occur during the three (3) week period before the end of such term.

b. If the instructional employee seeks leave for any purpose other than the employee's own serious health condition, less than five (5) weeks prior to the end of the academic term, the District may require the staff member to continue taking leave to the end of the term, if the leave is greater than two (2) weeks in duration and the return to employment would occur within two (2) weeks prior to the end of the term.

c. If the instructional employee takes leave for any purpose other than the employee's own serious health condition, within three (3) weeks prior to the end of the term, and duration of the leave is greater than five (5) days, the District may require the staff member to continue the leave until the end of the term.

- When an employee is required to take leave until the end of an academic term, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA leave entitlement.

E. COORDINATION WITH EXISTING LEAVE POLICIES

During a leave related to the employee's serious health condition, the employee shall exhaust all available paid sick leave, personal leave or vacation before continuing such leave on an unpaid basis.

During a family or medical leave provided under this regulation for all other FMLA-qualifying leave, an employee shall first exhaust all unused vacation or personal days before continuing such leave on an unpaid basis.

Copyright © 2008 Missouri Consultants for Education

At the conclusion of any FMLA leave, an employee may elect to extend leave pursuant to the provision of other Board policies and regulations governing extended leave, so long as the employee is eligible for extended leave under such other policy or regulation. The amount of time taken for FMLA leave will be deducted from the period of leave available under other extended leave policies. Once the FMLA portion of the employee's leave has ended, and the employee has elected to continue on leave pursuant to another Board policy or regulation, the remaining portion of the leave will be governed by the provisions of the other policy or regulation with respect to compensation, benefits, reinstatement, and all other terms and conditions of employment as set forth in the other policy or regulation.

F. CERTIFICATION

The District shall retain the right to request a certification of the FMLA-qualifying need for leave from any employee making such a request. The procedure for providing such certification shall be as follows:

1. Serious Health Condition – When an employee requests a leave of absence for a FMLA-qualifying reason, the employee must submit to the Superintendent/designee, a written medical certification form (available in the Superintendent/designee's office). When the leave is for the employee's own serious health condition and District provides a list of the employee's essential job functions, the employee's health care provider must certify the employee is unable to perform an essential function of the employee's job.

a. **Timing** – Upon receipt from the District, an employee has fifteen calendar days to return a complete and sufficient certification of the serious health condition. If the certification is incomplete or insufficient, as determined by the Superintendent/designee, the District shall state in writing the nature of the deficiency and grant the employee seven additional calendar days to provide the District with a complete and sufficient certification. Failure to provide such certification within the specified time period may result in denial or delay of leave.

b. **Who May Contact Health Care Provider** – In the event the District determines an employee's certification remains either incomplete or insufficient, after the employee has been notified of any deficiencies and been granted time to correct such deficiencies, the following individuals will be authorized to contact the employee's health care provider:

i. The District's own health care provider;

ii. Human resources professional;

iii. Leave administrator; or

iv. Administration official.

Under no circumstances will the employee's direct supervisor be permitted to contact the employee's health care provider to certify the employee's health condition. Should an employee

Copyright © 2008 Missouri Consultants for Education

deny the District the ability to communicate with the health care provider regarding an incomplete or insufficient certification, the employee will be denied FMLA leave.

c. **Second/Third Opinion** - The District reserves the right to require an employee receive a second (and possibly a third) opinion from another health care provider (at the District's expense) certifying the serious health condition of the employee or family member.

d. **Fitness for Duty** - Before returning to work, an employee who is on leave for the employee's own serious health condition, must submit to the Superintendent/designee a health care provider's written certification form that the employee is able to perform the essential functions of the employee's job. The process for verifying the employee's fitness to return to duty shall be the same as for the initial certification set out above. Failure to provide a complete and sufficient fitness for duty certification may result in the delay or denial of job restoration.

e. **Recertification** - During the employee's leave, the District may periodically seek a recertification, no less than once every thirty days, unless the duration of the leave is known to be longer, in which case the District will not seek recertification until the end of the known duration of FMLA leave. The general rule has three exceptions, which permit the District to immediately seek a recertification from the employee. These exceptions include the following: 1) the employee requests a leave extension; 2) the circumstances necessitating leave change; or 3) the District received information disputing the validity of an earlier certification.

f. **Intent to Return to Work** – The District may require an employee to periodically report on the employee's intent to return to work.

g. **Family Relationship** - Employees requesting FMLA-qualifying leave realted to a family member may be requested to provide reasonable documentation of the family relationship.

2. Qualifying Exigency – The District may require an employee to provide it with a copy of the covered military member's active duty orders in support of a contingency operation, prior to permitting FMLA leave for a qualifying exigency. The District may also require the employee to certify, with reference to appropriate facts, that the reason for taking FMLA leave is permissible as it is one of the eight enumerated basis for taking qualifying exigency leave, as stated above. The process for any such certification shall adhere to the procedure outlined for serious health conditions, listed above.

3. Care for Covered Servicemembers – The District may require certification completed by the covered servicemember's health care provider prior to permitting an employee to use FMLA for the care of a covered servicemember. In addition to certifying the authenticity of the covered servicemember's serious injury or illness, any certification must also identify the injury or illness as occurring in the line of duty while on active duty. The process for any such certification shall adhere to the procedure outlined for serious health conditions, listed above.

4. Possibility of Waiver of Certification – The District, at its sole discretion, may waive the certification requirements set forth in this Regulation, as the circumstances of each FMLA-leave

 Copyright © 2008 Missouri Consultants for Education

request may permit. Under no circumstances shall the District's exercise of its discretion be interpreted or construed as a permanent waiver of the certification requirements, but such requirements shall remain in full force and effect unless and until the District specifically modifies or eliminates this Regulation.

G. INTERMITTENT OR REDUCED LEAVE

1. Birth or Placement - Leave taken under this policy for the birth of a child, the placement of a child for adoption or foster care, or to care for such child may be taken on an intermittent or reduced work schedule only with the approval of the Board of Education.

2. Non-Instructional Employees – FMLA leave, other than birth or placement of a child, may be taken on an intermittent or reduced-schedule basis when medically necessary. If an employee seeks leave on an intermittent or reduced-schedule basis, the employee must submit medical certification, as discussed above, and additional certification from a health care provider, that the intermittent or reduced-schedule leave is medically necessary.

- The District may require an employee taking intermittent or reduced-schedule leave to transfer temporarily to an alternative available position for which the employee is qualified or may modify the employee's current position to better accommodate the employee's recurring periods of leave.

- Whenever the need for the FMLA leave is reasonably foreseeable, the employee must make a reasonable effort to schedule the treatment so that it is not unduly disruptive to District operations.

3. Instructional Employees - Leave taken because of the employee or family member's serious health condition may be taken on an intermittent or reduced-schedule basis when medically necessary. If an employee seeks leave on an intermittent or reduced-schedule basis, the employee must submit medical certification, as discussed above, and additional certification from a health care provider that the intermittent or reduced-schedule leave is medically necessary.

If an instructional employee requests intermittent leave to care for a family member or the employee's own serious health condition that is foreseeable based on planned medical treatment, and the employee would be on leave for more than twenty (20) percent of the total number of working days over the period of the leave, the District may require the employee to:

1. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

2. Transfer temporarily to an available position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.

Copyright © 2008 Missouri Consultants for Education

The employee must make a reasonable effort to schedule the treatment so that it is not unduly disruptive to District operations.

H. INSURANCE PREMIUMS

During an employee's family or medical leave of absence, the District will continue to provide health, life, vision, and dental insurance coverage for employees who are eligible for insurance benefits. Voluntary deductions (employee contributions) for (dependent) insurance for health/life/vision/dental (and employee disability and/or supplemental life insurance) must be paid in full each month and received by the twenty-fifth (25th) day of the month. Payments are to be submitted to the insurance office. Failure to make payments in a timely manner while on FMLA leave may result in the loss of any and all insurance coverage provided by the District to its employees. Employees should contact the District administrator responsible for coordinating insurance benefits regarding specific arrangements for making the required payments.

I. JOB RESTORATION

Upon return from FMLA-qualifying leave in accordance with this Regulation, the employee will be returned to the same or an equivalent position with no loss in benefits that accrued prior to the leave of absence. An employee who does not return to work at the end of an authorized leave may be subject to termination.

If an employee fails to return to work after the termination of the leave period, the District may recover health insurance premiums paid under the group plan during the leave period, except in certain circumstances (e.g., continuing serious health condition of employee or family member needing care, or other circumstances beyond control of employee). The District may recover any other insurance premiums (e.g., premiums for supplemental life insurance or for dependent coverage), submitted on behalf of the employee, for which the District has not been reimbursed, either upon the employee's return to work or the employee's failure to return after unpaid family or medical leave has ended.

J. NOTIFICATION

1. District Notification Procedure – The District shall provide its employees with notice of their rights and responsibilities under the FMLA through use of the following Notices:

   a. **General Notice** – A poster summarizing the FMLA entitlements shall be placed in an area accessible for employees and shall also be provided to each employee in the employee handbook.

   b. **Eligibility Notice** – This Notice shall state whether the employee qualifies to take FMLA leave.

   c. **Rights and Responsibilities Notice** – This Notice, issued in conjunction with the Eligibility Notice, will specify if a certification will be required from the employee, identify if paid leave will run together with the FMLA leave, address

Copyright © 2008 Missouri Consultants for Education

the procedure for making health insurance payments, the consequences of failing to make timely payments, and the employee's liability for repayment of health insurance premiums if the employee fails to return to work at the expiration of their FMLA leave. Finally, this Notice will explain the employee's right to return to the same or an equivalent job at the expiration of their FMLA leave. Both the Eligibility and Rights and Responsibilities Notices will be provided to all employees within five business days of when the District becomes aware of a potential FMLA situation.

d. **Designation Notice** – Within five business days of the District's receipt of sufficient information from the employee to make a determination, the District shall provide the employee with the Designation Notice, which shall inform the employee if the leave shall be designated as FMLA leave. This Notice will designate the amount of leave counted against the employee's entitlement, specify if the FMLA leave will run concurrently with any accrued paid leave, and notify the employee if a fitness-for-duty exam will be required prior to returning to work.

2. Employee Notification Requirements – Absent unusual circumstances, all employees seeking FMLA leave must follow the District's customary call-in procedure for reporting absences. An employee who can reasonably foresee the need to take FMLA leave is required to notify the District of the date of commencement and the expected duration of the leave at least thirty days in advance of the leave, or if the need for the leave is not foreseeable, as soon as practicable. When the need for leave is foreseeable, an employee's failure to provide thirty days notice prior to taking leave may result in denial or delay of leave. An employee requesting leave under this policy should submit a completed application for leave form (forms available in the Superintendent's office) to the Superintendent/designee. An employee's failure to follow the District's call-in procedure is grounds for the delay or denial of the employee's FMLA leave request.

K. ADDITIONAL FMLA INFORMATION

The foregoing regulation represents compliance with the provisions of the Family and Medical Leave Act of 1993 and its revised regulations. Any employee desiring additional information or explanation of the rules and regulations of the Act, should review the District's General Notice Poster or arrange a conference with the Superintendent/designee.

Board Adopted December 19, 2013
Board Reviewed October 20, 2016
Board Reviewed September 16, 2021

Copyright © 2008 Missouri Consultants for Education

Professional Activities, Training and Professional Growth

Professional Development Program

The District supports professional development of its certified staff through the maintenance of a professional development committee as well as assistance programs for new teachers and resource programs for experienced teachers.

Professional Development Committee

The purpose of the committee is to identify instructional concerns and remedies; assist beginning teachers with the implementation of their professional development plan; serve as consultant at a personal teacher's request; arrange training programs for mentors; assess faculty needs; develop in-service opportunities for school staff; and provide District administration with suggestions, ideas and recommendations concerning instruction.

Committee Composition

Eligibility to serve on the committee will be restricted to certified employees with a minimum of five years of teaching and /or administrative experience. Members selected will serve for a staggered three (3) year term with one of the committee selected each of three years. New members will be selected by classroom teachers, librarians and counselors. New members will be selected on or by April 30 of the year preceding the member's term. Teaching will be completed by June 30 and membership will commence on July 1 of the new school year. Efforts will be made to insure that each attendance center is represented on the committee and that a cross-section of grade levels and disciplines are represented. Administrators may be selected to serve on the committee but will not participate in the selection process.

New Teacher Assistance Program

Each inexperienced teacher employed by the District will be assigned a mentor by the building principal. Mentors will be required to possess at least three (3) years of teaching experience and have received or be willing to complete mentor training. Mentors will work closely with their assigned new teachers during the teachers' first two (2) years upon request or at the direction of the building principal during the mentoring period.

New teachers, with the assistance of their mentors, will prepare professional development plans. The plans will be consistent with the evaluation criteria and will establish plans of development for the teachers' first two (2) years of teaching.

Local Business Externships for Professional Development

Local business externship means an experience in which a teacher supervised by the District gains practical experience in a business, located within the District, through observations and interactions with employers and employees who are working on issues related to subjects taught by the teacher. Any hours spent in a local business externship will count as contact hours for professional development.

Local Business Externships for Credit

Teacher externships are practical experiences in which a teacher, supervised by the District, gains experience at a business located in Missouri through observation and interaction with employers and employees. Requirements for teacher externships to be considered the equivalent to graduate level credit hours for salary schedule purposes will be developed by the Department of Economic Development and Department of Elementary and Secondary Education by July 1, 2020. Teachers who satisfied their state graduate credit equivalences will receive appropriate credit on the District's salary schedule. Unless reauthorized by the General Assembly, the teacher externship program will expire on September 2024.

*****

August 2019, Copyright © 2019 Missouri Consultants for Education, LLC

Board Adopted October 17, 2019
Board Reviewed October 21, 2021

PERSONNEL SERVICES **Regulation 4420**

Professional Activities, Training and Professional Growth

Conferences and Travel

The following guidelines are established for absence from assigned duties in order to attend workshops and conferences:

1. Requests will be submitted in sufficient time to the Superintendent/designee.

2. The District will only pay membership registration fees, with nonmembers being reimbursed only for member fees.

3. Normally, no more than two persons from each school will attend conferences, depending upon available funding.

4. For major conferences held locally (reading, math, curriculum and instruction, etc.), normally only two (2) days of release time should be approved in order to permit attendance by as many teachers as possible.

5. The equitable allocation of travel funds to schools and offices will be the responsibility of the Superintendent/designee.

6. Conference requests need to have an invitation or pamphlet attached for verification of activity and a brief rationale for the request.

7. Conference attendees will not be paid unless a "report of conference" and verification of expenses are submitted.

8. Request to attend professional conferences in order to sell items or to man booths for professional organizations will not be approved.

All administrators who process conference and workshop requests shall inform their personnel of these guidelines prior to making any recommendation and forwarding the request.

Board Adopted September 2005
Board Reviewed January 19, 2012
Board Reviewed November 17, 2016
Board Reviewed October 21, 2021

Professional Activities, Training and Professional Growth

Mentoring

District mentoring guidelines are as follows:

I. The mentor will introduce and help to integrate the mentee into the culture of the school, the district, and the community by:

a. Instructing the mentee on the District's policies, procedures, CSIP, and goals.
b. Communicating the social environment of the surrounding community.
c. Familiarizing the mentee with local, district, and national organizations that are active within the school environment.
d. Discussing any classroom issue the mentee may have; such as how the school handles race, gender, or disability issues.
e. Providing ongoing assistance with data analysis, assessments procedures/practices.
f. Discussing any district initiatives or parental concerns the mentee would find helpful to know about.
g. If necessary, explaining district acronyms.

II. The mentoring program will provide a systematic and ongoing program review/evaluation by all stakeholders:

a. The program will identify all stakeholders.
b. The program will identify desired mentoring outcomes, timelines for those outcomes, and how the desired outcomes will be measured.
c. The program will include a systematic and continuous system for gathering feedback on the mentoring program from mentors, mentees and administrators. (One possible method of gathering data would be through pre and post surveys of mentors and mentees, etc.).
d. The program will be based on a foundation of best teaching and student learning practices.
e. The program will require independent/anonymous exit interviews, so clear reasons for staff departure can be determined.
f. The program will be supported by central office and school board trend data.
g. The program will be included in broader Professional Development program evaluations.

Copyright © 2014 Missouri Consultants for Education

III. The mentoring program will include an individualized plan for beginning educators that aligns with the district's goals and needs and:

a. The individualized plan will be aligned with the District's Teacher/Educator Evaluation standards.
b. The individualized plan will be a systematic and concise mentoring and professional development plan that prioritizes the immediate and future needs of the new educator.
c. The individualized plan will align with all the district's CSIP and certification requirements.
d. The individualized plan will establish outcomes for new educators.
e. The individualized plan will be an extension or part of a professional development plan that may have begun during student teaching/internship or culminating project in college.
f. The individualized plan will establish classroom or on the job observations that are guided by and contain a checklist of best practices observed by the mentor.
g. The individualized plan will encourage structured experiences and expectations for all new educators.

IV. The mentoring program will have appropriate criteria for selecting the mentors that will operate within the program:

a. The mentor will have a minimum of three years of teaching experience.
b. The mentor will be committed to optimizing student learning.
c. The mentor will show enthusiasm and a commitment to the education profession.
d. The mentor will have a commitment to self-growth and a commitment to the growth of any future mentee.
e. The mentor will hold the same or similar position in respects to the grade and subject area of the mentee.
f. The mentor/mentee will have the ability to use mechanisms that will be in place to end the pairing if either the mentor or mentee is not satisfied.
g. The mentor will have an understanding of both broad educational issues and specific teaching/learning issues.
h. The mentor will have a strong understanding of pedagogy, instructional expertise and relevant administrative issues.
i. The mentor will be made available, through release time or some other mechanisms, to mentor their assigned mentee.
j. The mentor will be assigned by the building principals with input from the grade level or department level chair person.

Copyright © 2014 Missouri Consultants for Education

k. The mentor shall be supported in time and effort by the administration and the school board.

V. The mentor program will provide comprehensive mentor training to all mentors:

a. The mentor training program will teach the prospective mentors that the mentoring process is not an evaluation and that confidentiality is required between mentor and mentee (unless it is a situation involving child endangerment).
b. The mentor training program will include cognitive coaching and collaborative training skills.
c. The mentor training program will include observation and feedback on the training and skills of the mentors.
d. The mentor training program will provide the mentors with an awareness of the phases of first-year educators (stress, depression, etc.).
e. The mentor training program will provide mentors with a catalogue of the resources that are available to beginning educators.
f. The mentor training program will teach mentors the need to recognize the need for knowledge and strategies in regards to classroom management.
g. The mentor training program will provide for formation of mentoring consortia.
h. The mentor training program will teach mentors to focus on exemplary teaching and assessment practices.
i. The mentor training program will teach mentors to build working strategies that encourage problem solving and independent thinking.
j. The mentor training program will teach mentors the importance of student assessments and how these assessments may be utilized to guide future classroom instruction.
k. The mentor training program will instruct the mentors on the importance of including a self-assessment that identifies whether mentoring is meeting both the mentor's and the mentee's expectations.
l. The mentor training program will stress the importance of student learning.

Copyright © 2014 Missouri Consultants for Education

VI. During the mentoring program mentors will be given sufficient time to observe the beginning educators and for the beginning educators to observe master educators. The times of the observations should be structured in a way that limits that amount of time a substitute teacher is required while still allowing multiple opportunities for the observations. These results may be achieved by:

a. Aligning class schedules and planning periods in a way that allows for the completion of mentoring duties.
b. Utilizing state and local professional development funds, career ladder, or stipends to support the mentor's additional duties.
c. Providing release time for at least three observations and meetings between the mentor and the mentee.
d. Encouraging colleges to support mentors and mentees, using online classes, having personal visits and/or using a beginning educators' assistance program.

Mentor Assignments/Program Delivery

Mentors will be allowed a sufficient amount of time to observe the teaching of the mentee. These observations should be accomplished via release time and schedule coordination. Additionally, when executing the mentoring program the following elements should be met:

1. That every new educator participates in a mentoring program approved and provided by the district for a minimum of two years.
2. That the program should provide the new educator with an introduction to District students, community, district, school, and classroom in a way that is systematic, ongoing and individualized.
3. The program will have classrooms visits with pre and post conferences and allow time for mentor/mentee activities and meetings.

Program Accountability

All mentor programs will have systematic and ongoing program review and evaluation by all stakeholders that identifies mentoring outcomes and their measurements, gathers feedback from stakeholders, and includes anonymous exit interviews.

Board adopted November 17, 2016
Board Reviewed October 21, 2021

Copyright © 2014 Missouri Consultants for Education

PERSONNEL SERVICES **Regulation 4540**

Compensation

Group Insurance Benefits

The insurance program for all school personnel who are eligible shall be determined by the annual school budget as first approved by the Board of Education.

There may be years in which the amount determined by the Board to be set aside for personnel insurance benefit will not equal the total amount required by the coverage carrier. The employee must pay the difference or elect not to participate in the program; election not to participate must be approved by the Board.

If the employee elects not to take the Board benefit, the Board is not obligated to reimburse the employee an equal amount of the benefit not taken.

The final date for notification of participation in the health benefit by the employee is the date set by the insurance company.

Group insurance benefits are made available to full-time personnel, as defined by the District and/or the insurance provider.

Board Adopted November 2003
Board Reviewed February 16, 2012
Board Reviewed January 19, 2017
Board Reviewed November 17, 2021

PERSONNEL SERVICES **Regulation 4710**

Separation

Resignation: Certificated Staff

The professional contract is not a simple statement of intent: it is a legally binding contract between the certificated employee and the Worth County R-III School District. The Board feels that, like signing any legal contract, it should not be done lightly or without deep consideration. Once signed, the only way a teacher or administrator can be released from a contract legally is through the action of the Board. All contracts will be governed by the conditions set forth by the Missouri Teacher Tenure Act.

After a member of the professional staff has signed a contract with the school district, resignation from that contract will be accepted only if a suitable replacement can be found. Due to the additional time and expense of replacing a late resignation, if the board releases the member from a contract the following fees will be assessed:

For the **superintendent**:

1. From date of contract to March 1: 1% of current contracted salary

2. From date of March 2 to April 1: 2% of current contracted salary

3. From date of April 2 to May 1: 2.5% of current contracted salary

4. From date of May 2 to July 1: 3% of current contracted salary

For the **principal**:

1. From date of contract to April 1: 1% of current contracted salary

2. From date of April 2 to May 1: 2% of current contracted salary

3. From date of May 2 to July 1: 3% of current contracted salary

For **teachers:**

1. From date of contract to May 1: non-tenure: 1% of current contracted salary

2. From date of May 2 to May 31 for non-tenure: 2% of current contracted salary

3. From date of June 1 to July 1 all teachers: 3% of current contracted salary

For **all certificated personnel:**

1. From date of July 1 to July 15: 5% of current contracted salary
2. From date of July 15 to July 31: 6% of current contracted salary
3. From date of August 1 to August 15: 8% of current contracted salary
4. After first contract day: 10% of current contracted salary

Payment must be made or a payment schedule arranged before the resignation will be accepted by the Board of Education. If the request is made due to illness, transfer of spouse, military service or other unique situations, the board will give individual consideration.

Board Reviewed January 20, 2022

PERSONNEL SERVICES **Regulation 4730**
(Form 4730)

Separation

Nonrenewal/Termination: Probationary Teacher

Pursuant to section 168.126.2, RSMo. (Supp. 1992), the Board of Education may choose to non-renew a probationary teacher's contract for the coming school year or may choose to terminate a probationary teacher's employment during the term of a contract in accordance with the following procedures:

Nonrenewal

1. On or before the 15th day of April in each school year, the Board will notify in writing each probationary teacher whose contract will be nonrenewed for the next school year.

2. A probationary teacher is not entitled to a warning, a probationary period, notice of charges, nor a hearing prior to the Board's decision to nonrenew the contract of a probationary teacher.

3. A probationary teacher whose contract is nonrenewed may request a concise statement of the reasons for the Board's decision.

4. The District will issue a notice to the teacher if the reason for nonrenewal is due to a decrease in pupil enrollment, District reorganization or the financial condition of the District.

Termination of Employment During the Term of a Contract

1. If, in the opinion of the Board of Education, a probationary teacher is performing his/her professional duties in an incompetent or insubordinate manner, the Board/Superintendent will provide the teacher with a written statement setting out the deficiencies in the probationary teacher's performance and will provide the teacher with a ninety- (90) day probationary period within which to resolve the deficiencies.

2. If improvement, satisfactory to the Board, has not been made during the ninety- (90) day probationary period, the Board may terminate the employment of a probationary teacher. Prior to consideration of termination, the Board/Superintendent will provide the probationary teacher with a written Statement of Charges and Notice of Hearing. Upon request, the Board will conduct a due process hearing to consider termination.

3. The Board may also terminate a probationary teacher's contract during the term of a contract for statutory causes as listed in Policy 4730.

Board Adopted December 2004
Board Reviewed April 19, 2012
Board Reviewed March 16, 2017
Board Reviewed February 17, 2022

PERSONNEL SERVICES **Regulation 4731**
(Form 4731)

Separation

Termination of Contract: Permanent Teacher

Pursuant to state statute, the Board of Education may terminate the contract of a permanent teacher at anytime during the teacher's employment in accordance with the following procedures:

Termination for Incompetence, Insubordination and Inefficiency

1. Permanent teachers considered for possible termination for incompetence, insubordination, and inefficiency will be provided with a notice of performance deficiencies and an opportunity to resolve the noted deficiencies. The notice of deficiencies will advise the teachers of the specific performance concerns, which if not resolved may result in dismissal charges being filed. At the time the notice of deficiency is issued, a District administrator will be appointed to work with the teacher to assist in remediation.

2. The period of remediation will extend for a period of not less than thirty (30) days. In individual cases the period of remediation may be set for a period of time in excess of thirty (30) days. However, even where the remediation period is set for longer than thirty (30) days, if satisfactory improvement is not made, the remediation period may be terminated at any time after expiration of thirty (30) days. A meeting will be conducted between the teacher and designated administrator at the beginning of the period of remediation. The purpose of this meeting will be to review the notice of deficiency and to discuss the procedures to be utilized during the remediation period.

3. If any of the previously noted deficiencies have not been resolved by the end of the period of remediation, the Board or the Superintendent may authorize issuance of a Statement of Charges and a Notice of Hearing. The Statement of Charges will list the incidences of deficient performance that occurred during the period of remediation. The Notice of Hearing will advise the teacher of the proposed date of hearing. However, if the teacher does not request a hearing, the Board may vote to terminate the teacher's contract without a hearing. If requested by the teacher, a hearing before the Board will be held no sooner than twenty (20) days nor later than thirty (30) days after receipt of the Statement of Charges.

Termination for the Remaining Statutory Causes

1. In cases other than incompetence, insubordination or inefficiency, there will be no notice of deficiencies and no period of remediation. These procedures are not followed due to the gravity of the charges.

2. The dismissal process for cause under this subsection is initiated by a Statement of Charges and a Notice of Hearing. The Statement of Charges will provide the teacher with the alleged acts of misconduct which, if proven, may result in termination. The Notice of Hearing will advise the teacher of the proposed date of hearing. However, if the teacher does not request a hearing, the Board may vote to terminate the teacher's contract without a hearing. If requested by the teacher, a hearing will be held no sooner than twenty (20) days nor later than thirty (30) days after receipt of the Statement of Charges.

Board Adopted December 2005
Board Reviewed April 19, 2012
Board Reviewed March 16, 2017
Board Reviewed February 17, 2022

PERSONNEL SERVICES **Regulation 4732**

Separation

Termination of Employment: Administrators

Contracts for administrators under this policy and regulation may be nonrenewed for any lawful reason. Administrators will be notified on or by April 15 of the Board's intention to reemploy them in their present positions, another position or to nonrenew their employment. On or by May 15, the Board will provide each returning administrator with a written contract. Administrators will have ten (10) calendar days from receipt of the offered contract to accept or reject the contract. Failure to respond in a timely manner will be considered a rejection of the Board's offer.

Non-Renewal Process

Administrators who have been reemployed by the Board as a District administrator five (5) times or more are entitled to certain due process procedures. Within ten (10) calendar days of receipt of notification of nonrenewal or reassignment, eligible administrators have ten (10) calendar days within which to request in writing a statement of reasons for the Board's action. The Board will respond in writing within ten (10) days of receipt of the administrator's request. The administrator will then have ten (10) calendar days to submit a written request for a Board hearing. The hearing will then be held within ten (10) calendar days of the receipt of the request for a hearing. The purpose of the hearing is to provide the administrator with the opportunity to convince the Board to reconsider their decision.

Administrators who have been reemployed as a District administrator less than five times are entitled only to notice of nonrenewal or reassignment by April 15.

Reduction in Force

Administrators are subject to reduction in their administrative positions at any time. The procedures for such reductions are the same as for probationary teachers. (Refer to Regulation 4740 - Reduction in Force: Certificated Staff.)

Board Approved November 2003
Board Reviewed April 19, 2012
Board Reviewed March 16, 2017
Board Reviewed February 17, 2022

Separation

Reduction In Force: Certificated Staff

Procedures

1. The Board and the Superintendent acting to maintain the highest quality education program will determine which positions need to be reduced or eliminated. In making this decision, the focus will be on the position and not upon the person filling the position.

2. Once it has been determined which positions are to be reduced or eliminated, the identity of the teacher to be placed on involuntary leave of absence will be decided. In identifying teachers, the following rules will be applied:

    a. Probationary teachers will be the first teachers to be placed on leave within each area of specialization to be reduced. The selection of a specific probationary teacher will be made in the best interests of the instructional program.

    b. If no probationary teachers, or an insufficient number of probationary teachers, are employed in the area to be reduced, permanent teachers will be considered for placement on involuntary leave. Permanent teachers will be selected on the basis of performance-based evaluations and seniority. However, seniority will not be controlling unless the performance-based evaluations are equal. In comparing the performance-based evaluations of permanent teachers, each teacher's three most recent summative evaluations will be considered.

    c. In no case will a permanent teacher be placed on a leave of absence while probationary teachers are retained in positions for which the permanent teacher is qualified.

Reinstatement

1. Permanent teachers will be recalled in the inverse order of their placement on leave of absence - the last laid off, first recalled.

2. The District will not employ new teachers while there are District teachers on leave under this regulation who are properly qualified to fill such positions.

3. Probationary teachers will be recalled in the order best determined by the Board based upon the instructional needs of the students.

4. Failure to report to duty on the reinstatement date, without Board approval, will constitute a breach of contract and will terminate the employment of the teacher.

5. Leaves of absence under this regulation will continue for a period of up to three (3) years unless extended by the Board. If a teacher has not been recalled during this period, the teacher's employment will automatically terminate.

Additional Consideration

1. The tenure status of teachers placed on leave under this regulation will not be impaired because of such leave.

2. Teachers placed on leave under this regulation may engage in teaching or another occupation during such leave.

Due Process

1. Permanent teachers will be given a written statement of the reasons for the selection for involuntary leave under this regulation.

2. Upon request, the permanent teacher will also be provided with the following:

    a. Description of the procedure used to implement the reduction in force.

    b. The information relied upon by the Board and the administration in making reduction- in-force decisions.

3. Permanent teachers, upon written request, will also be provided with an opportunity to appear before the Board and to convince the Board that they were erroneously selected for involuntary leave under this regulation.

Board Adopted January 1998
Board Reviewed April 19, 2012
Board Reviewed March 16, 2017
Board Reviewed February 17, 2022

PERSONNEL SERVICES **Regulation 4741**

Separation

Reduction in Force: Support Staff

1. Support staff placed on unrequested leave of absence because of a reduction in force (RIF) shall receive consideration for other District jobs for which they qualify. The unrequested leave of absence shall extend for a period of one (1) year.

2. Each support person while on unrequested leave shall keep the Personnel Office informed, in writing, of his/her current address and telephone number.

3. During the leave period the employee shall retain his/her seniority and accumulated sick leave for consideration and use upon recall.

Board Adopted January 1998
Board Reviewed April 19, 2012
Board Reviewed April 20, 2017
Board Reviewed February 17, 2022

PERSONNEL SERVICES **Regulation 4810**
(Form 4810)

Staff Welfare

Sexual Harassment/Title IX

The Board of Education is committed to maintaining a work environment for its employees that is free from sexual harassment. Furthermore, the Board of Education strongly believes that no person in the School District shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity.

DEFINITION OF SEXUAL HARASSMENT

In Employment

Sexual harassment in employment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of sexual nature when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment.

2. Submission to or rejection of such conduct by an individual is the basis for employment decisions affecting that individual.

3. Such conduct creates an intimidating, hostile, or offensive work environment.

4. Qualified employees are denied employment opportunities or benefits because the opportunities or benefits are given to another employee who submitted to an employer's sexual advances or requests for sexual favors.

Under Title IX (applies to students and employees)

Title IX forbids discrimination on the basis of sex in any educational program or activity that receives federal funds. This includes a prohibition on sexual harassment. The Office for Civil Rights of the U.S. Department of Education defines sexual harassment under Title IX as follows: "Verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient that denies, limits, provides different, or conditions the provisions of aid, benefits, services or treatment protected under Title IX."

Sexual harassment under Title IX includes, but is not limited to, unwelcome[1] sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

[1] Sexual harassment of students by adults who otherwise come within this Policy is absolutely prohibited regardless of whether the conduct is "welcome."

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's academic status or progress, or employment.

2. Submission to or rejection of such conduct by an individual is the basis for educational or employment decisions affecting that individual.

3. Such conduct creates an intimidating, hostile, or offensive educational or work environment.

4. Qualified students or employees are denied educational or employment opportunities or benefits because the opportunities or benefits are given to another student or employee who submitted to sexual advances or requests for sexual favors.

EXAMPLES OF SEXUAL HARASSMENT

Unwelcome Sexual Advances

Whether the advance is "unwelcome" is determined on a case-by-case basis. Unwelcome advances may include, but are not limited to, the following:

1. Any invitation (even subtle) intended to result in a sexual liaison.

2. Invitations to dinner or social events, when refusal results in the loss of a promotion or in other adverse employment action.

3. Propositioning an employee.

Unwelcome Verbal Conduct of a Sexual Nature

This may include, but is not limited to, the following:

1. Sexually provocative or explicit speech.

2. Publicly expressed sexual fantasies.

3. Jokes of a sexual or crude nature.

4. Derogatory comments directed to males or females as a class (language directed toward a specific employee is more likely to be viewed as sexual harassment).

5. Demeaning comments.

6. Threats for not agreeing to submit to sexual advances.

7. Writing sexually explicit memos.

Unwelcome Physical Conduct of a Sexual Nature

This may include, but is not limited to, the following:

1. Grabbing or twisting an individual's arm.

2. Any unwarranted touching.

3. Sexually offensive pranks.

4. Drawing sexually explicit cartoons, other drawings, or graffiti.

5. Gestures indicating sexual behavior.

6. Suggestive winks.

7. Kissing.

Conduct Toward Students

In addition to the foregoing examples, students may experience harassment that is unique to their situation, some of which may not be immediately recognized as sexual harassment, but which may support a potential claim against the District and/or its employees if not remedied. Such harassment may include, but is not limited to, the following:

1. Unwanted sexual behavior, such as touching, oral comments, sexual name calling, spreading sexual rumors, jokes, pictures, leers, overly personal conversation, cornering or blocking a student's movement, pulling at clothes, students "making out" on school premises.

2. A student in a predominantly single-gender class who is subjected to sexual remarks by a teacher or students who regard the comments as joking and part of the usual class environment.

3. Interfering with a student's achievement in a predominantly or historically single-gender class by hiding tools or equipment, questioning the student's ability to handle the work, or suggesting that the student is "abnormal" for enrolling in the class.

4. Purposefully limiting or denying students access to educational resources because of their gender.

5. Teasing a student about the student's enrollment in a predominantly or historically single-gender class.

Nature of Sexual Harassment

Sexual harassment is not limited to conduct by males toward females. Sexual harassment may occur between any or all of the following:

1. Student to student.

2. Staff to student.

3. Student to staff.

4. Male to male.

5. Female to female.

6. Male to female.

7. Female to male.

INVESTIGATION OF SEXUAL HARASSMENT COMPLAINTS

Complaints Involving Employees

1. If an employee believes that he/she is being sexually harassed, the employee is encouraged to bring the concern to the attention of the employee's supervisor.

2. If the employee feels that such contact with the supervisor would be inappropriate, if the situation is not satisfactorily resolved by the supervisor, or if the employee simply feels more comfortable speaking with someone other than the supervisor, the employee should contact the Title IX compliance coordinator for the School District.

3. If neither the employee's supervisor nor the Title IX compliance coordinator is of the same sex as the employee, or the employee for any other reason would prefer to report the employee's concern to another supervisor/administrator within the District, the

employee may do so. However, it is essential that the report be made to someone with the authority and obligation to act upon the concern.

4. Any supervisor/administrator who receives a report, orally or in writing, from any employee regarding sexual harassment of that employee by another employee, non-employee doing business with the District, or student must notify the Title IX compliance officer within twenty-four (24) hours or within a reasonable time thereafter.

5. Oral complaints of sexual harassment will be put in writing by the complainant or by the person who receives the complaint, and should be signed by the complainant. However, the complainant's refusal to sign a complaint does not relieve the District of the obligation to investigate the complaint.

6. An employee who believes that he/she has been subjected to sexual harassment shall not be required to confront the alleged harasser prior to making the report.

7. Following receipt of the report, District personnel will promptly and fully investigate the complaint and will notify the employee and the alleged harasser of the results of the investigation. Investigations will be conducted with full recognition of the rights of all parties involved.

8. Upon receipt of the report, the Title 1X officer will appoint an investigator to investigate the complaint. The investigation shall commence within forty-eight (48) hours after such appointment.

9. The District will maintain the confidentiality of the complaint and the details of the investigation to the fullest extent possible.

10. The investigator will put his/her findings in writing and will forward a copy to the Title IX compliance officer within one (1) week after concluding the investigation, or within a reasonable extension of time thereafter, for good cause shown.

11. If the investigation substantiates the complaint, the District will take appropriate disciplinary action against the offender(s), commensurate to the severity of the harassment (up to and including termination of employment). If the offender is a student, disciplinary action will be taken in accordance with Board established Policy 2610. If the offender is not an employee of the District, the District will take appropriate action within the scope of its authority to eliminate and redress the harassment.

12. If the investigation is indeterminate, the matter will be designated as unresolved, and the investigation file will be maintained by the Title IX compliance officer in a file separate

and apart from any student or personnel file.

13. There will be no retaliation against or adverse treatment of any employee who uses this procedure to resolve a concern when such complaint has been brought in the good faith belief that the complainant has been subjected to sexual harassment.

14. The responsible administrator shall follow up regularly with the complaining employee to ensure that the harassment has stopped and that no retaliation has occurred.

ENFORCEMENT

Employees

Each supervisor and administrator is responsible for maintaining an educational and work environment free from sexual harassment. In accordance with that responsibility, each site manager, or his/her designee, shall take appropriate actions to enforce the School District's sexual harassment policy, including but not limited to the following:

1. The supervisor/administrator shall provide an inservice training regarding sexual harassment to all staff by the end of the first full calendar week of each school year.

2. The supervisor/administrator shall provide a copy of the policy to all new employees of the District prior to the commencement of the employee's duties.

3. The supervisor/administrator shall further instruct employees regarding the procedures for reporting sexual harassment in the educational setting on an as-needed basis.

4. The supervisor/administrator shall take prompt action to investigate all complaints of sexual harassment.

5. The supervisor/administrator shall take appropriate disciplinary action, as necessary.

Students

Each building administrator is responsible for maintaining an educational and work environment free from sexual harassment. In accordance with that responsibility, each building administrator, or his/her designee, shall take appropriate actions to enforce the School District's sexual harassment policy, including but not limited to the following:

1. All vulgar or sexually offensive graffiti shall be removed from the premises.

2. The building administrator shall provide an inservice training regarding sexual harassment (including sexual harassment involving students) to all staff by the end of the first full calendar week of school.

3. Student instruction regarding sexual harassment shall be provided annually by the end of September to all students in grades six through twelve. Age appropriate instruction will also be presented to pre-kindergarten through fifth grade students.

4. All homeroom teachers shall discuss this policy with their students within one month after its adoption by the Board and during the first week of the school year thereafter. Written copies of the policy shall be given to each student in grades six through twelve (and in lower grades as may be appropriate) as part of these discussions. Discussion shall be conducted in an age appropriate manner and should assure students they need not tolerate any form of sexual harassment.

5. All teachers, counselors, and administrators shall instruct students on the procedures for reporting sexual harassment within the educational setting on an as needed basis.

6. The building administrator shall take prompt action to investigate all complaints of sexual harassment.

7. The building administrator shall take appropriate disciplinary action, as needed.

NOTIFICATIONS

A copy of the School District's sexual harassment policy shall:

1. Be displayed in a prominent location at each work site.

2. Be provided to each current employee, and to each new employee prior to commencement of their duties.

3. Appear in any School District newsletter or work site publication that sets forth the School District's comprehensive rules, regulations, procedures, and standards of conduct for employees.

The District's Title IX compliance officer will be available to answer all questions regarding this policy or its implementation.

DISCIPLINE/CONSEQUENCES

Complaints Involving Employees

1. Any employee who engages in the sexual harassment of anyone while on school property, or while in the employ of the District off school property will be subject to disciplinary action, up to and including dismissal.

2. Any employee who permits or engages in the sexual harassment of a student will be subject to disciplinary action up to and including dismissal.

3. Any employee who receives a complaint of sexual harassment from a student and who does not act promptly to forward that complaint to the principal and the District's Title IX coordinator shall be disciplined appropriately.

4. Any employee who retaliates, or engages in conduct that could be interpreted as retaliation, against any person who has made a complaint of sexual harassment or who has participated in the investigation of a complaint of sexual harassment will be subject to discipline, up to and including dismissal.

5. Any nonemployee doing business with the District who engages in sexual harassment, or who retaliates against any person who has made a complaint of sexual harassment or who has participated in the investigation of a complaint of sexual harassment, will be subject to discipline to the extent that the District has control over the nonemployee and his/her employer.

6. Any employee who brings a false charge of sexual harassment shall receive appropriate discipline. The term "false charge" means a charge brought in bad faith, that is, without the good faith belief that one has been subjected to sexual harassment. The term "false charge" does not include a charge that was brought in good faith, but which the District was unable to substantiate.

Complaints Involving Students

1. Any student who engages in the sexual harassment while on school property or while participating in school activities, will be subject to disciplinary action, up to and including expulsion.

2. Any employee who permits or engages in the sexual harassment of a student will be subject to disciplinary action, up to and including dismissal.

3. Any employee who receives a complaint of sexual harassment from a student and who does not act promptly to forward that complaint to the principal and the District's Title IX coordinator, shall be disciplined appropriately.

4. Any student who brings a false charge of sexual harassment shall receive appropriate discipline. The term "false charge" means charges brought in bad faith, that is, without the good faith belief that one has been subjected to sexual harassment. The term "false charge" does not include a charge that was brought in good faith, but which the District was unable to substantiate.

TITLE IX GRIEVANCE PROCEDURE
(Sexual Harassment)

Level 1: **Principal or Immediate Supervisor** (Informal and optional-may be bypassed by grievant)

Many problems can be solved by an informal meeting with the parties and the principal or coordinator. A student who believes that he/she has been subjected to sexual harassment is encouraged to first discuss it with the teacher, counselor, or building administrator involved with the objective of resolving the matter promptly and informally. Employees with a sexual harassment complaint are encouraged to first discuss it with their principal or immediate supervisor with the same objective. If the individual's teacher/supervisor is the person alleged to have engaged in sexual harassment, the grievant should skip Level 1 and go directly to Level 2.

Level 2: Title IX Coordinator

If the complaint or issue is not resolved at Level 1 or if the grievant chooses to skip Level 1, the grievant may file a signed, written grievance stating: 1) the nature of the grievance; 2) the remedy requested; and 3) the date the grievance was submitted. The Level 2 written grievance should be filed with the Title IX Coordinator within fifteen (15) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

The Coordinator has authority to investigate all written grievances. If possible, the Coordinator will resolve the grievance. If the parties cannot agree on a resolution, the Coordinator will prepare a written report of the investigation which shall include the following:

1. A clear statement of the allegations of the grievance and remedy sought by the grievant.

2. A statement of the facts as contended by each of the parties.

3. A statement of the facts as found by the Coordinator and identification of evidence to support each fact.

4. A list of all witnesses interviewed and documents reviewed during the investigation.

5. A narrative describing attempts to resolve the grievance.

6. The Coordinator's conclusion as to whether the allegations in the grievance are meritorious.

If the Coordinator believes the grievance is valid, the Coordinator will recommend appropriate action to the Superintendent.

The Coordinator will complete the investigation and file the report with the Superintendent within fifteen (15) days after receipt of the written grievance. The Coordinator will send a copy of the report to the grievant.

If the Superintendent agrees with the recommendation of the Coordinator, the recommendations will be implemented.

The Coordinator and Superintendent may appoint an outside investigator once a written grievance is filed if the Coordinator or Superintendent is the alleged violator.

Level 3: The Board of Education

If the Superintendent rejects the recommendations of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within ten (10) days of receiving the report of the Coordinator to the Board of Education. On receipt of the written appeal, the matter shall be placed on the agenda of the Board of Education for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board of Education will be final.

Other Options for Grievant

At any time during this process, a grievant may file a complaint with the Missouri Human Rights Commission or with the U.S. Department of Education, Office for Civil Rights.

Board Adopted July 11, 2005
Board Reviewed May 24, 2012
Board Reviewed April 20, 2017

PERSONNEL SERVICES **Regulation 4820**

Staff Welfare

Employees with Communicable Diseases

If an employee has, or has been exposed to, an infectious or contagious disease or is reasonably believed to have an infectious or contagious disease the following guidelines apply:

1. The employee may be required to undergo a medical examination at District's cost by a physician of the District's choosing.

2. While a determination is made concerning the status of an employee, that employee may be placed on a paid leave of absence. Except in unusual circumstances such leaves will not exceed ten (10) days.

3. If the employee is determined to be infectious or contagious, he/she will be required to take such leave as provided by Board policy until it is medically determined that the employee is no longer able to transmit the disease.

4. Where a question exists concerning an employee's status, an individual assessment of the employee will be completed by a review team comprised of the employee's physician, a school nurse, a physician selected by the District, a county health official, the Superintendent and the employee's supervisor. Other individuals may be included, as is reasonably necessary and as designated by the Superintendent.

5. The review team will consider all available medical evidence and will determine the employee's medical condition, the employee's ability to return to work and whether the employee's infectious status requires any restrictions on the employee's work assignment. Normally the team will be convened within seventy-two (72) hours of notice of the employee's contagious status. The employee's status will be reviewed thereafter as appropriate.

6. The written determination of the review team is subject to an appeal to the Board of Education where determination shall be final.

Board Adopted January 1998
Board Reviewed May 24, 2012
Board Reviewed April 20, 2017

PERSONNEL SERVICES **Regulation 4830**

Staff Welfare

Board/Staff Communications

Staff Communications to the Board

Communication to the Board from District employees concerning personnel matters or personal complaints shall be filed in writing with the Superintendent. However, this procedure will not be construed as denying the right of any employee to appeal to the Board (regarding alleged misapplication of policy or administrative decisions) provided that the Superintendent shall have been notified of the forthcoming appeal and that it is processed in accordance with Board policies and regulations on staff complaints and grievances. Moreover, this policy will not be construed to preclude resident staff members from exercising their rights to discuss matters of public concern in the same manner as other District residents.

All regular meetings of the Board are open for the public to attend. As such, they provide an excellent opportunity to observe the Board's deliberations on problems of staff concern. Staff members may participate in Board meetings in accordance with the policies and regulations regarding public participation at such meetings. Further, at times and with the knowledge of the Superintendent, the Board may invite staff members to speak at Board meetings or to serve on advisory committees to the Board.

Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent, and the Superintendent will employ such media as are appropriate to keep the staff fully informed of the Board's concerns and actions.

Board Adopted April 2001
Board Reviewed May 24, 2012
Board Reviewed April 20, 2017

PERSONNEL SERVICES **Regulation 4831**

Staff Welfare

Collective Bargaining

Definitions

Bargaining Unit - A unit of public employees employed by the District that establishes a clear and identifiable "Community of Interest" among District employees.

Board - The State Board of Mediation established by state law.

Department - The Department of Labor and Industrial Relations established by state law.

Exclusive Bargaining Representative - An organization that has been designated or selected by a majority of the District employees in a bargaining unit as the representative of such employees for purposes of collective bargaining.

Labor Organizations - Any organization , agency or public employee representation committee or plan, in which District employees participate and that exists for the purpose, in whole or in part, of dealing with the District concerning collective bargaining, grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

Public Body - For purposes of state law, the District is a public body.

Public Employee - Any person employed by the District.

Supervisory Employee – *S*hall mean any employee with supervisory status, managerial status, confidential status, or any other status that would be a conflict of interest in the event of collective bargaining.

Union Selection

A labor organization may only be authorized by an election conducted by the State Board of Mediation. The District is prohibited by law from voluntarily recognizing any labor organization as a representative of any group of District employees.

An election to determine the status of a union as the collective bargaining representative of any group of District employees will be held when the State Board of Mediation is presented with employees' signed cards showing at least 30% of the proposed bargaining unit indicating they wish to select the labor organization in question as their exclusive bargaining representative for collective bargaining.

If more than 50% of District employees within the proposed bargaining unit vote for union representation then such labor organization will be designated as the employee's collective bargaining representative. The election to determine majority status will be conducted on District premises on a mutually agreeable date by a secret ballot or by mail-in ballot. The election will take place no less than four (4) weeks or no more than eight (8) weeks after the date the Board of Mediation determines the appropriate bargaining agent and resolves all bargaining unit issues.

District Employees have the right to freely express their opinions about whether the organization should be chosen as the exclusive bargaining unit. However, no employee or representative of a labor organization and no representative of the District may attempt to threaten, intimidate, coerce or otherwise restrain eligible voters in the free exercise of their choice to support or oppose to the selection of the labor organization in question as their exclusive bargaining representative.

Elections

Elections will be conducted by a secret ballot utilizing Board of Mediation procedures to ensure the privacy and secrecy of each vote. The ballot will read,

> "Do you wish to select [labor organization] as the exclusive bargaining representative for [bargaining unit] employed within the District"

The ballots will include check boxes for marking "yes" or "no". If more than one labor organization seeks to represent the employees in the bargaining unit and has signed cards in excess of 30%, each union will be listed on the ballot along with the option of "no labor organization."

Once the poll is closed, the Board of Mediation will supervise counting of the ballots. Any labor organization receiving more than 50% of all employees in the bargaining unit will be designated and recognized by the District as the exclusive bargaining representative for all District employees in the bargaining unit.

Supervisory employees will not be included in the bargaining unit that they supervise. Supervisory and non-supervisory employees will not be included in the same bargaining unit. No more than one election in a bargaining unit will take place during a twelve month period.

District employees within the bargaining until shall have the right to seek decertification of the labor or organization as their exclusive bargaining representative at any time by obtaining signed cards by 30% of the employees within the unit stating that they no longer wish to be represented by the labor organization. An election will then be conducted in the same manner as set for certification in the *Election* Section of this Regulation.

Existing Bargaining Units

All labor organizations that have previously been certified shall be recertified during the twelve (12) month period beginning on August 28, 2018. However, any labor organization that has a labor agreement that expires after August 28, 2020 may be recertified at any time prior to, but no later than August 28, 2020. All subsequent recertification elections shall be held every three (3) years. To be recertified, the labor organization must obtain the secret ballot votes of more than 50% of the employees in the unit in a Board supervised election. Failure to recertify in this manner will result in the immediate decertification of the labor organization. In the event of such decertification, all terms and conditions of employment will remain in place until modified or eliminated by the District's Board of Education.

Bargaining

Within eight (8) weeks of a labor organization's certification as the exclusive bargaining representatives of the District employee group, representatives for the District and representatives of the labor organization will meet and begin negotiation for an agreement concerning the wages, benefits and other terms and conditions of employment within the bargaining unit. During the negotiations, neither side will be required to offer any particular concession or to withdraw any proposal.

Prior to any tentative agreement being presented to the Board of Education or the exclusive bargaining representative, the tentative agreement will be discussed in detail during a public meeting. Any tentative agreement will be posted on the District's website for at least five (5) days prior to the public meeting. Nothing in the regulation or in state law requires the District to vote on the collective bargaining unit at such meeting.

The bargaining agent must present evidence to the Board of Education that the proposed agreement has been approved by a majority of members of the bargaining unit. The Board of Education may approve the entire proposed agreement or any part of the agreement. If the Board of Education rejects any part of the proposed agreement, the Board may return the rejected portion for further consideration by the bargaining parties; adopt a replacement provision of its own or state that no provision on the requested topic will be adopted.

After the first agreement between the District and the represented unit of employees is adopted, bargaining for renewal agreements will take place triennially. Such bargaining will be completed within thirty (30) days of the end of the District's fiscal year. The parties may bargain non-economic issues for a longer period, but all economic issues will be adopted on a triennially basis only.

The bargaining parties are not required to utilize binding mediation, binding interest arbitration or interest arbitration in the event that the parties are unable to reach an agreement. District employees are prohibited from strikes or related work stoppage.

Nothing contained in this Regulation will obligate the District to enter into a collective bargaining agreement.

Restrictions on Labor Agreements

Every labor agreement, if any, must have provisions reserving the right of the Board of Education to hire, promote, assign, direct, transfer, schedule, discipline and discharge District employees. The Board further reserves the right to make, award and rescind reasonable work rules and standard operating procedures.

AND

Every labor agreement will expressly prohibit all strikes and picketing of any kind. A strike will include any refusal to perform services, walk-out, sick-out, sit-in, or any other form of interference with District operations. The labor agreement will also provide that any District employee who engages in any strike or concentrated refusal to work or who pickets over any personnel matter will be subject to immediate termination.

AND

Every labor agreement will include a provision that extends the duty of fair representation by the labor organization to District employees in the bargaining unit.

AND

Every labor agreement will expressly prohibit labor organization representatives and District employees from accepting paid time off for purposes concerning labor organization activities related to collective bargaining, including but not limited to, negotiations, bargaining meetings, meet and confer sessions, and any other collective bargaining related activity other than earned District leave. However, the labor agreement may allow paid time off for grievance-handling, advisory committees, establishing a work calendar and external communication.

AND

Every labor agreement will inform District employees of their right to refrain from engaging in and supporting labor organization activity as well as their right to oppose labor organization activity.

AND

Every labor agreement will include a provision that in the event of a budget shortfall, the District has the right to modify the economic terms of the agreement. Every such agreement shall also provide that if the District deems it necessary it may modify in good faith, the economic terms of the agreement. In such event, the District will notify the labor organization of the need to modify and will provide thirty (30) days within which to bargain over the contemplated agreement. As provided in the labor agreement, that if at the end of the thirty (30) day period, the parties have been unable to resolve the issue, the Board of Education shall act in good faith to resolve the modifications on its own.

Payment of Union Dues

Before union or bargaining organization dues may be withheld from a District employee's paycheck, the employee must have provided the District with written employee authorization to have such dues deducted. No portion of such dues shall be made in violation of the State Financial Disclosure Law except with the informed consent of such bargaining unit made in writing or electronic certification by the employee which is received within the past twelve (12) months. No requirement will be made to force an employee to sign as a condition of employment or continued employment. Employees who elect not to have a portion of dues used as provided in the Financial Disclosure Law will not have any union fee increased.

Signing or refraining from signing any dues related to organizations is not a condition of employment or continued employment.

*****

August 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted October 18, 2018

PERSONNEL SERVICES **Regulation 4840**

Staff Welfare

Conflict of Interest

The prohibition against conflicts and apparent conflicts of interest includes but is not limited to:

1. Employees shall not engage in or have a substantial interest in furnishing of real or personal property, commodity, equipment, supplies or services to the District either directly or through an outside representative, except as provided in this paragraph. A substantial interest includes ownership by the employee, the employee's spouse or a member of the employee's household of 10% or more of a business entity or annual receipt by the employee, employee's spouse, or member of the employee's household of $1,000 or more in salary or other remuneration from a business entity. A business entity in which a District employee has a substantial interest may do business with the District provided competitive bids are obtained and the lowest bid is accepted.

2. Employees shall not make use of mailing lists or other information gained solely as a result of the employee's position with the District to either sell directly or indirectly services or merchandise to students or their parents who reside within the District. As provided by Board policy, this prohibition does not apply to student tutoring.

3. Employees shall not solicit or receive any payment or thing of value which might influence performance of the employee's duties.

4. Employees shall not disclose to any person, not otherwise entitled, information gained by virtue of the employee's duties or otherwise use such information for personal gain.

5. Employees shall not engage in outside employment which interferes with performance of the employee's duties. This prohibition includes outside employment which is performed during school hours or involves the use of school resources.

If an employee is in doubt concerning whether certain acts violate this regulation, the employee must seek an opinion from the Superintendent.

Board Adopted April 2001
Board Reviewed May 24, 2012
Board Reviewed May 17, 2017

Staff Welfare

Staff Dispute Resolution (Grievance Procedure)

Definitions

Grievance - A claim by a nonsupervisory employee or employees that a written Board policy or administrative regulation has been violated or misapplied. This policy is not applicable to the content of performance evaluations nor to decisions for which state statute may provide a means of resolving disputes, including but not limited to nonrenewal, termination and reduction in force.

Day - When the dispute resolution policy requires certain action to be taken within a specific number of days, days means working days and specifically excludes weekends and school holidays. In counting days, the day on which the event initiating the time limit is not counted.

Informal Resolution

Employees who believe that a written Board policy or administrative regulation has been violated must meet with their immediate supervisor within ten (10) days of the alleged violation. The purpose of this informal conference is to attempt to provide clarification of the issue and, where possible, resolve the dispute.

If the dispute is not resolved within four (4) working days of the informal conference, the employee may initiate the formal procedure by completing an appropriate District dispute form and submitting this form to the employee's immediate supervisor. A completed grievance form must be submitted to the employee's immediate supervisor within ten (10) days of the informal conference.

Step One: Immediate Supervisor

Within four (4) days of receipt of the completed dispute form, the immediate supervisor will schedule a meeting with the employee and the employee's employee representative, if desired. Within ten (10) days of this conference, the immediate supervisor will provide the employee with a written response to the dispute.

Step Two: Superintendent's Designee

If the employee is not satisfied with the resolution at Step One, the employee may refer the dispute in writing to the Superintendent. To proceed to Step Two, the written dispute referral must be submitted to the Superintendent within four (4) days of receipt of the Step One decision. Upon receipt of the referral, the Superintendent shall designate a District employee to hear the Step Two dispute. Within four (4) days of receipt of the Step Two referral, the Superintendent's

designee shall schedule a conference with the employee and his/her employee representative if desired. Within ten (10) days of the conference the Superintendent's designee will provide the employee with a written response to the dispute.

Step Three: Review by the Superintendent

If the employee is not satisfied with the resolution of Step Two, the employee may refer the dispute in writing for the Superintendent's direct review. To proceed to Step Three, the written dispute referral must be submitted to the Superintendent within four (4) days of receipt of the Step Two decision. Within four (4) days of receipt of the written referral, the Superintendent shall schedule a conference with the employee and his/her employee representative, if desired. Within ten (10) days of this conference, the Superintendent will provide the employee with a written response to the dispute.

Step Four: Board of Education Review

If the employee is not satisfied with the resolution at Step Three, the employee may refer the dispute in writing for the Board's consideration. To proceed to Step Four, the written dispute referral must be submitted to the Superintendent within four (4) days of receipt of the Step Three decision. At the next regular Board meeting following submission of the Step Four referral, the Board will consider the dispute and determine whether to conduct a formal review of the dispute. If the Board determines that its formal review is not necessary, the decision at Step Three becomes final.

If the Board determines that its formal review is warranted by the dispute, the Board will set a date for formal review. At formal review both parties are entitled to be represented by legal counsel. Procedures for formal presentations of the dispute are determined by the Board in its discretion. Within ten (10) days of the formal review, the Board will provide the employee with its written decision. The decision of the Board is final and binding on all parties.

Miscellaneous Provisions

1. Failure of an employee to comply with the timelines provided in the procedures above will result in final rejection of the dispute.

2. Failure of the administrator to comply with the timelines provided in the procedures above will result in the dispute being advanced to the next step.

3. Neither party to a dispute will be permitted to add witnesses or documentation that were not provided at preceding steps.

4. No employee will be retaliated against for the good faith submission and processing of a dispute under these regulations

Board Adopted November 2003
Board Reviewed May 24, 2012
Board Reviewed May 18, 2017

PERSONNEL SERVICES **Regulation 4871**
(Form 4871)

Staff Welfare

Driver Drug Testing

Definitions

For purposes of this Regulation, the following terms are defined:

1. *Alcohol* - the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl and isopropyl alcohol.

2. *Clearinghouse* – The Commercial Driver's License Drug and Alcohol Clearinghouse ("the Clearinghouse") is an online database that gives employers and state and federal agencies real-time information about certain drug and alcohol violations committed by commercial driver's license and commercial learner's permit holders. The purpose of the database is to make information about such violations easier to access and to avoid situations where drivers/applicants intentionally fail to disclose prior work history and prior testing history to a different employer. Records of drug and alcohol program violations will remain in the Clearinghouse for five years or until the driver has completed the return-to-duty process.
3. *Driver* - any person who operates a commercial motor vehicle (CMV) or is required by the District to hold a commercial drivers license (CDL). *Driver* includes, but is not limited to, full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers and independent, owner-operated contractors. For purposes of pre-employment/pre-duty testing, *driver* includes a person applying to the District for a position that involves the driving of a commercial motor vehicle.

4. *Employee* - an individual subject to drug urine and breath alcohol testing. For purposes of pre-employment testing, *employee* includes an applicant for employment.

5. *Federal Regulation* – The regulation entitled "Controlled Substances and Alcohol Use and Testing" 49 CFR Part 382.

6. *Medical Review Officer (MRO)* - a licensed physician responsible for receiving laboratory results generated by the District's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and any other relevant medical information.

7. *Safety-Sensitive Function* - a driver is considered to be performing a safety-sensitive function during any period in which he/she is actually performing, is ready to perform or is immediately available to perform any safety-sensitive function. *Safety-sensitive functions* include the following on-duty functions: all time at a facility waiting to be

dispatched; all time inspecting or servicing a commercial motor vehicle; all time spent at the driving controls of a commercial motor vehicle; all time, other than driving time, spent on or in a commercial motor vehicle (except sleeping time); all time loading or unloading a commercial motor vehicle, assisting in loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; all time spent performing the driver requirements associated with an accident; and all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

8. *Substance Abuse Professional* - a person who evaluates employees who have violated a Department of Transportation (DOT) drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare.

Covered Employees

Those District employees who are subject to the prohibitions and mandatory testing requirements of this regulation include all transportation workers, including, but not limited to, bus drivers and maintenance workers, who:

1. Hold commercial drivers licenses; and

2. Who perform safety-sensitive functions at any time during the course of their employment.

Program Coordinator

The Board designates the District's Manager of Transportation to be the Substance Abuse Professional to ensure that the District's employee alcohol and drug program is implemented in accordance with federal regulations and District policy and regulations. The Coordinator will also be responsible for collecting and maintaining all records required by federal law. The Coordinator's name, address and telephone number will be provided to all covered employees.

ALCOHOL MISUSE PREVENTION AND TESTING PROGRAM

Prohibitions

1. No driver shall use or possess, and the District shall prohibit a driver from using or possessing, alcohol while on duty or while performing a safety-sensitive function.

2. No driver shall use, and the District shall not permit a driver to use, alcohol for a minimum of four (4) hours before performing a safety-related function.

3. No driver shall perform, and the District shall not permit a driver to perform, safety-sensitive functions, where the driver is found, through testing conducted in conformity with federal rules, to have an alcohol concentration of 0.04 or greater until the driver has been evaluated by a substance abuse professional, completed any rehabilitation required by the substance abuse professional, and undergoes a return-to-duty test in which the driver tests at less than 0.02 for the presence of alcohol.

4. A driver who tests, through testing conducted in conformity with federal rules, at levels of 0.02 to 0.039 for the presence of alcohol shall be prohibited from performing, and shall be removed by the District from performing, safety-sensitive functions until the start of the driver's next regularly scheduled duty, but not less than 24 hours after the test was administered, and until he/she tests below 0.02.

5. A driver who exhibits behavior and/or the appearance characteristic of alcohol misuse will be prohibited from performing, and will be removed from performing, safety-sensitive functions until the driver tests at less than 0.02 for the presence of alcohol.

6. No driver required by federal law, or independent District policy, to take a post-accident alcohol test shall use alcohol for eight hours following the accident or until the driver undergoes a post-accident alcohol test, whichever comes first.

Administration of Alcohol Tests

Alcohol testing will be conducted through the use of a federally approved evidential breath testing devise (EBTD), and by a trained breath alcohol technician (BAT), in accordance with federal regulations. The District will contract with an outside agency or organization to provide alcohol testing in accordance with federal regulations. The contract will provide that the alcohol testing site (1) must afford aural and visual privacy to the person being tested, and (2) must be secured while the testing is taking place.

DRUG MISUSE PREVENTION AND TESTING PROGRAM

Prohibitions

1. The District prohibits the unauthorized use of controlled substances. Illicit use of drugs, including medical marijuana by safety-sensitive employees is prohibited on or off duty.

2. No driver shall report for duty or remain on duty, and the District shall prohibit a driver from reporting for duty or remaining on duty, when the driver uses any drug, unless the drug is taken pursuant to the instructions of a physician who has advised the driver that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle.

3. The District may require a driver to notify it or the medical review officer of any therapeutic drug use if the driver tests positive, through testing conducted in conformity with federal law, for any controlled substance.

4. Following a determination through testing conducted in conformity with federal law that a driver has engaged in prohibited use of drugs, the District will remove the driver from performing safety-sensitive functions and will refer the driver to a substance abuse professional. The District will not permit the driver to return to the performance of safety-sensitive functions until the driver submits a verified negative test result and completes any rehabilitation required by a substance abuse professional.

Administration of Drug Tests

1. Collection Site - The District will contract with an outside agency or organization to serve as a collection site for the collection of urine samples for laboratory drug testing. The District will ensure that collection site personnel follow federally prescribed rules for the collection of urine samples. The District will ensure that the collection site generally ensures aural and visual privacy for the person giving the sample. The collection site person will be required to split the sample into two bottles (the primary specimen and the split specimen). Following completion of a chain of custody form, the collection site person will seal and ship both bottles to a laboratory certified by the Department of Health and Human Services for analysis.

2. Laboratory Analysis - The District will separately contract with a certified laboratory to perform the required drug analysis. If the primary specimen tests negative for drugs, the laboratory will dispose of the split specimen. If the laboratory confirms that the primary specimen tests positive, the laboratory will retain the split specimen to ensure that it remains available for testing.

3. Medical Review Officer - The District will contract with a Medical Review Officer (MRO) who possesses the qualifications required by federal regulations. The MRO will receive and review all laboratory results generated by the District's drug testing program and will report the results to the District's designee as required by federal regulations. In the event the MRO receives a confirmed positive test result from the laboratory, the

MRO will make every reasonable effort to confidentially contact the driver and give him/her the opportunity to provide a legitimate, alternative medical explanation for the positive result. If the MRO is unable to reach the driver directly, the MRO shall, in accordance with federal regulations, contact the District's designee who shall direct the driver to contact the MRO immediately. The District's designee shall inform the employee of the consequences of failing to contact the MRO within the next seventy-two (72) hours. The designated management official shall employ procedures that ensure, to the maximum extent practicable, that the requirement that the employee contact the MRO is held in confidence. If the MRO determines that there is a legitimate alternative medical explanation for the positive result, the MRO will report the drug test as being negative. If the employee expressly declines the opportunity to discuss the test, the MRO may verify the test as positive. If the employee is contacted by the designated employer representative but does not contact the MRO within seventy-two (72) hours, the MRO may verify the test as positive. If neither the MRO nor the designated employer representative has been able to contact the employee within ten (10) days after making all reasonable efforts, the MRO may verify the test as positive. If the MRO verifies the presence of illegal, controlled substances, the MRO shall inform the covered employee that he or she has seventy-two (72) hours to request that the split specimen retained by the laboratory be sent to another certified laboratory for analysis. If the split specimen fails to confirm the presence of illegal, controlled substances, the employee's test will be reported as negative.

REQUIRED TESTS

Pursuant to federal law, the District will require that all covered employees submit to the following tests:

Pre-Employment Testing

1. Before any driver can perform a safety-sensitive function, the driver must take a controlled substances test with a verified negative result.

2. This testing is required of applicants and of employees transferring to a covered position. Testing for newly hired drivers shall be conducted prior to the employment offer, but in any event before commencing safety-sensitive functions. If an applicant refuses to submit to pre-employment drug testing, the District will remove the applicant from employment consideration.

Post-Accident Testing

1. Pursuant to federal law, all drivers will be required to submit to drug and alcohol testing as soon as practicable after any accident (a) involving the loss of life or (b) after any accident in which the driver receives a citation for a moving violation, if the accident involved either (1) bodily injury to any person who, as a result of the accident, immediately receives medical treatment away from the scene of the accident, or (2) disabling damage to one or more motor vehicles which requires the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle. Pursuant to its independent authority, the District requires all drivers to submit to drug and alcohol testing after any accident in which the driver was performing safety-sensitive functions.

2. All post-accident testing shall be conducted within the federally prescribed time periods. If a test is not conducted within the required time periods, then the District will not require the driver to submit to a test and the Program Coordinator, in accordance with federal regulations, will prepare and maintain on file a report and submit it to the Department of Transportation (DOT) documenting the reason(s) why the test was not promptly given.

3. Prior to performing safety-sensitive functions, all drivers will be instructed on the necessity for post-accident testing and the procedures to be followed for post-accident testing so that the drivers can comply with federal regulations.

Random Testing

1. The District will conduct random, unannounced testing for drugs and alcohol for covered employees. The District's designee will establish a scientifically valid random selection method and will select covered employees using this method at unpredictable dates and frequencies throughout the testing year. Under the selection method, each covered employee will have an equal chance of being selected for each testing date.

2. Each year, the number of random alcohol tests conducted by the District will equal at least 25% of the average number of covered employees. Each year, the number of random drug tests conducted by the District will equal at least 50% of the average number of covered employees.

3. Random alcohol testing will be conducted just before, during, or just after a covered employee's performance of safety-sensitive duties. Random testing for drugs does not have to be conducted in immediate time proximity to the performance of safety-sensitive functions.

4. Once notified of selection for testing, the covered employee must proceed immediately (or as soon as possible) to the collection site for testing.

Reasonable Suspicion Testing

1. The District will require covered employees to be tested for drugs and/or alcohol when the driver's supervisor and/or other properly trained District officials determine that there is reasonable suspicion to believe that the driver has violated the provisions of this Policy.

2. All determinations that reasonable suspicion exists will be only by trained individuals and will be made solely on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. Possession of alcohol, standing alone, will not lead to reasonable suspicion testing.

3. Covered employees will be required to submit to reasonable suspicion testing only if the required observations are made by a trained supervisor or District official during, just preceding, or just after the period of the workday that the covered employee is performing a safety-sensitive function.

4. The District designates the Program Coordinator as the District official who will receive the requisite training to determine whether reasonable suspicion exists to require a drug test and/or an alcohol concentration test.

5. The District designee will be responsible for making and signing a written record of the observations leading to reasonable suspicion testing for drugs and/or alcohol. With respect to drug testing, the District designee will ensure that this written record is completed within twenty four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Return-to-Duty Testing

1. When a driver is determined, by testing in conformity with federal regulations, to have an alcohol concentration of 0.04 or greater and/or a verified positive test result for drugs, the District will refer that driver to a substance abuse professional. The substance abuse professional will determine what assistance, if any, the driver needs in resolving problems related to drug or alcohol abuse.

2. Before a driver can return to the performance of safety-sensitive functions, the driver must be evaluated by a substance abuse professional to ensure that he/she has completed any necessary rehabilitation. The driver must also submit the results of (1) an alcohol

concentration test showing an alcohol concentration of less than 0.02 and (2) a verified negative drug test.

3. Once the employee's violation of federal regulation has been reported to the Clearinghouse, the employee may not resume safety-sensitive functions until an inquiry is made to the Clearinghouse and demonstrates that the employee completed the return-to-duty process.

Follow-Up Testing

1. When a covered employee who has violated prohibited alcohol and/or drug standards returns to the performance of safety-sensitive functions, he/she will be required to submit to follow-up testing.

2. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first 12 months after the employee returns to duty. Follow-up testing may be extended for a period not to exceed 60 months following return to duty.

Refusal to Submit to Testing

1. Federal regulations require covered employees to submit to required testing. When a covered employee refuses to submit to testing, or engages in conduct that obstructs the testing process, the test will be considered to be positive and the driver will, in accordance with federal regulations, be prohibited from performing safety-sensitive functions until all preconditions are satisfied.

2. Refusal to submit or to provide a specimen has the same sanctions under the federal regulations as a positive test. Any employee who fails to provide adequate breath or urine for testing must obtain, as soon as possible after the attempted test, an evaluation from a licensed physician who is acceptable to the employer concerning the employee's inability to provide a sufficient specimen. If the physician determines, in his/her reasonable medical judgment, that a medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient quantity, the employer's failure shall not be deemed a refusal to take a test. The physician shall provide the District a written statement of the basis for his/her conclusion. If the licensed physician, in his/her reasonable medical judgment, is unable to make such a determination, the employee's failure to provide an adequate specimen shall be regarded as a refusal to take a test and a violation of this Policy.

TEST RESULTS, CONFIDENTIALITY AND RECORD RETENTION

Employee Records

1. All employee testing records are confidential and the District will ensure that all testing records are maintained in a secure location with controlled access. Test results and other confidential information may be released by the laboratory, the breath alcohol technician or the MRO only to designated District officials and/or the substance abuse professional. Any other release of confidential information is only pursuant to federal regulations or with the employee's written consent.

2. Covered employees are entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances, including records of tests and test results.

3. The District will report drivers' drug and alcohol program violations to the Clearinghouse within three (3) business days after District administrators become aware of the violation.

District Record Keeping and Retention

The District will comply with all federal record keeping and retention requirements. In addition, the Program Coordinator will maintain and compile all required statistics and reports and submit those reports to the necessary federal agencies. The District will notify the Director of the Department of Revenue within ten (10) days of notice that a District driver has failed a drug, alcohol or chemical test administered pursuant to this regulation. The District will retain records of all Clearinghouse inquiries obtained on applicant/driver for a period of three (3) years.

Evaluation, Referral and Rehabilitation

Employees who violate the alcohol and drug misuse rules will be referred to a substance abuse professional for evaluation and will be advised of the available resources for evaluation and treatment. Any treatment or rehabilitation will be provided in accordance with the health insurance, medical or other benefit plan, or under applicable labor or collective bargaining agreements. The District is not required to provide rehabilitation or pay for treatment. In addition, the District is not required to hold the employee's position or to reinstate the employee to a safety-sensitive position.

Consequences for Violations

Pursuant to federal regulations, the District will remove from the performance of safety-sensitive functions any covered employee determined to have violated the provisions of this Policy and will refer to a substance abuse professional those drivers who, based on testing conducted in conformity with federal regulations, have an alcohol concentration of 0.04 or greater and/or are determined to have a verified positive test result for drugs.

Based on its independent authority, the District reserves the right to impose additional consequences for violation of the provisions of this Regulation, including, but not limited to, placing the covered employee on indefinite unpaid leave or termination.

Federal Driver's Drug and Alcohol Clearinghouse

The District fully participates in the federal Commercial Driver's License Drug and Alcohol Clearinghouse (hereinafter "Clearinghouse"). The purpose of the Clearinghouse database is to make information about driver drug and alcohol violations easier to access and to avoid situations where driver/applicants intentionally fail to disclose prior work history and prior testing history to a different employer. The goal of the program is to provide safe transportation for District students.

Registration with the Clearinghouse

School officials will register with the Clearinghouse at *https://clearinghouse.fmcsa.dot.gov//Register*. The District authorizes the Director of Transportation to report information to or obtain information from the Clearinghouse and will verify the identity of that person annually.

Employee Notification

The District will give notice to employees who are subject to the federal drug and alcohol testing requirements and will report the following to the Clearinghouse:

1. Drug and alcohol program violations;
2. Verified positive or adulterated test results;
3. Refusal to submit to DOT mandated test;
4. Any alcohol or controlled substance use that is prohibited by federal regulations; and
5. Information concerning employees' follow-up and return-to-duty tests.

Each covered employee must sign a receipt indicating that he/she has received educational materials that explain the requirements of the federal alcohol and drug testing regulations and the District's policies and procedures relating to compliance with meeting their requirements.

Employee and Applicant Clearinghouse Inquiries

Pre-Employment Inquiry

1. All applicants who would be subject to this policy if employed by the Board must consent in writing to the release of any information gathered pursuant to federal regulation by any previous employers and must give written or electronic consent to any information sought by school officials of the Clearinghouse.
2. Before employing any applicant subject to this policy, school officials shall obtain, pursuant to the applicant's written consent, all records maintained by the applicant's previous employer regarding violations of federal use and testing regulations ("federal regulations") in the three years prior to the inquiry date. School officials will also seek information from the Clearinghouse to obtain any information regarding the applicant's violation of federal regulations.
3. If school officials obtain information from the applicant's previous employer or from the Clearinghouse that the applicant committed a violation of federal regulation and has not subsequently completed the return-to-duty process under federal law, the applicant may be disqualified from employment.

Annual Inquiry

School officials will conduct a limited inquiry of the Clearinghouse at least once per year for each employee subject to this policy pursuant to the employee's written or electronic consent in order to determine whether the employee had violations of the federal regulation. If information exists about the employee, school officials will obtain the Clearinghouse information within 24 hours of initiating the limited inquiry.

*****

January 2020, Copyright © 2020 Missouri Consultants for Education, LLC

Board Adopted May 2004
Board Reviewed May 24, 2012
Board Reviewed May 17, 2017
Board Updated February 20, 2020
Board Reviewed May 16, 2022

SUPPORT SERVICES **Regulation 5110**

Building and Grounds Management

Building and Grounds Maintenance and Inspection

Each building principal shall give attention to the condition of the buildings in his/her care as to cleanliness, heating, ventilation and general maintenance, in order to safeguard the health, safety and comfort of the students and employees. Principals shall report conditions needing attention to the appropriate administrator.

The principal of each school shall regularly inspect and identify any hazardous conditions in his/her area of supervision and promptly report them in writing to the Superintendent's designee. The reports will identify conditions and suggest corrections. The designee shall regularly report to the Superintendent regarding such conditions and plans to correct.

The Superintendent/designee is directed to maintain a proper preventive maintenance program and include adequate funds to sustain this program in the budget recommendation. Provisions of this program should include the following:

1. The Superintendent and building principals will periodically inspect the buildings and grounds and report findings to the Board.

2. Improvements and additions to the buildings and grounds will be made as established by capital outlay line items approved in the budget by the Board.

3. An adequate custodial services program for all buildings will be maintained.

4. School grounds and fields will be maintained and improved when necessary to ensure a safe, functional and attractive environment.

5. District buildings and equipment will be repaired, painted and replaced as needed.

6. Obsolete equipment will be identified.

Board Adopted December 2002
Board Reviewed October 18, 2012
Board Reviewed August 21, 2017

SUPPORT SERVICES **Regulation 5130**

Building and Grounds Management

Energy Conservation Measures

The conservation measures outlined below should be emphasized at the beginning of each heating season. School principals should advise students and staff of the conservation measures that are being implemented. The cooperation of all concerned will be necessary to make this conservation program successful. Continued emphasis on the need to conserve energy is necessary.

During the Heating Season

1. Lower thermostats to obtain a building temperature of 65 degrees Fahrenheit during the day. Kindergarten, shower and locker room thermostats may be adjusted to maintain a 72 degree Fahrenheit room temperature.

2. Adjust heating setback switches to obtain nighttime building temperatures of 63 degrees. All schools are to activate setback switches at the close of school. Where possible, school building thermostats will be set at 57 degrees Fahrenheit to further conserve fuel resources.

3. Pay particular attention to door and window closures to reduce heat costs.

4. The maintenance staff will coordinate with school principals on efficient boiler use to insure minimum boiler operations.

5. The maintenance staff will assess outside air intake systems and adjust where needed to reduce heat loss.

During the Cooling Season

1. Hold cooling levels for air-conditioned areas at not lower than 78-80 degrees Fahrenheit during working hours. Activate setback switches at 4:00 p.m. unless the physical plant is specifically exempt to provide comfortable temperatures for special programs in a school.

Other

1. Reduce interior hall lighting by 50 percent at all times. Insure that classroom lights are out when not in use. Night custodial staff will use minimum lighting necessary to accomplish tasks.

2. If a special hardship is sustained by an activity, the building principal may make an exception to this regulation.

3. Drivers of public school vehicles are reminded of the State Air Pollution Control Board regulation which prohibits the running of vehicle engines for more than three minutes when the vehicle is parked, except when the engine provides auxiliary service other than for heating or air conditioning. Fuel economy is enhanced by eliminating unnecessary engine idling when idle time exceeds one minute.

Board Adopted January 1998
Board Reviewed October 18, 2012
Board Reviewed August 21, 2017

SUPPORT SERVICES **Regulation 5210**

Safety, Security and Communications

Hazardous Materials

The District will follow procedures outlined below in order to comply with the Asbestos Hazard Emergency Response Act of 1986 (AHERA):

1. Contract with accredited/certified agencies to conduct inspections of school buildings for asbestos-containing materials.

2. Follow recommended procedures to control the release of asbestos fibers upon completion of asbestos inspections.

3. Develop a management plan which lists corrective steps and long-range maintenance of asbestos control procedures. This report shall be made available to the public and filed with appropriate state agencies.

4. Post warnings on all areas containing asbestos and notify students, parents, and employees regarding the afflicted areas.

Board Adopted January 1998
Board Reviewed November 15, 2012
Board Reviewed August 15, 2017

SUPPORT SERVICES **Regulation 5230**

Safety, Security and Communications

Accident Reporting

The following guidelines are to be used to determine whether or not a report is to be completed.

A report should be completed when:

1. The accident requires that a doctor be called.

2. The accident results in absence of student for one-half day or more.

3. The accident results in a serious injury.

4. When in doubt about whether or not a report is needed, complete one.

Accident Report Procedure

1. The building administrator, designee or nurse initiates the report.

2. The person in charge at the time of the accident completes the report.

3. The report is returned in one day to the building office and is forwarded to the principal.

4. The principal reviews the report and makes a recommendation for corrective action to be taken or notes action taken.

5. The principal forwards the original copy to the Superintendent/designee. A copy remains in the school.

6. The Superintendent/designee is responsible for evaluation of the report. It is to serve as a basis for a safety and accident prevention program.

Reports will include:

1. Date, time and place of accident.

2. Name and address of injured person(s).

3. Name of staff member(s) in attendance.

4. Type of accident.

5. Personal injures incurred.

6. Treatment given.

7. Description of the accident.

8. Property damage incurred.

9. Name and address of any parties with first-hand information regarding the accident.

10. Name of staff member making the report.

11. Date and time of parent/guardian notification.

All reports shall be sent to the Superintendent/designee. The Superintendent/designee shall report to the Board in writing all serious accidents and shall also submit to the Board periodic statistical reports on the number and types of accidents occurring in the District.

Board Adopted July 2005
Board Reviewed November 15, 2012
Board Reviewed October 24, 2017

SUPPORT SERVICES **Regulation 5240**

Safety, Security and Communications

Weather, Earthquake and Fire Emergencies

The Board recognizes the necessity for a planned safety program to ensure to the extent possible a safe environment for students, staff and visitors. The responsibility for ensuring safe conditions throughout the District is shared by the Board, Superintendent and staff. The Superintendent/ designee, at the Board's direction will be responsible for the development and implementation of a safety program to include, but not be limited to, weather, fire and civil defense emergencies.

The Superintendent/designee is authorized to dismiss schools, at his/her discretion, because of hazardous road conditions or other conditions which would make the operation of schools impractical or hazardous to students and staff.

At the direction of the Superintendent/designee, building principals will determine areas in each building which, in the principal's opinion, are best suited for the protection of students and staff during civil defense emergencies. School will not be dismissed in the case of civil defense alerts or tornado warnings.

The Superintendent/designee will provide for fire inspections on announced and unannounced bases for each building. The Superintendent/designee will also be responsible for remedying unsafe conditions in school buildings which have been reported by local fire marshals acting in their official capacity. Building principals are responsible for preparing a fire drill and emergency exit plan for their buildings. Exit plans will be posted in each classroom and reviewed with the students on a regular basis. Fire drills will be conducted during the first full week of school and on a quarterly basis thereafter to ensure safe and efficient exit in the event of an emergency.

Earthquake Emergency Procedure System

At the direction of the Board, the District has established and implemented an earthquake emergency procedure system for each school. In developing and implementing its earthquake emergency procedure, the District has obtained assistance from the Missouri Emergency Management Agency.

The earthquake emergency procedure will include, but not be limited to, the following components:

1. Building disaster plans to monitor the safety and care of students and staff.

2. At least two earthquake emergency preparedness drills in each school per school year.

3. Specific procedures and protective measures to be taken before, during and following an earthquake.

4. Awareness and training for students and staff concerning the District's earthquake emergency procedure system.

The District's earthquake emergency procedure system is available for inspection in the District's administrative offices during normal business hours.

At the beginning of each school year, the District staff will distribute to students the earthquake awareness and safety information prepared by the Federal and Missouri Emergency Management Agencies.

NOTE: The above earthquake procedure management system is required for the Missouri counties listed below.

Adair
Audrain
Bollinger
Boone
Butler
Callaway
Cape Girardeau
Carter
Chariton
Clark
Cole
Dunklin
Howard
Iron
Jefferson
Knox
Lewis
Lincoln
Macon
Madison
Marion
Mississippi
Monroe
Montgomery
New Madrid
Oregon
Osage
Pemiscott
Perry
Pike
Putnam
Ralls
Randolph
Reynolds
Ripley
Schuyler
Scotland
Scott
Shelby
St. Charles
St. Francois
Ste. Genevieve
St. Louis
Stoddard
Warren
Washington
Wayne

Board Adopted November 15, 2012
Board Reviewed October 23, 2017

SUPPORT SERVICES **Regulation 5410**

Inventory Management

Inventory Requirements

Federal Program Equipment and Supplies

Definitions

Equipment - Tangible, nonexpendable personal property having a useful life of more than a year and an acquisition cost of $1,000.00 or more per unit.

Supplies - All tangible personal property other than equipment. Computing devices are supplies if cost is less than $1,000.00.

Additional Tracking Requirements

The District will maintain effective control over and accountability for all funds, property and other assets. Regardless of cost, the District will maintain effective control and will safeguard all assets and will assure that they are used solely for authorized programs.

Equipment Disposition

The District will use equipment used in the Federal program for which it was acquired as long as needed, whether or not the program continues to be supported by the Federal award.

When equipment acquired under a Federal award is no longer needed for the original program, the District will dispose of the equipment as follows:

1. Items with a current per unit fair market value of $5,000.00 or less may be retained, sold or otherwise disposed of with no further obligation.

2. Items with a current per unit market value in excess of $5,000.00 may be retained by the District or sold.

3. Sales procedures will comply with Policy 3390.

*****

January 2017 Copyright © 2017 Missouri Consultants for Education, LLC

Board Adopted July 24, 2017
Board Reviewed October 23, 2017

Food Service Program

Food Safety

In order to implement the District's Food Safety Program, standard operating procedures should be developed in the following area:

General Safety Considerations

- Prohibit bare hand contact with ready to eat foods
- Store chemicals away from food and food related supplies

Personnel

- Require hand washing after restroom use, sneezing, coughing, or after performing any cleaning activity.
- Develop a policy for restricting or excluding ill employees from food production or preparation areas.

Product Procurement

- Follow recommendations for selecting vendors such as those found in State distributing agency vendor certification procedures.
- Develop buyer product specifications.

Receiving

- Reject all cans with swollen sides or ends, flawed seals and seams, rust or dents.
- Put perishable foods into the refrigerator or freezer immediately.

Storing

- Store all food and paper supplies 6 to 8 inches off the floor.
- Label all food with name of the school and delivery date.

Transporting

- Preheat transfer cart prior to use.
- Limit transport travel time to a maximum of 2 hours.

Holding

- Keep hot foods hot (above 135 ˚F) and cold foods cold (below 41 ˚F).

Preparation

- Do not keep food in the "danger zone" (between 41 ˚F and 135 ˚F) for more than 4 hours.
- Handle food with utensils, clean, gloved hands, or clean hands. (Bare hand contact with food during preparation should be limited. Bare hand contact with RTE foods should be prohibited.)

Cleaning / Sanitizing

- Use clean water, free of grease and food particles.
- Keep wiping cloths in sanitizing solution while cleaning.

Cooking and Documenting Temperatures

- Record all temperatures when they are taken.
- Use only a clean and sanitized thermometer when taking internal temperatures of food.

Cooling

- Cool rapidly by storing food in small batches in individual containers; cover loosely so that heat can escape quickly.
- Keep cold foods cold by pre-chilling ingredients for salads.

Reheating

- Transfer reheated food to hot-holding equipment only when the food reaches the proper temperature.
- Use only cooking ranges, ovens, steamers, and microwave ovens to reheat foods. Use hot-holding equipment only to maintain temperature and not for rapidly heating food.

Board Adopted October 2006
Board Reviewed January 17, 2013
Board Reviewed November 13, 2017

Transportation

Student Transportation Services

Pupil transportation is a necessary auxiliary service and an integral part of the total educational program of the District. The time students spend on the bus exerts an important influence on the physical and mental condition that students bring to the classroom. Therefore, the major objectives of the pupil transportation program are as follows:

1. Provide the means by which students can reach school under safe and healthful conditions with as little time on the bus as is reasonably necessary.

2. Provide for an efficient and economical transportation system.

3. Adapt transportation to the requirements of the instructional program.

Any student whose conduct on a school bus is improper or jeopardizes the safety of other students may have his/her right to school bus transportation suspended for such period of time as deemed proper by the Superintendent, building principal or designee. Students with disabilities who are suspended from bus transportation will be afforded the procedural safeguards, if necessary, as required by the IDEA or Section 504. Such bus suspensions will not constitute a "removal" under the IDEA or Section 504 unless transportation is included as a necessary related service in the student's IEP or Section 504 Plan. Uniform rules of conduct and disciplinary measures will be enforced.

The transportation service will be subject to continual supervision and regular evaluation on the basis of the following Board policies:

1. The Board of Education shall adopt policies governing pupil transportation upon the recommendation of the Superintendent, and shall include adequate funds in the budget to cover the cost of the transportation contract, secure proper authorization for the provision of transportation, and secure approval of bus routes from the Missouri State Board of Education when necessary.

2. The Superintendent shall assign administrative and operational duties regarding the transportation program, and shall keep the Board of Education informed as to the operation and needs of the student transportation program. The Superintendent shall recommend policies, budget and bus routes to the Board of Education for approval.

3. School administrators may be asked to ride certain bus routes and report their findings to the Superintendent. All violations of state and local requirements will be reported.

 Copyright © 2013 Missouri Consultants for Education

4. The Superintendent/designee will make spot checks of buses throughout the year to review compliance with requirements.

5. The Superintendent/designee will meet at least once a year with all the bus drivers.

Only those students who meet eligibility requirements by means of residence will be permitted to use school bus transportation for the purpose of travel to and from school. Other vehicles owned by the District or operated under contract with the School District shall transport no more children than the manufacturer suggests as appropriate for such vehicle.

Board Adopted May 20, 2010
Board Reviewed January 17, 2013
Board Reviewed November 13, 2017

Copyright © 2013 Missouri Consultants for Education

SUPPORT SERVICES **Regulation 5660**

Transportation

Field Trips

Definitions

Field trip - A planned visit outside the classroom taken by students under the supervision of a teacher or other school official for the purpose of extending the instructional activities of the classroom through first-hand experience and participation in functional situations that relate directly to what is being studied.

Local field trip - A field trip that usually falls within a twenty-five (25) mile radius of the school, takes place within the regular school day and uses contracted or District transportation.

Out of area field trip - A field trip that fulfills any one of the following conditions: covers more than a twenty-five (25) mile radius, requires more than one day, uses contracted or District transportation, includes additional transportation fees, or involves other unusual circumstances.

Private transportation - The use of private vehicles for transporting students for filed trips, school events and other school activities. Refer to Policy and Regulation 5661 - Field Trip Transportation in Private Vehicles/Common Carriers.

Financing Field Trips

The use of bus transportation services for field trips may be authorized from Board of Education appropriated funds budgeted for field trips if approved by the Superintendent/designee.

Field trip transportation may be funded from sources other than Board of Education funds. This may include PTO contributions, authorized fees, government funds and income generated by school activities.

Requests for Field Trips

All requests for use of school buses for field trips shall be made on the appropriate District form and shall be submitted to the principal for approval.

Requests for all out-of-area field trips shall be submitted through the principal for approval by the Superintendent/designee. When District bus transportation is used, a copy of the appropriate District form should be attached.

Field trip requests should be submitted early enough to permit a timely review by the principal.

Student Permission Form

All students shall be required to have a parent-signed permission form to participate in a field trip. In cases where there is a series of trips for a class, only one permission slip is necessary.

Study/Travel/Tour Programs

There are numerous study-travel-tour programs promoted and operated by commercial organizations, not only during summer vacations and holidays, but also at times during the school year.

1. Official Programs

   On occasion, it may be appropriate for the schools to make use of the facilities of commercial organizations to offer study, travel or tour programs. The Superintendent/ designee shall have approved all aspects of such programs, and notification of the programs, together with implementing procedures, shall be sent to the schools. These should be designed for the summer vacation, holidays or for other times that do not entail long absences of either teachers or students from the regular school session.

   In the event that any teacher would like to propose such a program, he/she should submit a written request through the principal for approval by the Superintendent/designee. Requests should be submitted early enough to permit adequate review at all levels; otherwise requests shall be denied.

   The program should be undertaken to achieve valid educational objectives to warrant support by the school and the District. Care should be exercised to avoid excluding students from participating in the program because of their economic circumstances.

2. Non-Official Programs

   Nonofficial study/travel/tour programs are ones that are not approved by the school and/or the District. Any private group involving school personnel, students and parents that is formed for the purpose of studying, traveling or touring should abide by the following guidelines:

   a. The planning of any such activity and the activity itself shall be scheduled outside of the regular school day.

   b. The activity shall not be sanctioned, recommended or advertised by a school and/or school personnel in an official capacity.

c. Solicitation of participation by students shall not be conducted in any school during the school day.

d. The activity shall not receive any school or District funds, supplies or duty time of employees.

School personnel participating in nonofficial programs should:

a. Be aware that administrative leave will not be granted for participation in such programs.

b. Be careful not to imply in any way that a nonofficial program is receiving official sanction or recognition by the school or District.

c. Be familiar with current policies and regulations regarding conflict of interest and be particularly careful not to accept or receive any gift, loan, gratuity, favor or service of economic value that might reasonably be expected to influence one in his/her position in the discharge of his/her duties, from any person.

Board Adopted November 2003
Board Reviewed January 17, 2013
Board Reviewed December 11, 2017

SUPPORT SERVICES **Regulation 5661**

Transportation

Field Trip Transportation in Private Vehicles/Common Carriers

The following requirements will be enforced when transporting students by common carrier:

1. Terms of the transportation services provided by the common carrier will be recited in a written contract.

2. Common carriers will provide evidence of liability insurance in an amount equal to at least five (5) million dollars per accident.

3. Common carriers will provide evidence of safety inspection and compliance approved by the Federal Motor Carrier Safety Regulations.

4. Drivers of commercial carriers must possess a valid Missouri commercial driver's license and must comply with all provisions of the Federal Motor Carrier Safety Regulations.

The following requirements will be enforced when transporting students in vehicles other than district buses or common carriers:

1. Vehicles must be properly licensed and display a current safety inspection sticker.

2. Vehicle driver must have a current Missouri operator's license.

3. Vehicles must be equipped with operable safety restraints.

4. Vehicles must be insured by current liability insurance.

Board Adopted January 1998
Board Reviewed December 11, 2017

SUPPORT SERVICES **Regulation 5710**

Data

Data Governance

Purpose

It is the District's policy to the extent possible to ensure that data and information in all its forms, written, electronic or printed is protected from accidental or intentional unauthorized modification, destruction or disclosure. The protection includes an appropriate level of security over the equipment, software and practices used to process, store and transmit data or information.

Data Security Administrator and Data Governance Committee

The District's superintendent will designate a District employee to serve as the Data Security Administrator. The Data Security Administrator will be responsible for overseeing the implementation of the District's security policies and procedures. The Data Security Administrator will also select District employees to serve on the District's Data Governance Committee. This Committee will be responsible for an annual review of all data governance policies and procedures.

Further, the Data Security Administrator and the Data Governance Committee will assist the District administration in implementing a comprehensive annual training program on the District's data policies.

Regulatory Compliance

The District will comply with applicable law, regulations or contractual obligations which affects its data systems including, but not limited to:

1. Children's Internet Protection Act (CIPA);
2. Children's On-Line Privacy Protection Act (COPPA);
3. Family Educational Rights and Privacy Act (FERPA); and
4. Protection of Pupil Rights Act (PPRA).

Risk Analysis

Annually, and as requested by the Superintendent, a thorough risk analysis of the District's data networks, systems, policies and procedures will be conducted. The risk assessment will be used as a basis for a plan to minimize identified risks.

Data Classification

Data is classified according to the most sensitive detail which they include. The classification assigned and the related controls applied are dependent on the sensitivity of the data.

Systems and Information Control

Any computer, laptop, model device, preliminary and/or screening device, network, appliance/equipment, AV equipment, server, internal or external storage, communication device or any other current or future electronic device may be referred to as "systems." All involved systems and information are assets of the District and shall be protected from misuse, unauthorized manipulation and destruction. These protection measures may be physical and/or software based.

Ownership of Software

All computer software developed by the District employees or contract personnel on behalf of the District, licensed or purchased for the District's use is the property of the District and shall not be copied for use at home or any other location, unless otherwise specified by the license agreement.

Software Installation and Use

All software packages that reside on technological systems within or used by the District shall comply with applicable licensing agreements and restrictions and shall comply with the District's acquisition of software procedures.

Virus, Malware, Spyware, Phishing and SPAM Protection

Virus checking systems approved by the District Technology Department are deployed using a multi-layered approach (computers, servers, gateways, firewalls, filters, etc.) that ensures all electronic files are appropriately scanned for viruses, malware, spyware, phishing and SPAM. Users shall not turn off or disable the District's protection systems or to install other systems.

Access Controls

Physical and electronic access to information systems that contain Personally Identifiable Information (PII), Confidential Information, Internal Information and computing resources shall be controlled. To ensure appropriate levels of access by District employees, a variety of security measures are instituted as recommended by the data governance committee and approved by the District. In particular, the data governance committee shall document roles and rights to the student information system and other like systems. Mechanisms to control access to PII, Confidential Information, Internal Information and computing resources include, but are not limited to, the following methods:

1. Authorization: Access shall be granted on a "need to know" basis and shall be authorized by the superintendent, principal, immediate supervisor, or Data Governance Committee with the assistance of the Technology Director and/or Data Security Officer. Specifically,

on a case-by-case basis, permissions may be added in to those already held by individual users in the student management system, again on a need-to-know basis and only in order to fulfill specific job responsibilities, with approval of the Data Governance Committee.

2. Identification/Authentication: Unique user identification (user ID) and authentication are required for all systems that maintain or access PII, Confidential information, and/or Internal Information. Users shall be held accountable for all actions performed on the system with their User ID. User accounts and passwords shall NOT be shared.

3. Data Integrity: The District provides safeguards so that PII, Confidential, and Internal Information is not altered or destroyed in an unauthorized manner. Core data are backed up to a private cloud for disaster recovery. In addition, listed below are methods that are used for data integrity in various circumstances:

    a) transaction audit;

    b) disk redundancy (RAID);

    c) ECC (Error Correcting Memory);

    d) checksums (file integrity);

    e) data encryption;

    f) data wipes.

4. Transmission Security: Technical security mechanisms are in place to guard against unauthorized access to data that are transmitted over a communications network, including wireless networks. The following features are implemented:

    a) integrity controls; and

    b) encryption, where deemed appropriate.

5. Remote Access: Access into the District's network from outside is allowed using the District's Portal. All other network access options are strictly prohibited without explicit authorization from the Technology Director, ISO, or Data Governance Committee. Further, PII, Confidential Information and/or Internal Information that is stored or accessed remotely shall maintain the same level of protections as information stored and accessed within the District's network. PII shall only be stored in cloud storage if said storage has been approved by the Data Governance Committee or its designees.

6. Physical and Electronic Access and Security: Access to areas in which information processing is carried out shall be restricted to only appropriately authorized individuals. At a minimum, staff passwords shall be changed annually.

a) No PII, Confidential and/or Internal Information shall be stored on a device itself such as a hard drive, mobile device of any kind, or external storage device that is not located within a secure area or password protected.

b) No technological systems that may contain information as defined above shall be disposed of or moved without adhering to the appropriate Purchasing and Disposal of Electronic Equipment procedures.

c) It is the responsibility of the user to not leave these devices logged in, unattended, and open to unauthorized use.

7. Inactive Accounts and Terminated Users: User accounts and related access privileges shall be terminated promptly at the end of an employee's employment. The District's administrative team will inform the Data Governance Committee when an employee's employment has ended or will end in the future in order to facilitate account closure. Further, user access rights shall be reviewed periodically to determine if and when access rights are no longer necessary for certain District employees.

Data Transfer/Exchange/Printing

Electronic Mass Data Transfers: Downloading, uploading or transferring PII, Confidential Information, and Internal Information between systems shall be strictly controlled. Requests for mass download of, or individual requests for, information for research or any other purposes that include PII shall be in accordance with this policy and be approved by the Data Governance Committee. All other mass downloads of information shall be approved by the Committee and/or Data Security Administrator and include only the minimum amount of information necessary to fulfill the request. At the very least, a Memorandum of Agreement (MOA) shall be in place when transferring PII to third party entities such as software or application vendors, textbook companies, testing companies, or any other web based application, etc. unless the exception is approved by the Data Governance Committee. Further, the Data Governance Committee is responsible for ensuring that any MOAs or agreements with third party entities in possession of District data comply with the Federal regulations identified in this regulation.

Other Electronic Data Transfers and Printing: PII, Confidential Information, and Internal Information shall be stored in a manner inaccessible to unauthorized individuals. PII and Confidential Information shall not be downloaded, copied or printed indiscriminately or left unattended and open to compromise. PII that is downloaded for educational purposes where possible shall be de-identified before use.

Oral Communications: The District's staff shall be aware of their surroundings when discussing PII and Confidential Information. This includes but is not limited to the use of cellular telephones in public areas. The District's staff shall not discuss PII or Confidential Information in public areas if the information can be overheard. Caution shall be used when conducting conversations in: semi-private rooms, waiting rooms, corridors, elevators, stairwells, cafeterias, restaurants, or on public transportation.

Audit Controls: Hardware, software, services and/or procedural mechanisms that record and examine activity in information systems that contain or use PII are reviewed by the Data Governance Committee annually. Further, the committee also regularly reviews records of information system activity, such as audit logs, access reports, and security incident tracking reports. These reviews shall be documented and maintained for six (6) years.

Evaluation: The District will require that periodic technical and non-technical evaluations of access controls, storage, and other systems be performed in response to environmental or operational changes affecting the security of electronic PII to ensure its continued protection.

IT Disaster Recovery: Controls shall ensure the District can recover from any damage to critical systems, data, or information within a reasonable period of time. Each school, department, or individual is required to report any instances immediately to the Superintendent, Data Security Administrator, and/or Technology Director for response to a system emergency or other occurrence (for example, fire, vandalism, system failure and natural disaster) that damages data or systems. The IT Disaster Plan shall include the following:

1. A prioritized list of critical services, data, and contacts.

2. A process enabling the District to restore any loss of data in the event of fire, vandalism, natural disaster, or system failure.

3. A process enabling the District to continue to operate in the event of fire, vandalism, natural disaster, or system failure.

4. Procedures for periodic testing of written contingency plans to discover weaknesses and the subsequent process of revising the documentation, if necessary.

Compliance

The Data Governance Policy applies to all users of the District's information including: employees, staff, students, volunteers, and third party vendors. Failure to comply with this policy by employees, staff, volunteers, and third party vendors may result in disciplinary action up to and including dismissal in accordance with applicable the District's procedures, or, in the case of third party vendors, termination of the contractual relationship. Failure to comply with this policy by students may constitute grounds for corrective action in accordance with the District's policies. Further, penalties associated with state and federal laws may apply.

Possible disciplinary/corrective action may be instituted for, but is not limited to, the following:

1. Unauthorized disclosure of PII or Confidential Information.

2. Unauthorized disclosure of a log-in code (User ID and password).

3. An attempt to obtain a log-in code or password that belongs to another person.

4. An attempt to use another person's log-in code or password.

5. Unauthorized use of an authorized password to invade student or employee privacy by examining records or information for which there has been no request for review.

6. Installation or use of unlicensed software on the District's technological systems.

7. The intentional unauthorized altering, destruction, or disposal of the District's information, data and/or systems. This includes the unauthorized removal from the District's technological systems such as but not limited to laptops, internal or external storage, computers, servers, backups or other media, copiers, etc. that contain PII or confidential information.

8. An attempt to gain access to log-in codes for purposes other than for support by authorized technology staff, including the completion of fraudulent documentation to gain access.

****

November 2016, Copyright © 2016 Missouri Consultants for Education, Inc.

Board Adopted January 19, 2017
Board Reviewed December 11, 2018

INSTRUCTIONAL SERVICES **Regulation 6145**

Curriculum Services

Service Animals in Schools

Guidelines for Use of A Service Animal on School Property or At School Functions

Service animals will be permitted on District property and at District events in accordance with the law.

*Requests by students and employees to be accompanied by a service animal at school should be submitted in writing to their building principal. These requests must be renewed annually.

Students: Use of an animal other than a service animal by a qualified student with a disability will be permitted in school when it is determined that the student's disability requires such use in order to have equal access to the instructional program, school services and/or school activities or when the student's IEP or 504 team determines that the student requires the use of the animal to receive a free appropriate public education. All other requirements of this Policy apply.

Employees: Use of an animal other than a service animal by a qualified employee with a disability will be permitted when such use is necessary to enable the employee to perform the essential functions of his/her job or to enjoy benefits of employment comparable to those similarly situated non-disabled employees. All other requirements of this Policy apply.

Parents and Patrons at School or School Events:

Individuals with disabilities may be accompanied by their service animals while on District property for events or activities that are open to the general public. All requirements of this Policy apply.

Control: A service animal must be under the control of its handler at all times. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control through voice, signals or other effective means.

Supervision and Care of Service Animals: The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up. The District is not responsible for the care or supervision of a service animal. The District shall not be responsible for the training, feeding, grooming or care of any service animal permitted to attend school or a school function under this Policy.

Damages: The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

Removal of Service Animals from School Property

District administrators may ask an individual with a disability to remove a service animal from District buildings, property, vehicles or activities if:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health and safety of others;
4. The student, employee or handler fails to appropriately care for the animal, including feeding, exercising, taking outside for performance of excretory functions, and cleaning up;
5. The presence of the animal substantially disrupts or interferes with the educational process, school activities or the instruction program; or
6. The presence of the animal would require a fundamental alteration to any school program.

If the District excludes a service animal based on the factors detailed herein or any other legal basis, the District will provide the individual with a disability the opportunity to participate in the service, program or activity without having the service animal on the premises.

Emotional Support/Professional Therapy Dogs

An animal that is used to provide comfort, emotional support, or other therapeutic service does not meet the definition of a Service Animal or Service Dog which is permitted for use by students, employees, and patrons of the District consistent with this Policy. However, the District may employ the use of such dogs to work with staff to provide certain types of support for its students at the discretion of District administration and counselors for their intended purpose.

*****

August 2020, Copyright © 2020 Missouri Consultants for Education, LLC

Board Adopted September 17, 2020

INSTRUCTIONAL SERVICES **Regulation 6190**

Curriculum Services

Virtual Education

The District will annually permit any eligible student, under the age of twenty-one (21) who resides in the District, to enroll in Missouri Course Access and Virtual School Program ("Program") courses as part of the student's annual course load. Course costs will be paid by the District provided that the student:

1. Is enrolled full-time and has attended a public school, including a charter school, for at least one (1) semester immediately prior to enrolling in the Program. However, if the reason for a student's non-attendance in the prior semester is a documented medical or psychological diagnosis or condition which prevented attendance, such non-attendance will be excused; and

2. Prior to enrolling in the Program course has received District approval through the procedure set out in this Regulation 6190(A).

3. Does not exceed full-time enrollment in the District, due to enrollment in a Program course

4. Takes all state assessments associated with the student's grade-level or Program course.

Each Program course successfully completed will count as one class and will receive that portion of a full-time equivalent that a comparable course offered by the District generates.

A. Enrollment

The enrollment process for participation in the Program will be substantially similar to the enrollment process for participation in District courses. The enrollment and registration period for students to enroll in MOCAP courses will be April 15-30 during the prior year for first semester courses and November 15-30 for second semester courses. Students who fail to timely enroll will be permitted to apply the next semester. New students, enrolling during the school year, will have five (5) school days from school enrollment to apply for a Program Course under this Regulation. The process may include consultation with a school counselor. However, consultation does not include the counselor's approval or disapproval of enrollment in the Program. Additionally, the District has ten (10) business days from the date the application was submitted to the District to approve or deny the application.

When a District school denies a student's enrollment in a Program course or enrollment as a full-time Program student, the District will provide in writing a "good cause" reason for the denial. Such good cause determination will be based upon a reasonable determination that the enrollment

is not in the student's best educational interest. Where enrollment is denied, the following process will be utilized:

1. The District will notify the student and the student's family in writing of the right to appeal denial of Program enrollment to the Board of Education; and

2. The family will be given an opportunity to present the reasons for their appeal to the Board at an official Board meeting; and

3. The District, at such Board meeting, will provide the basis for its determination that Program enrollment was not in the student's best educational interest; and

4. The written submissions by the family and the District will be incorporated into Board minutes; and

5. The Board's written decision and the reason for that decision will be provided to the family within thirty (30) days of such Board meeting; and

6. The family may appeal the Board's determination to the Department of Elementary and Secondary Education. The Department shall provide their decision within seven (7) calendar days.

Program credits previously earned by a student transferring into the District will be accepted by the District. Students who are participating in a Program course at the time of transfer shall continue in the course with the District assessing future monthly payments.

Home school and private students wishing to take additional courses beyond their school's regular course load will be permitted to enroll in Program courses under an agreement, including the student's payment of tuition or course fees.

B. Payment for Program Courses

Cost associated with Program courses shall be paid by the District for students satisfying subsection (1) of this Regulation 6190. Payments will be made on a monthly cost basis prorated over the semester enrolled. Payments will be made directly to the Program contract provider. Such payments per semester will not exceed the market cost, but in no case more than 7% of the state adequacy target per semester. In the event a Program participant discontinues their enrollment, the District will discontinue monthly payments made on the student's behalf.

In the case of a student who is a candidate for A+ tuition reimbursement and who is enrolled in a Program course, the District will attribute no less than ninety-five (95%) percent attendance to any such student who has successfully completed such Program course. K-8 Districts will be required to pay the District for Program attendees residing in the K-8 District.

C. Program Course Evaluation

The District will consider recommendations made by DESE relative to a student's continued Program enrollment. Based in part on DESE's recommendations, the District may terminate or alter a course offering if the District, in its reasonable discretion, determines that the Program course(s) is not meeting the student's educational needs.

Independently, the District will monitor student progress and success in Program courses. The District will annually provide DESE with feedback regarding Program course quality.

The District is not obligated to provide computers, equipment or internet access except for eligible students with a disability in compliance with federal and state law.

The District will include students' enrollment in the Program in determining the District's average daily attendance (ADA). For students enrolled in the Program on a part-time basis, ADA will be calculated as a percentage of the total number of Program courses in which the student is enrolled by the number of courses required for full-time students.

D. Notice

The District will inform District parents of their child's right to participate in the Program. Opportunity to participate in the Program will be provided in parent handbooks, registration documents and on the homepage of the District's website.

*****

October 2020, Copyright © 2020 Missouri Consultants for Education, LLC

Board Adopted April 19, 2019
Board Updated January 22, 2021

INSTRUCTIONAL SERVICES **Regulation 6230**

Instruction

Textbook Selection and Adoption

The following procedure should be utilized in selecting textbooks:

1. The principal shall appoint a committee composed of teachers. The committee shall review different textbook choices. The principal shall confer with the committee during the selection process. The following factors shall be considered by the committee:

   a. Content consistent with the goals and objectives of the Board.
   b. Format and Physical Features.
   c. Supplementary Services and Teaching Aids.

   The Superintendent of Schools shall develop or cause to be developed a rating sheet to be utilized in evaluating textbooks concerning the above mentioned factors.

2. Upon reaching a decision concerning a particular textbook, the chairperson of the teacher committee shall forward to the principal the committee's choice in writing, and the statement shall include a list of the books reviewed and the reasons for the particular selection.

3. Upon receiving a recommendation on selection from a teacher committee, the principal shall review the recommendation and forward to the Superintendent his/her own recommendation relative to the particular selection with reasons thereof.

4. Upon receipt of a recommendation from a principal, the Superintendent shall forward to the Board of Education the recommendation of the Superintendent.

5. In the event there is disagreement between or among teachers, principal, or Superintendent relative to selection, an effort shall be made to resolve the difference of opinion by compromise. If compromise cannot be reached, the particulars relative to disagreement shall be forwarded along with the Superintendent's recommendation.

6. The Board of Education shall accept or reject the recommendation of the Superintendent of Schools. If a selection is rejected, another selection shall be recommended by the procedure as outlined above.

Board Adopted January 1998
Board Reviewed March 12, 2013
Board Reviewed February 15, 2018

INSTRUCTIONAL SERVICES **Regulation 6231**

Instruction

Textbook Usage - Students

At the beginning of each term, or semester as applicable, students are to be informed by each teacher of the school 's expectations of responsibility for school property and the need for care and return of books. A constructive and educational approach to the students is desirable, including a discussion of reasons for treating books with respect, caring for them, using them wisely, and returning them in good condition. Penalties for lost or damaged books are to be outlined. A monitoring process is to be devised such as textbook receipt cards or other check-out system that requires the student's signature for use of the book(s).

Parents/guardians are to be informed by the principal/designee as to the textbook status in the building or department; i.e., in which subject students are provided with individual copies, class sets, consumable materials, etc. Newsletters to the homes, Open House presentations and PTO meetings may be used as means of communication.

Parents/guardians are to be informed of the penalties for lost or damaged textbooks early in the school year. Penalties may include a reasonable system of fines or repayments. For example, the student or the student's parents/guardians could be required to pay the fair value for replacement of a lost or destroyed book or for repair of a book. The student could choose to do some work for the school instead, if the principal finds that to be the best option.

No student is to be penalized if a book is lost because of factors beyond his/her control. All students will be made aware that if such losses are reported immediately, and if the administration agrees that the loss was beyond the student's control, fines will be canceled. The reporting procedure will be publicized in student handbooks and other school publications. Principals will handle cases individually.

Board Adopted July 2005
Board Reviewed March 12, 2013

INSTRUCTIONAL SERVICES **Regulation 6241**
(Form 6241)

Instruction

Challenged Materials

On occasion, honest differences of opinion may arise about books or materials used in the public schools. In order to handle questions that might arise in an impartial and orderly manner, the following procedures shall be followed:

1. All complaints shall be reported immediately to the building principal involved, whether these come by telephone, letter, or personal conference.

2. The person making the complaint shall receive the form "Review of Instructional Materials." A copy of this form may be picked up in the administrator's office.

3. This form must be completed and returned by the person making the complaint.

4. Media being questioned will be removed from use, pending committee study and final action by the Board of Education, unless the material questioned is a basic text.

5. The Superintendent of Schools shall, within fifteen (15) days of receipt of the written request, appoint a review committee of nine people. The committee shall consist of the administrator of the building involved, three teachers, a member of the Board of Education, and four lay persons. The administrator shall serve as secretary.

6. The classroom teachers appointed shall be represented by the grade level or subject area where the media is used, another grade level or subject area, and a librarian.

7. The four lay persons appointed shall be selected from a list of eight people recommended to the Superintendent by the president of the Board of Education. Two of the four persons appointed must be parents/guardians of children in the schools.

8. Within twenty (20) days of the appointment of the committee, the committee shall meet, review the written request for reconsideration, read the questioned materials, evaluate, and prepare a written report of its findings and recommendations to the Superintendent of Schools.

9. The committee may recommend that the questioned materials be:

    a. Retained without restriction;

    b. Retained with restriction; or

Copyright © 2012 Missouri Consultants for Education

c. Not retained.

10. The Superintendent shall, at the next appointed meeting of the Board of Education, report the recommendations of the Review Committee to the Board of Education. The decision of the Board will be final.

11. The decision of the Board shall be reported to the principal of the school, to the complainant, and to other appropriate professional personnel on the next school day. The principal shall see that the decision of the Board is carried out.

12. The librarian responsible for that school shall keep on file all pertinent information concerning the questioned materials or any books or materials likely to be questioned.

Challenges to Information Accessible on the Internet

In compliance with the Children's Internet Protection Act ("CIPA"), 47 U.S.C. § 254, the District utilizes technological devices designed to filter and block the use of any District computer with Internet access to retrieve or transmit any visual and/or audio depictions that are obscene, child pornography, or "harmful to minors" as defined by CIPA and material which is otherwise inappropriate for District students.

Due to the dynamic nature of the Internet, sometimes Internet websites and web material that do not fall into these categories are blocked by the filter. In the event that a District student or employee feels that a website or web content has been improperly blocked by the District's filter and this website or web content is appropriate for access by District students, Board Policy 6320 should be followed to request that the website be opened on District computers. In the event that a parent or District patron feels that a website or web content has been improperly blocked by the District's filter and this website or web content is appropriate for access by District students, the process described below should be followed:

1. All concerns regarding blocked material shall be made to the District Superintendent/Superintendent's designee.

2. The District Superintendent/designee shall review the blocked material and make a determination regarding its appropriateness for District students.

3. The complainant will be notified within three (3) days if the blocked material is deemed appropriate for District students and student access to this web material will be allowed immediately upon processing by the District's technology department.

 Copyright © 2012 Missouri Consultants for Education

4. If the web content is deemed unsuitable for access by District students, the complainant will be notified within three (3) days of their request and this material will remain blocked by the District's software.

5. Appeal of the decision may be made in writing to the Board of Education.

6. In case of an appeal, the Board of Education will review the contested material and make a determination.

7. Material subject to the complaint will not be unblocked pending this review process.

Objections to Internet Access:

In the event that a student, employee, parent or District patron feels that a website or web content that is available to District students through District Internet access is obscene, child pornography, or "harmful to minors" as defined by CIPA or material which is otherwise inappropriate for District students, the process described below should be followed:

1. All concerns regarding access to material shall be made to the District Superintendent/Superintendent's designee.

2. Material which is patently obscene, child pornography or "harmful to minors" will be blocked immediately by the Superintendent or his designee and the complainant will be notified.

3. For challenges to material on the Internet which is not patently obscene, child pornography, or "harmful to minors", the District Superintendent/Superintendent's designee shall appoint a review committee consisting of himself/herself, two (2) community members, the complainant, and two (2) educators from the District and a District network specialist. The first meeting of the review committee must take place no later than ten (10) school days after the concern has been raised.

4. The committee will review the material and return within ten (10) days a decision regarding whether or not the material will be removed or restricted in any manner.

5. The District Superintendent/Superintendent's designee will report the recommendation of the review committee to the complainant.

6. Materials subject to the concern are not removed from use pending committee study and any final action by the Board of Education.

 Copyright © 2012 Missouri Consultants for Education

7. The complainant, if not satisfied, may appeal the decision in writing to the District Superintendent.

8. In case of an appeal, the Superintendent reports the recommendation of the review committee and the written appeal to the Board of Education. The Board of Education will review the information and make a decision within three (3) days after presentment of the information. The Board of Education's decision will be final.

9. The decision of the Board of Education is then reported to the District Superintendent/Superintendent's designee who will inform the complainant.

10. If the Board deems that the material is unsuitable for access by District students, the material will be blocked within three (3) school days of the Board's decision.

Board Adopted August 15, 2012
Board Reviewed March 12, 2013
Board Reviewed March 15, 2018

Copyright © 2012 Missouri Consultants for Education

Instruction

Instruction for Students with Disabilities

The District will adhere to the Individuals with Disabilities Education Act, its implementing regulations, and the Missouri State Plan for Special Education. The District will observe the following guidelines in providing special education and related services to identified students with disabilities.

Determination of Eligibility for Children Ages 3 Through 5

To determine whether children ages 3 to 5 (not kindergarten-age eligible) are children with a disability under the Individuals with Disabilities Education Act (IDEA), the District will identify all such children using any IDEA disability category including Young Child with a Developmental Delay.

Transition Services

Beginning not later than the first IEP to be in effect when the child is sixteen (16), and updated annually thereafter, the District will implement appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and the transition services (including courses of study) needed to assist the child in reaching those goals.

In addition, when a student with a disability reaches age eighteen (18), the District will provide to parent(s) of qualified disabled students under the IDEA a statement that the child has been informed of his or her rights under Part B of IDEA and that those rights will transfer to the student upon reaching the age of majority.

Extended School Year (ESY)

The IEP team will determine on an annual basis whether the student requires extended school year (ESY) services. If appropriate, the notice of the IEP meeting will include that the team will consider ESY services.

In determining whether the student requires ESY services, the IEP team may consider, among other factors, whether the student will suffer regression to such a marked degree that the student's skills may not be recouped in a reasonable time at the inception of the subsequent school year, the degree of impairment, the ability of the student's parents/guardians to provide educational structure at home, the student's rate of progress, the student's behavioral and physical problems, the availability of alternative resources, the ability of the student to interact with students without disabilities, the areas of the student's curriculum that need continuous attention, or the student's vocational needs.

If an IEP team determines that a student requires ESY, decisions regarding the type of special education and related services and their frequency, intensity and duration shall also be determined by on an individualized basis and by the student's IEP team.

The IEP will reflect that the IEP team considered ESY services. If the IEP team determines that ESY services are required, the team will be responsible for preparing an appropriate ESY IEP or determining that the regular school year IEP will be implemented.

PLACEMENT - STUDENTS VOLUNTARILY ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS

The District's activities under the Individuals with Disabilities Education Act (IDEA) regarding the location, identification, and evaluation of parentally-placed private school students with disabilities will be comparable to the activities undertaken for students in public schools.

However, a student with a disability voluntarily enrolled in a private school by his/her parents/guardians does not have an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school. Students with disabilities voluntarily enrolled in private schools by their parents/guardians are not entitled to a free appropriate public education.

In order to meet its obligations under the IDEA to students with disabilities voluntarily enrolled by their parents/guardians in private schools, the District will spend, for children ages 5 through 21, an amount that is the same proportion of the District's K-12 entitlement under Part B of the IDEA as the number of private school children with disabilities ages 5 through 21 residing in the District is to the total number of children with disabilities ages 5 through 21 residing in the District. For children ages 3 through 5, the District will spend an amount that is the same proportion of the District's Preschool entitlement under Part B of the IDEA as the number of private school children with disabilities ages 3 through 5 residing in the District is to the total number of children with disabilities ages 3 through 5 residing in the District. Expenditures for child find activities will not be considered when determining whether the District has met its obligation.

The District will consult with representatives of the private schools located within the District to decide which disabled students will receive services, what services will be provided, how and where the services will be provided, and how the services provided will be evaluated. The District will make the final decisions regarding the services to be provided to private school children with disabilities.

For each private school student designated to receive services, the District will prepare a service plan that describes the specific special education and related services that the District will provide to the student. The District will ensure that a representative of the private school attends meetings to develop, review, and revise a services plan, or, if the representative cannot attend, will use other methods to ensure participation by the private school. To the extent appropriate, the services plan will be developed in a manner consistent with the requirements under the IDEA for an IEP.

Missouri case law and the Missouri Constitution prohibit the provision of personnel, services, materials, and equipment on the premises of a student's private school unless they are provided in a neutral site. The private school may be considered a neutral site if the setting of the services is secular and void of ideological items. The District will determine how and where services will be provided to students with disabilities attending private or parochial schools.

Due process rights for students with disabilities voluntarily enrolled in private schools and their parents are limited. Only issues related to child find, including evaluations, can be raised in a due process complaint. There is no due process right to challenge the services that a student receives. The District is responsible for child find and the provision of services for disabled students *attending* private schools within the District but NOT for resident students whose parents choose to enroll the student in a private school in a different school district.

*****

January 2018, Copyright © 2018 Missouri Consultants for Education, LLC

Board Adopted October 2006
Board Updated February 15, 2018
Board Reviewed March 15, 2018

INSTRUCTIONAL SERVICES **Regulation 6255**

Instruction

Independent Educational Evaluation Procedures for Students with Disabilities Under the IDEA

I. *PARENT REQUEST FOR INDEPENDENT EVALUATION*

1. The parent or legal guardian of the disabled student must present his or her request for an independent educational evaluation in writing to the District's Director of Special Education. If any other District staff member receives a written request for an IEE, such request must be immediately forwarded to the District's Director of Special Education.

2. When the parent or legal guardian of a student with a disability under the IDEA requests an independent educational evaluation, the Director of Special Education shall, within 10 business days, provide the parent or legal guardian a copy of this policy and procedure as well as information about where an independent educational evaluation may be obtained and the District's criteria for such evaluations.

3. When the District receives a request from the parent or legal guardian for an independent educational evaluation, the District will, without unreasonable delay and within 15 business days from the receipt of the request inform the parent or legal guardian that (1) the District will pay for the requested evaluation subject to the requirements of this policy; or (2) will initiate due process to defend the District's evaluation.

4. Before making the decision indicated in paragraph 3 above, the Director of Special Education may ask the parent or legal guardian for the reason or reasons why he or she objects to or disagrees with the District's evaluation or any component of that evaluation. However, the parent or legal guardian is not required to provide that reason and the District will not use the request or a lack of parental response to such a request to unreasonably delay its decision regarding whether to provide the requested independent educational evaluation at public expense or to initiate due process to defend the District's evaluation.

5. If the District's decision is to pay for the independent educational evaluation, the Director of Special Education will offer the parent or legal guardian the opportunity to convene the student's multidisciplinary team to develop an evaluation plan to address the areas to be evaluated and the independent evaluators who will assess the student. That plan will comply with the District's criteria for evaluator qualifications, geographic location and costs limitations as specified below in this procedure. Upon written parental consent for the independent evaluation, the District will arrange for completion of the evaluation.

 Copyright © 2010 Missouri Consultants for Education

6. Independent evaluators must agree to release the results of their independent evaluations to the District prior to receipt of payment for services. The results of any IEE will be considered by the student's multidisciplinary or IEP team with respect to any decisions involving the provision of a free appropriate public education to the student, as long as the IEE meets the criteria set forth in this procedure.

7. The parent or legal guardian may also proceed to arrange for completion of the independent educational evaluation without the multidisciplinary team meeting as described in Paragraph 5 above. However, the parent or legal guardian will then be responsible for ensuring that the independent educational evaluation, as completed, complies with the requirements of this procedure. Otherwise the District will not be obligated to pay for the cost of the IEE.

II. ***PARENT REQUESTS PAYMENT FOR COMPLETED INDEPENDENT EVALUATIONS***

1. The parent/legal guardian of a student with a disability under the IDEA may obtain an independent evaluation without notification to the District and then request payment for that evaluation.

2. If the parent is requesting payment for an IEE already completed, the parent must notify the District's Director of Special Education, in writing, that they are requesting such payment. Upon receipt of that request, the District will provide the parent with a copy of the District's policy and procedures relating to IEEs, and the District may request that the IEE be provided to the District directly from the Agency or individual that completed it, along with an invoice for the amount due.

3. Within 15 business days of the receipt of the request, the District will notify the parent as to whether the District will initiate due process to establish the appropriateness of its own evaluation or pay for the cost of the IEE.

4. If the district decides the pay for the cost of the IEE, the district criteria for the geographic locations of the evaluator(s), the minimum qualifications of evaluator(s), the costs of the evaluation, and the use of approved assessment instruments as indicated in this procedure must be met. If the cost of the IEE exceeds the District's cost limitations, the District will inform the parent that the District will pay that portion of the cost that is within the District's limitations, if the District determines that an appropriate IEE could have been obtained within the cost limitations.

5. If the District initiates a due process hearing pursuant to paragraph 3 above and the final decision of the due process panel is that the District's evaluation is appropriate, the parent or legal guardian still has the right to an independent educational evaluation, but the District will not be required to pay for that evaluation.

 Copyright © 2010 Missouri Consultants for Education

6. If the parent or legal guardian obtains an independent evaluation at private expense, the results of that evaluation must be considered by the District, if that privately funded independent evaluation meets the District's criteria for evaluations, with respect to any decisions regarding the provision of a free appropriate public education to the child.

III. *LOCAL LIMITATIONS FOR EVALUATIONS*

Approved evaluators must be located within 150 miles of the District's Administrative Offices. Evaluators outside of this area will be approved only on an exception basis and the parent or legal guardian can demonstrate the necessity of using personnel outside the approved geographic area.

IV. *COST LIMITATIONS FOR EVALUATIONS*

The total cost of a multidisciplinary independent evaluation will be limited to a total cost of $1,000. Single evaluations will be limited to the cost schedule listed below. These same cost limitations apply to the District when it conducts an evaluation. The maximum charges have been established to allow the District and parents to choose from among qualified professionals in the area and is intended to result only in the elimination of excessive fees. Costs above this amount will not be approved unless the parent or legal guardian can demonstrate that such costs reflect a reasonable and customary rate for such evaluative services within the designated geographic area or that the student's unique circumstance justify an evaluation that exceeds the allowable cost criteria. When Medicaid or other public insurance will cover all or part of the costs of the independent educational evaluation, the District will assume payment only for the portion of the costs not covered by public insurance, provided that the use of that public insurance would not decrease any insurance benefit or otherwise negatively impact the child's or family's insurance coverage. If the child is covered by private insurance, the District may request parental consent to access that private insurance coverage.

V. *MINIMUM QUALIFICATIONS FOR EVALUATORS*

Evaluators with credentials other than those listed below will not be approved unless the parent or legal guardian can demonstrate the appropriateness of using individuals with other qualifications.

Type of Assessment	Qualifications
Academic Achievement	Certified Special Education Teacher, School Psychological Examiner, School Psychologist, Licensed Psychologist, Certified Regular Education Teacher

Copyright © 2010 Missouri Consultants for Education

Adaptive Behavior	Licensed Psychologist, Certified Special Education Teacher, School Psychological Examiner, or School Psychologist
Assistive Technology	Certified or Licensed Speech/Language Pathologist, Certified or Licensed Occupational Therapist, Or Certified Special Education Teacher (Master's Degree)
Audiological	Licensed or Certified Audiologist
Central Auditory Processing	Licensed or Certified Audiologist
Cognition	Licensed Psychologist Certified School Psychological Examiner, School Psychologist
Health	Licensed Physician
Motor	Licensed Physical Therapist or Occupational Therapist, or Certified Teacher of the Physically Impaired, or Adaptive Physical Education Specialist
Music Therapy	Licensed or Certified Music Therapist
Orientation/Mobility or Residual Vision or Functional Vision	Certified Teacher of the Visually Impaired
Social/Emotional/ Behavioral	Certified Special Education Teacher, School Psychological Examiner, School Psychologist, Licensed Social Worker, Licensed Psychiatrist or Psychologist
Speech/Language	Certified or Licensed Speech/Language Pathologist
Transition	Certified Special Education Teacher (Master's Degree)

Copyright © 2010 Missouri Consultants for Education

Vision	Licensed Ophthalmologist or Optometrist
Visual Perceptual or Visual Motor	Licensed Ophthalmologist or Optometrist, Licensed Occupational Therapist, Certified Special Education Teacher, School Psychologist Examiner, or School Psychologist

VI. ***COST LIMITATIONS FOR EVALUATORS***

A comprehensive, independent evaluation will be limited to a total cost of $1,000. Single disciplinary evaluations will be limited to the following schedule:

Academic Achievement	$100-$200
Adaptive Behavior	$100-$200
Assistive Technology	$100-$200
Auditory Acuity	$60-$125
Auditory Perception (CAP)	$100-$175
Cognitive	$200-$300
Health	$50-$200
Neurological	$200-$300
Motor	$50-$200
Sensory-Motor Integration	$100-$200
Speech/Language	$100-$200
Social/Emotional/Behavioral	$200-$300
Vision	$50-$100

Copyright © 2010 Missouri Consultants for Education

Functional Vision	$50-$100
Transition	$50-$100

Board Adopted March 15, 2018

Copyright © 2010 Missouri Consultants for Education

INSTRUCTIONAL SERVICES **Regulation 6270**

Instruction

Instruction for At-Risk Students

At-risk students are identified by reviewing permanent records, school performance, and teacher and parent/guardian conferences and interviews. Teacher, counselor, social worker, nurse, and/or parent/guardian referral may initiate a staffing by appropriate school personnel to identify and determine appropriate services for children at risk of academic failure.

Once identified, these students are given necessary support and intervention services such as language arts and/or mathematics instruction, frequent parent/guardian conferences and involvement and curriculum modifications to accommodate the special needs of these students.

Examples of students who may be educationally at risk include, but are not limited to:

1. Academic problems – one or more years behind age group; promotion doubtful due to poor grades; without access to appropriate educational program.

2. Discipline/Behavior problems – recurring discipline problems; has rebellious attitude; unable to relate to authority; has been referred for social work or psychological assistance.

3. Disengaged from school – has negative attitude toward learning; has high absentee or truancy rate.

Board Adopted January 1998
Board Reviewed March 12, 2013
Board Reviewed March 15, 2018

Instruction

Instruction for Homeless Students

Enrollment/Placement

If a child identified as homeless requests admission to the District, the District will consider the best interest of the child with parent/guardian involvement in determining whether the child should be enrolled in the District or, if applicable, transported back to the school of origin.

Enrollment requirements which may constitute a barrier to the education of a homeless child or youth may be waived at the discretion of the Superintendent if allowed by law. If the District is unable to determine the grade level of the student because of missing or incomplete records, the District shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

Services

Each homeless child or youth shall be provided services comparable to services offered to other students in the District including, but not limited to, transportation services; educational services for which the child meets the eligibility criteria, such as educational programs for disadvantaged, disabled, and gifted and talented students, vocational programs, and school meals programs; before- and after-school care programs; and programs for students with limited English proficiency.

In the event that it is in the best interest of the homeless child or youth to attend the district of origin, it shall be the responsibility of the School District to provide for the transportation of the student. This may be achieved through the transportation services of this District, the district of origin, or another outside agency.

Records

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records, and evaluations for special services or programs of each homeless child or youth shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made, and so that records may be transferred in a timely fashion when a homeless child or youth enters a new school district. Copies of records shall be made available upon request to students or parents/guardians in accordance with the Family Education Rights and Privacy Act.

Coordinator

The Board has designated the School Counselor to serve as the District's homeless coordinator to ensure compliance with the Stewart B. McKinney Homeless Assistance Act. According to the Act the homeless coordinator will "ensure that homeless children and youth enroll and succeed in the schools of that agency; and homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services." The homeless coordinator will also ensure that disputes regarding the placement or education of homeless children or youth are resolved in a timely fashion.

The District shall inform school personnel, service providers and advocates working with homeless families of the duties of the District homeless coordinator.

Resolving Grievances

Level I - A complaint regarding the placement or education of a homeless child or youth shall first be presented orally and informally to the District's homeless coordinator. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the homeless coordinator. The written charge must include the following: date of filing, description of alleged grievances, the name of the person or persons involved and a recap of the action taken during the informal charge stage. Within five (5) working days after receiving the complaint, the coordinator shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the coordinator will inform the Superintendent of the formal complaint and the disposition.

Level II - Within five (5) working days after receiving the decision at Level I, the complainant may appeal the decision to the Superintendent by filing a written appeals package. This package shall consist of the complainant's grievance and the decisions rendered at Level I. The Superintendent will arrange for a personal conference with the complainant at their earliest mutual convenience. Within five (5) working days after receiving the complaint, the Superintendent shall state a decision in writing to the complainant, with supporting evidence and reasons.

Level III - If resolution is not reached in Level II, a similar written appeals package shall be directed through the Superintendent to the Board of Education requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The hearing before the Board may be conducted in closed session upon the request of either the Board or the complainant. Within thirty (30) working days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For District purposes, the decision of the Board of Education is final.

Level IV - If the complainant is dissatisfied with the action taken by the School District, a written notice stating the reasons for dissatisfaction may be filed with the state director of special federal instructional programs. The state director will initiate an investigation, determine the facts relating to the complaint, and issue notice of his/her findings within thirty (30) days to the School District and the complainant. If the findings support the action taken by the School District, such action will be confirmed. If the findings support the allegations of the complainant, the School District will be directed to take corrective action. An appeal of this decision can be made within ten (10) days to the Deputy Commissioner of Education. Within thirty (30) days after receiving an appeal, the Deputy Commissioner of Education will render a final administrative decision and notify the complainant and all other interested parties in writing.

Board Adopted May 2004
Board Reviewed March 12, 2013
Board Reviewed April 19, 2018The Worth County R-3 Board of Education met on April 19, 2018 to certify the election results and reorganize the Board of Education. Patricia Warner and Amanda Gilland ran unopposed in this election cycle. The Board Members selected Tyler Steele to serve as Board President, Amber Monticue as Vice-President, Amanda Gilland as Treasurer and Kandi Hughes as Secretary.
Mrs. Julia Wideman, HS Greenhouse Instructor, presented on her students' progress with the Green House. The greenhouse will be open afterschool beginning Monday, April 23 from 3:15 – 6:00 pm and on Saturdays 8:00 – 12:00. Current selections include a variety of flowers, tomatoes, and hanging pots.
Mr. Chris Healy presented information to the board regarding the weight room use agreement for community members. A small yearly fee and a one-time key fee will be charged to those community members 18 years or older that would like to use the weight room facilities.
Dr. Martz presented a preliminary report on the projected District Revenues for the upcoming school year, which should be close to the revenues for the current school year.
The board of education then discussed Kindergarten class sizes for next school year and whether or not the district should add additional staff. The board determined to continue to monitor the situation following Kindergarten Round-up and into the fall if needed.
The board also discussed the health insurance costs for the upcoming school year. The board has requested more information on what the financial impact to the district will be if the district were to increase the board paid portion. Currently the board pays $400 per month. The district's most basic plan will be $506 per month for employee only coverage.
The board approved Board Policy Review, approved a date change to the SY19 calendar, and set the dates for Credit Recovery Summer School (June 4 – June 15) at Worth County High School. Breakfast and lunch will not be served. The board also approved the Family and Consumer Science Department's application for a state 50/50 matching grant for the purchase of new sewing machines.

In the area of personnel, as per state law, the board approved a teacher salary schedule. The schedule they passed is based on the 17-18 salary schedule with the inclusion of a new column for retired teachers working for the district. The board will review this salary schedule for modification before June 30, 2018 as the budget process progresses.
The Board also approved the continued employment of the non-certified staff members, extra duty assignments for SY19, extended duty contracts for SY19, and Summer Workers for 2018. Finally, the board hired Nicki Tracy to fill the Title 1 Communication Arts teacher position. Four Board members and the superintendent will attend MSBA Board Training on Tuesday, April 24, 2018 in St. Joseph.

INSTRUCTIONAL SERVICES **Regulation 6275**

Instruction

Homebound Instruction for Non-Disabled Students

The District will consider placing nondisabled students on homebound on a case-by-case basis pursuant to the following procedures:

1. The parent or guardian of a student under 18 or the legal guardian of a student 18 or older must provide a written request for homebound to the building principal where the student attends. An emancipated student or a student 18 years or older must provide the written request to the building principal. The written request must include the reason or reasons for the request.

2. If the request is based on medical, psychiatric or psychological reasons, the parent, guardian or emancipated student must provide a properly signed release that complies with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) that authorizes the physician, psychologist, social worker or therapist who is currently treating the student to provide all relevant records to the District and to discuss the student's situation and the need for homebound services with the building administrator and other relevant school personnel. This release must be provided to the building administrator prior to any decision regarding the need for homebound services.

3. The parent, guardian or eligible or emancipated student must also provide the District with a properly signed release that complies with the Family Educational Rights Privacy Act (FERPA) that authorizes the District to discuss relevant information from the student's education records with the currently treating physician, psychologist, social worker or therapist.

4. The District may ask the parent, guardian or eligible or emancipated student to sign other educational or medical releases as necessary based on the reasons for the homebound request.

5. Upon receipt of the written homebound request and the medical, psychiatric, psychological and other relevant information, the building principal, in consultation with the student's teachers, therapists, school counselors, and/or other relevant school personnel, will review all information submitted by the parent, guardian or eligible or emancipated student as well as any relevant education records. If, after conducting this review, the administrative team determines that a referral for evaluation under the IDEA or Section 504 should be made, IDEA and/or 504 procedures will be instituted.

6. For a nondisabled student, the building level administrative team will make a decision with respect to the need for homebound services. The parents, guardian or eligible or emancipated student are not required participants in this process, but the administrative

 Copyright © 2013 Missouri Consultants for Education

team has the discretion, on a case-by-case basis, to decide if their participation would be helpful.

7. If the building level administrative team determines homebound services are not needed, the building principal or his/her designee will notify the requesting party within 5 school days of the decision. The administrative team's decision is final and may not be appealed.

8. If the administrative team determines that the student needs homebound services, the administrative team will develop a written plan for such services.

9. The homebound plan should include: (1) the reason for homebound; (2) the anticipated length of homebound; (3) the classes or areas of curriculum to be addressed in homebound; (4) whether a homebound teacher is necessary or whether the provision of assignments is sufficient; and (5) the location of homebound services if a homebound teacher is deemed necessary. If a homebound teacher is necessary, the plan should also state the number of minutes or hours per week that homebound instruction will be provided. The homebound plan will also list the members of the administrative team. Finally, the homebound plan must indicate when the homebound instructor is expected to report the students' grades and attendance to the school of record.

10. If the administrative team concludes that a homebound instructor is necessary in the home, a parent or other adult (over age 21) must be present during the homebound instruction. The homebound instructor will not be required to administer medications or perform any other health related or medical procedures.

11. Requests for homebound for students covered by the IDEA and/or Section 504 are not covered by this procedure. Such requests for these students must be presented to the student's IEP or 504 team.

12. Homebound services under this procedure will be available only during the regular school calendar and not during summer or holiday breaks.

13. The District will not provide homebound services, through this procedure, to nonpublic students. Nonpublic students are those students who are voluntarily enrolled by their parents/guardian in private and/or parochial schools or are home schooled during the regular school year.

14. If a student who is designated to receive homebound pursuant to this procedure fails to attend, participate or otherwise cooperate with the services described in the homebound plan, the building principal may, upon review of the situation, cease homebound services. If there is a decision to cease homebound services, the building principal or his/her designee will inform the parents/guardian or eligible student, in writing, of that decision. Missouri's compulsory attendance laws will then apply.

 Copyright © 2013 Missouri Consultants for Education

15. The building principal's decision regarding cessation of homebound pursuant to Paragraph 14 above is final and may not be appealed.

16. The District will provide the homebound student with textbooks and other routinely supplied materials that are necessary for a student's homebound instruction.

Board Adopted April 19, 2018

Copyright © 2013 Missouri Consultants for Education

INSTRUCTIONAL SERVICES **Regulation 6310**

Library, Media and Technology Services

School Libraries

District library guidelines are based on the American Library Association Library Bill of Rights. School District media personnel are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end the American Association of School Librarians asserts that the responsibility of the school library media center is:

1. To provide a comprehensive collection of instructional materials selected in compliance with basic written selection principles, and to provide maximum accessibility to these materials.

2. To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socio-economic backgrounds, and maturity levels of the students served.

3. To provide materials for teachers and students that will encourage growth in knowledge, and that will develop literary, cultural and aesthetic appreciation, and ethical standards.

4. To provide materials which reflect the ideals and beliefs of religious, social, political, historical, and ethnic groups and their contribution to American and world heritage and culture, thereby enabling students to develop an intellectual integrity in forming judgments.

5. To provide a written statement, approved by the local Board of Education, of the procedures for meeting the challenge of censorship of materials in school library media centers.

6. To provide qualified professional personnel to serve teachers and students.

Selection Procedures

Curriculum needs are considered first and foremost in selection of library materials and equipment. The librarian must have a thorough knowledge of the curriculum, the strengths and weaknesses of the current collection, and an understanding of the students' abilities and skills. The librarian can then effectively select materials which will not only meet the instructional objectives, but will be educationally enriching to the student and fully utilized by the teacher.

Knowledge of student interests and capabilities will enable the librarian to select educational and enjoyable materials acceptable to the student for recreational reading. Faculty and students are encouraged to suggest materials to be considered for purchase. The final decision is left to the

librarian (based on the criteria listed below) and with the principal approving the requisition. Materials will be examined upon delivery and will be kept if they fill the need for which they were intended.

Selection Criteria to Consider

1. Importance and Need of Subject Matter

2. Intended Age Level and Comprehensibility

3. Potential User Appeal

4. Quality and Durability

5. Authoritativeness

6. Price

Weeding Procedures

Removing materials from the library that are no longer useful is important in maintaining a collection which is timely, reliable, and inviting. The librarian will examine materials while doing the end of year inventory and during routine day-to-day circulation of materials. Anything meeting the criteria for weeding will be withdrawn from library records and discarded. If it is an item for which there is still a need, a replacement will be purchased; if a purchase is not possible at that time, it shall be added to the Teacher/Student Request List for future consideration.

Criteria for Materials to be Weeded

1. Items which are soiled, damaged, or torn beyond repair.

2. Items which are so outdated that they are useless.

3. Items found to contain unreliable information or information which is no longer true.

Objectionable Materials

Students or parents/guardians who find materials in the library objectionable in any manner may make a formal complaint by obtaining from the Superintendent's office Form 6241 – Review of Instructional Materials. (See also Policy and Regulation 6241 – Challenged Materials.)

This written complaint will be considered by the Superintendent and the librarian in weighing the educational value of that particular book, filmstrip, etc., against the segment found objectionable to the complainant. Contingent with their decision, the material will be returned to the shelf for continued use, or removed from library circulation.

Board Adopted January 1998
Board Reviewed April 18, 2013
Board Reviewed April 19, 2018

INSTRUCTIONAL SERVICES **Regulation 6320**

Library, Media, and Technology Services

Internet Usage

Personal Responsibility

Access to electronic research requires students and employees to maintain consistently high levels of personal responsibility. The existing rules found in the District's Behavioral Expectations policy (Board Policy/Regulation 2610) as well as employee handbooks clearly apply to students and employees conducting electronic research or communication.

One fundamental need for acceptable student and employee use of District electronic resources is respect for, and protection of, password/account code security, as well as restricted databases files, and information banks. Personal passwords/account codes may be created to protect students and employees utilizing electronic resources to conduct research or complete work.

These passwords/account codes shall not be shared with others; nor shall students or employees use another party's password except in the authorized maintenance and monitoring of the network. The maintenance of strict control of passwords/account codes protects employees and students from wrongful accusation of misuse of electronic resources or violation of District policy, state or federal law. Students or employees who misuse electronic resources or who violate laws will be disciplined at a level appropriate to the seriousness of the misuse.

Acceptable Use

The use of the District technology and electronic resources is a privilege, which may be revoked at any time. Staff and students are only allowed to conduct electronic network-based activities which are classroom or workplace related. Behaviors which shall result in revocation of access shall include, but will not be limited to: damage to or theft of system hardware or software; alteration of system hardware or software; placement of unlawful information, computer viruses or harmful programs on, or through the computer system; entry into restricted information on systems or network files in violation of password/account code restrictions; violation of other users' rights to privacy; unauthorized disclosure, use or dissemination of personal information regarding minors; using another person's name/password/account to send or receive messages on the network; sending or receiving personal messages on the network; and use of the network for personal gain, commercial purposes, or to engage in political activity.

Students and employees may not claim personal copyright privileges over files, data or materials developed in the scope of their employment, nor may students or employees use copyrighted materials without the permission of the copyright holder. The Internet allows access to a wide variety of media. Even though it is possible to download most of these materials, students and staff shall not create or maintain archival copies of these materials unless the source indicates that the materials are in the public domain.

 Copyright © 2013 Missouri Consultants for Education

Access to electronic mail (E-mail) is a privilege and designed to assist students and employees in the acquisition of knowledge and in efficiently communicating with others. The District E-mail system is designed solely for educational and work related purposes. ***E-mail files are subject to review by District and school personnel***. Chain letters, "chat rooms" or Multiple User Dimensions (MUDs) are not allowed, with the exception of those bulletin boards or "chat" groups that are created by teachers for specific instructional purposes or employees for specific work related communication.

Students or employees who engage in "hacking" are subject to loss of privileges and District discipline, as well as the enforcement of any District policy, state and/or federal laws that may have been violated. Hacking may be described as the unauthorized review, duplication, dissemination, removal, damage, or alteration of files, passwords, computer systems, or programs, or other property of the District, a business, or any other governmental agency obtained through unauthorized means.

To the maximum extent permitted by law, students and employees are not permitted to obtain, download, view or otherwise gain access to "inappropriate matter" which includes materials that may be deemed inappropriate to minors, unlawful, abusive, obscene, pornographic, descriptive of destructive devices, or otherwise objectionable under current District policy or legal definitions. Similarly, the use of any District computer to access sites which allow the user to conceal their objective of accessing inappropriate material is not permitted.

The District and school administration reserve the right to remove files, limit or deny access, and refer staff or students violating the Board policy to appropriate authorities or for other disciplinary action.

Internet Access

In compliance with the Children's Internet Protection Act ("CIPA"), 47 U.S.C. § 254, the District uses technological devices designed to filter and block the use of any District computer with Internet access to retrieve or transmit any visual depictions that are obscene, child pornography, or "harmful to minors" as defined by CIPA and material which is otherwise inappropriate for District students.

Due to the dynamic nature of the Internet, sometimes Internet websites and web material that do not fall into these categories are blocked by the filter. In the event that a District student or employee feels that a website or web content has been improperly blocked by the District's filter and this website or web content is appropriate for access by District students, the process described below should be followed:

 Copyright © 2013 Missouri Consultants for Education

1. Follow the process prompted by the District's filtering software (or to remain anonymous, log in under log in name: 123anonymous) and submit an electronic request for access to a website, or:

2. Submit a request, whether anonymous or otherwise, to the District's Superintendent/the Superintendent's designee.

3. Requests for access shall be granted or denied within three days. If a request was submitted anonymously, persons should either attempt to access the website requested after three days or log back in at 123anonymous to see the status of the request.

4. Appeal of the decision to grant or deny access to a website may be made in writing to the Board of Education. Persons who wish to remain anonymous may mail an anonymous request for review to the Board of Education at the School District's Central Office, stating the website that they would like to access and providing any additional detail the person wishes to disclose.

5. In case of an appeal, the Board of Education will review the contested material and make a determination.

6. Material subject to the complaint will not be unblocked pending this review process.

In the event that a District student or employee feels that a website or web content that is available to District students through District Internet access is obscene, child pornography, or "harmful to minors" as defined by CIPA or material which is otherwise inappropriate for District students, the process described set forth in Regulation 6241 should be followed.

Adult users of a District computer with Internet access may request that the "technology protection measures" be temporarily disabled by the chief building administrator of the building in which the computer is located for lawful purposes not otherwise inconsistent with this Policy.

Privileges

The use of District technology and electronic resources is a privilege, not a right, and inappropriate use will result in the cancellation of those privileges. All staff members and students who receive a password/account code will participate in an orientation or training course regarding proper behavior and use of the network. The password/account code may be suspended or closed upon the finding of user misuse of the technology system or its resources.

 Copyright © 2013 Missouri Consultants for Education

Network Etiquette and Privacy

Students and employees are expected to abide by the generally accepted rules of electronic network etiquette. These include, but are not limited to, the following:

1. System users are expected to be polite. They may not send abusive, insulting, harassing, or threatening messages to others.

2. System users are expected to use appropriate language; language that uses vulgarities or obscenities, libels others, or uses other inappropriate references is prohibited.

3. System users may not reveal their personal addresses, their telephone numbers or the addresses or telephone numbers of students, employees, or other individuals during E-mail transmissions.

4. System users may not use the District's electronic network in such a manner that would damage, disrupt, or prohibit the use of the network by other users.

5. System users should assume that all communications and information is public when transmitted via the network and may be viewed by other users. The system administrators may access and read E-mail on a random basis.

6. Use of the District's electronic network for unlawful purposes will not be tolerated and is prohibited.

Services

While the District is providing access to electronic resources, it makes no warranties, whether expressed or implied, for these services. The District may not be held responsible for any damages including loss of data as a result of delays, non-delivery or service interruptions caused by the information system or the user's errors or omissions. The use or distribution of any information that is obtained through the information system is at the user's own risk. The District specifically denies any responsibility for the accuracy of information obtained through Internet services.

Copyright © 2013 Missouri Consultants for Education

Security

The Board recognizes that security on the District's electronic network is an extremely high priority. Security poses challenges for collective and individual users. Any intrusion into secure areas by those not permitted such privileges creates a risk for all users of the information system.

The account codes/passwords provided to each user are intended for the exclusive use of that person. Any problems, which arise from the user sharing his/her account code/password, are the responsibility of the account holder. Any misuse may result in the suspension or revocation of account privileges. The use of an account by someone other than the registered holder will be grounds for loss of access privileges to the information system.

Users are required to report immediately any abnormality in the system as soon as they observe it. Abnormalities should be reported to the classroom teacher or system administrator.

The District shall use filtering, blocking or other technology to protect students and staff from accessing internet sites that contain visual depictions that are obscene, child pornography or harmful to minors. The District shall comply with the applicable provisions of the Children's Internet Protection Act (CIPA), and the Neighborhood Internet Protection Act (NCIPA).

Vandalism of the Electronic Network or Technology System

Vandalism is defined as any malicious attempt to alter, harm, or destroy equipment or data of another user, the District information service, or the other networks that are connected to the Internet. This includes, but is not limited to the uploading or the creation of computer viruses, the alteration of data, or the theft of restricted information. Any vandalism of the District electronic network or technology system will result in the immediate loss of computer service, disciplinary action and, if appropriate, referral to law enforcement officials.

Copyright © 2013 Missouri Consultants for Education

Consequences

The consequences for violating the District's Acceptable Use Policy include, but are not limited to, one or more of the following:

1. Suspension of District Network privileges;
2. Revocation of Network privileges;
3. Suspension of Internet access;
4. Revocation of Internet access;
5. Suspension of computer access;
6. Revocation of computer access;
7. School suspension;
8. Expulsion; or
9. Employee disciplinary action up to and including dismissal.

Board Adopted August 16, 2012
Board Reviewed April 18, 2013
Board Reviewed May 21, 2018

Copyright © 2013 Missouri Consultants for Education

GENERAL ADMINISTRATION **Regulation 6531**

Office Methods and Data Management

Records Retention/Destruction

For purposes of this Records Retention/Destruction Policy, the term "record" is defined as only those documents, including documents in digital or electronic format, which were made or received pursuant to law or in connection with the transaction of official business. Generally, the District will not maintain documents which do not meet the definition of "record" except to the extent that such document threatens or involves ongoing litigation.

If the record is in the form of a correspondence, including e-mails, the following guidelines apply, and are applicable to all district personnel that would normally create or receive record correspondence:

Correspondence - General:

Routine correspondence sent or received by District administrators that is handled in accordance with existing policies and procedures and that do not contain significant information about office policies or program should be retained for one (1) year.

Correspondence – Policy:

Correspondence which state or form the basis of policy, set important precedents or record important events in the operational history of the District should be kept permanently.

Remaining Records

For all the remaining records that do not constitute correspondence, the Superintendent will appoint an administrator to oversee the District's adherence to the Record Retention/Destruction Policy and Regulation 6531. These non-correspondence records should be retained/destroyed as stated in the Public School Records Retention Schedule listed on the Missouri Secretary of State website.

Board Adopted May 21, 2018

Copyright © 2009 Missouri Consultants for Education

FACILITIES DEVELOPMENT **Regulation 7120**

Facilities Planning and Design

Procurement of Architects, Engineers and Land Surveyors

When the District determines that it may need to engage the services of an architect, engineer, or land surveyor, the Board of Education shall first attempt to select and conduct contractual negotiations for such a service with a professional who falls within one of the two following categories: (1) any architect, engineer, or land surveyor who has contracted previously with the District to provide services to the District; or (2) any architect, engineer, or land surveyor who has been recommended to the District by a construction contractor with whom the District is familiar.

If the Board of Education determines that an architect, engineer, or land surveyor selected from one of the two categories in the prior paragraph is appropriate for the project contemplated, then contractual negotiations may be conducted with that architect, engineer, or land surveyor, and a contract may be executed between the District and that professional. The determination of whether a particular architect, engineer, or land surveyor is "appropriate" for a project is discretionary on the part of the Board of Education.

If the District cannot agree upon the terms of a contract with the architect, engineer, or land surveyor whom it has selected and with whom it has negotiated, or if the District determines that a professional selected according to this policy is not appropriate, the District will then attempt to select an appropriate architect, engineer, or land surveyor through advertisements inviting the submission of proposals or by directly contacting other architects, engineers, or land surveyors. After making its selection pursuant to this paragraph, the District will attempt to negotiate a contract with that professional. The District will continue to follow the procedures outlined in this regulation until a contract has been executed between the District and an appropriate architect, engineer, or land surveyor.

Board Adopted April 18, 2019

FACILITIES DEVELOPMENT **Regulation 7130**

Facilities Planning and Design

Construction Manager Selection

When the District determines that it may need to engage the services of a construction manager, the Board of Education shall select a construction manager and negotiate with that construction manager to obtain a contract that is fair and reasonable. To select a construction manager, the District shall advertise and solicit proposals from qualified construction managers in the following manner:

1. If the total cost for the project exceeds five hundred thousand dollars ($500,000), the solicitation shall be advertised for a period of ten (10) days in one (1) newspaper of general circulation in the county.

2. If the total cost of the project exceeds one million five hundred thousand dollars ($1,500,000), the solicitation shall be advertised for ten (10) days in two (2) daily newspapers in Missouri which have not less than fifty thousand (50,000) daily circulation in addition to the advertisement required by number 1 above.

3. If the total cost of the project is five hundred thousand dollars ($500,000) or less, the solicitation need not be advertised.

Solicitations shall require the bidders to submit the following information:

1. Fees for overhead and profit.

2. Reimbursable costs for reimbursable items.

3. Qualifications.

4. Demonstration of ability to perform projects comparable in design, scope and complexity.

5. Demonstration of good faith efforts to achieve compliance with federal, state and local affirmative action requirements.

6. References from owners for whom construction management services have been performed.

7. Financial strength.

8. Qualifications of personnel who will manage the project.

9. Demonstration of successful management systems which have been employed for the purposes of estimating, scheduling, and cost controls.

If the Board selects a construction manager on the basis of the above factors, then contractual negotiations may be conducted with that construction manager and a contract may be executed between the District and that construction manager.

If the Board cannot reach an agreement upon the terms of a construction management services contract through negotiations with the selected construction manager, then the Board will attempt to select another construction manager and negotiate a contract with that construction manager. The Board will continue to follow the procedures outlined in this policy until a contract has been executed between the District and a construction manager.

Furthermore, the Board shall not award a contract for construction management services on a negotiated basis to any construction manager (or a firm that controls, is controlled by or shares common ownership or control with the construction manager), unless such construction manager:

1. Guarantees, warrants or otherwise assumes financial responsibility for the work of others on the project.

2. Provides the District with a guaranteed maximum price for the work of others on the project.

3. Furnishes or guarantees a performance or payment bond for other contractors on the project.

A construction management services contract to such a construction manager may only be awarded though a competitive bid process.

Under this policy, the term *project* shall mean the erection or construction of a building or structure or the improvement, alteration or repair of a building or structure. The term *construction manager* includes, but is not limited to, consulting, advising, assisting and making recommendations on any and all aspects of pre-construction planning, design, bidding, and contract award and providing general observation, coordination and direction of the work and processing of payment requests and change orders during construction

Board Adopted January 1998
Board Reviewed October 17, 2013
Board Reviewed April 18, 2019

FACILITIES DEVELOPMENT **Regulation 7131**

Facilities Planning and Design

Design-Build Selection

Board Action

To initiate the design-build method, the Board will:

1. Publically disclose its intent to utilize a design-build method during an open session of a regular Board meeting. This meeting will occur at least one week prior to publishing a request for proposals.

2. Retain a design criteria consultant who shall be a duly licensed architect or engineer, to assist in preparation of a design criteria package and request for proposal. Among the functions to be performed by the consultant are the following:

    a) To perform periodic site reviews to determine adherence to design criteria;

    b) Prepare progress reports and additional services by the District;

    c) Assist in the development of project design criteria;

    d) Assist in the development of requirements for proposal; and

    e) Assist in evaluation of proposals.

    However, the consultant may not submit a proposal or furnish, design or consultation services for the contract for which they were retained to consult. The consultant will be selected and its contract negotiated consistent with the process utilized in Policy 7120 for selection of architects and engineers, unless the consultant is a District employee.

3. Publish a notice of the request for proposals with a description of the project, the procedures for submission and the selection criteria to be used. This notice will be publicized in a newspaper of general circulation located in the county within the boundaries of the District. The publication will occur once per week for two consecutive weeks prior to opening of proposals.

Selection Process/Design Criteria Consultant

1. A design criteria consultant will be retained by the District to assist in preparation of the design criteria package and request for proposals.

2. The consultant will assist the District in the development of project design criteria, requests for proposals, evaluation of proposals and any additional services requested by the District.

3. Requests for Proposals will include:

    a) Procedures for submitting proposals.

    b) Criteria for evaluating proposals including the relative weight of each criteria.

    c) Terms and conditions of the design-build contract.

    d) The design criteria package.

    e) Description of the drawings and specifications.

    f) A schedule of the planned commencement and completion of the design-build contract.

    g) Budget limits, if any.

    h) Requirements for performance bonds, payment bonds and insurance.

    i) Amount of stipend.

Bid Process

Phase One.

1. All bidders will be required to submit a statement of qualifications to include:

    a) Demonstrated ability to perform projects comparable in design, scope and complexity.

    b) References of Owners of design-build projects completed.

    c) Qualifications of personnel will manage the design and construction aspects.

    d) Names and qualifications of the primary design consultants and primary trade contractors proposed to be utilized.

Phase Two/Evaluation Team.

1. The District will select qualified design-builders to proceed to Phase Two. The number selected to proceed will not be more than five, nor less than two in number.

2. Neither price nor fee will be a part of the pre-qualification criteria.

3. Design-builders will participate in an interview.

4. Qualified design-builders will assemble a Phase II proposal to include:

    a) Project design.

    b) Ability to meet the approved schedule.

    c) Points will be awarded as follows:
        i. Up to 20% based on qualification and ability to design, contract and deliver the project on time and within budget.
        ii. Phase II points will account for not less than 40% of the total points.

Phase Three.

1. Qualified design-builders will submit a firm, fixed cost of design and construction and will include a bid security bond as well as a statement of minority participation.

2. Phase III will account for no less than forty (40%) percent of the total points.

3. Proposals for Phase II and Phase III will be submitted concurrently in separate envelopes.

4. Phase III cost proposals will be opened only after the Phase II design proposals have been evaluated; assigned points, ranked in order and pointed.

5. Cost proposals shall be opened and read aloud at the time and place specified in the RFP. Simultaneously, the scoring of Phase II will be made public.

6. In evaluating cost proposals, the lowest responsive bidder will be awarded the total number of points to be awarded in Phase III. Higher bidders' point totals will be reduced by one (1%) percent for each percentage point by which the bidder exceeds the lowest bid.

7. If the District rejects the bidder with the highest total points, all proposals will be rejected.

8. A stipend in the amount of one-half (1/2) of one (1%) percent will be paid to each prequalified bidder where proposal is responsive but not accepted. Upon payment the District will acquire a non-exclusive right to use the design submitted by the proposer. The proposer may retain the design rights by releasing the stipend.

9. Construction Oversight. The design criteria consultant will be responsible for among other things:

    a) Perform regular site visits to determine adherence to the design criteria.

    b) Prepare progress reports.

    c) Review and approve progress and final pay applications of the design-builder

    d) Review shop drawings and submissions

    e) Provide input in disputes

    f) Interpret construction documents

    g) Perform inspections upon substantial and final completion

    h) Complete warranty inspections.

*****

August 2016, Copyright © 2016 Missouri Consultants for Education

Board Adopted October 20, 2016
Board Reviewed April 18, 2019

FACILITIES DEVELOPMENT **Regulation 7132**

Facilities Planning and Design

Construction Manager Selection

When the Board elects to utilize the construction manager at risk method of construction, the following procedures will be follows:

Initial Board Action

At least one week prior to publishing request for construction manager qualifications, the Board will disclose at a regular meeting, open session, its intent to utilize a construction manager at risk (hereinafter "CM-AR") and the selection criteria it will utilize in the process.

Prior to or at the same time the Board selects a CM-AR, the Board will select an architect who will be responsible for preparation of construction documents.

Publication of Request for Proposals/Qualifications

The District will publish its requests for proposals or qualifications for a CM-AR in a newspaper of general circulation located in a county within the District's boundaries once per week for two consecutive weeks prior to the opening of proposals.

Process for Selection of a Construction Manager

Step One: The District's Request for Qualifications will include such general information to include:

1. Project site
2. Project scope
3. Schedule
4. Selection criteria
5. Time and place for receipt of proposals/qualifications

Selection criteria will include but not be limited to the following:

1. Construction manager experience
2. Past performance
3. Safety record
4. Proposed personnel and methodology
5. Similar projects performed for other school districts during the past five years
6. The request for qualifications will not require fees or price

Step Two: The District will, based upon qualifications, select two (2) to five (5) potential CM-ARs to provide additional information including each potential CM-AR's proposed fee and its price for fulfilling the general conditions.

Proposal Openings

At the conclusion of each of the two steps, the District shall receive, publically open and read aloud the names of the CM-ARs.

Selection

In making its selection the District will weigh the proposing CM-AR's qualifications a minimum of forty (40%) percent. Cost shall account for a maximum of sixty (60%) percent.

The District will select the CM-AR that submits the proposal that offers the best value based upon the published selection criteria and on its ranking evaluations.

Within forty-five (45) days after the date of opening proposals, the District will evaluate and rank each proposal in relation to the proposal/qualifications submitted in relation to the criteria contained in the District's RFP.

The District will then interview at least two of the top ranked proposers as part of the final selection process. The District will first attempt to negotiate a contract with the selected CM-AR. If negotiations are unsuccessful, the District will notify such CM-AR, in writing, that negotiations have ended. The District will then begin negotiations with the second highest most ranked CM-AR following the same process until a contract is reached.

Selection of Subcontractors

The selected CM-AR will publically advertise for bids from trade contractors for performance of all major elements of the work in the same manner as if the bids were solicited directly by the District.

The CM-AR may submit sealed bids for portions of the construction work that they may elect to perform in the same manner as other trade contractors. However, the District has the right to restrict the CM-AR from submitting such bids to perform trade work.

The CM-AR will review all bids and recommend approval of trade work bids. Where the CM-AR is permitted to and does submit sealed bids for certain subcontracts, the District will determine if the CM-AR's trade work bid offers the best value for the District.

If the CM-AR reviews, evaluates and recommends a bid for trade contractor, the Board may accept or reject the recommendation and require that another bid be accepted. In such case, the District will compensate the CM-AR by a change in price, time or guaranteed maximum cost due to additional cost or risk occasioned by rejection of the CM-AR's recommended bidder.

Construction

If a selected trade contractor materially defaults in its performance or fails to execute a subcontract, the CM-AR, without further authorization may fulfill the requirements of the defaulted contract or may select a replacement subcontractor.

Performance and Payment Bonds

The CM-AR will deliver performance and payment bonds to the District no later than the tenth (10^{th}) day after the date the fixed contract amount, or guaranteed price is established. The sums of such bonds shall equal the sum of the fixed contract amount or guaranteed maximum price.

*****

August 2016, Copyright © 2016 Missouri Consultants for Education

Board Adopted October 20, 2016
Board Reviewed April 18, 2019