



JUNE 2013 KASB POLICY UPDATES

To: Member Unified School Districts and other Member Organizations
From: Angie Stallbaumer, KASB Policy Specialist/Staff Attorney
Re: Recommended Policy and Handbook Updates

Happy summer, everyone! KASB emails these packets each June after revisions are made to the Association's policy recommendations. Hopefully your district also received our January/February policy updates, as those policies will not be included herein. If you did not receive the earlier update, please email me at astallbaumer@kasb.org, so I can get them sent your way.

The following policy recommendations have been edited and revised by the KASB legal department. Notice the phrase "KASB Recommendation – [date]" on each policy. This should reduce confusion as to which KASB policy recommendation is the most current. If there is more than one date, this reflects different dates when KASB has revised the language.

The purposes of these revisions are to fill in some gaps where districts often ask us for policy samples, to comply with new legal requirements or make the language more legally accurate, and to make the policies easier to administer. Some of these policy recommendations reflect recent changes in state or federal law.

The contents of this policy package should be reviewed by the superintendent, the clerk, and the board at least, but it may not hurt to run it by your other district administration and student body representatives if your policy on adoption or revision of policy requires student input. If any of the new policy recommendations meet district needs, they are ready to add to the policy book **after board approval**. Remember to delete the date of the KASB recommendation and put in the local adoption date. When the board edits these policies and makes elections as outlined in bracketed language, remember to remove the { } marks. Keep in mind that language contained in {} either allows the board to make a selection from a couple different options or contains optional language that the board may incorporate into its policy or leave

out entirely. There will be a “/” separating suggested options in such brackets when KASB is prompting the board to choose between given courses of action.

Once adopted locally, policies have the force and effect of law. Suggested policies should not, however, be placed in the policy book without an opportunity for board discussion and an official motion to approve their addition to the district’s policy book. Minutes from the meeting should reflect when policies were adopted and which policies were approved. To save time in case of an audit, file a copy of the minutes with critical policies required by law. **Clerks must also make sure an historical policy file is maintained in the district.**

We sincerely hope these policy recommendations will be helpful for you. If you have comments, questions or concerns about these policy recommendations, or if you have additional policy needs, call 1-800-432-2471 and ask to speak to Angie Stallbaumer; email me at astallbaumer@kasb.org; or contact another member of the KASB legal staff.

Sincerely,

Angie Stallbaumer

KASB Policy Specialist/Staff Attorney

JUNE 2013 NEW AND REVISED KASB POLICIES

POLICY CODE	RATIONALE FOR NEW RECOMMENDATION OR REVISION	RECOMMENDED ACTION
BBC (Board Committees)	<p>This policy was revised to allow more flexibility in the size of board sub-committees. In our previous policy, only two board members were allowed to serve on any one sub-committee.</p> <p>However, with the change in the Kansas Open Meetings Act (“KOMA”) a few years ago, three board members can now meet to discuss school business without the meeting being subject to KOMA. Therefore, the number of board members allowed to serve on a given sub-committee was raised from two to three in this revision. See below for an excerpt of the policy reflecting the change.</p> <p>“...Sub-committees of the board may be assigned on a temporary basis and shall consist of no more than three board members...”</p>	<p>Review and adopt if it is preferred to the present board policy on the topic. This is not a legally required update.</p>
FC (Memorials and Naming of District Facilities) → NEW	<p>We have received many requests for a policy concerning the naming of district facilities and the housing of permanent student or staff memorials. This language is optional language for the board to consider.</p> <p>Part of the reasoning behind limiting memorials within the school setting is the district needs to be careful not to take action to glorify death, especially in instances where students or staff deaths are brought about by suicide or reckless acts such as drunk driving or drug use.</p>	<p>Review and adopt the policy if helpful. This policy is not legally required.</p>
GAEE (Bullying By Staff)	<p>This policy was revised to reflect the statutory changes brought about by the passage of House Bill No. 2261 (“HB 2261), which requires school policies to address bullying of students and staff members by parents as well</p>	<p>Review and replace. Some of</p>

	<p>as students and staff members. Language on the prohibited conduct by parents was added.</p> <p>Also, the statutory definition of “bullying” was not reflected in our policy even though it was addressed in our suggested bullying plan (see a revised bullying plan accompanying these materials). A reference to the statutory definition of bullying as defined in K.S.A. 72-8256 has been added. Note KASB does not provide exact citations in board policy, as they are subject to frequent change.</p> <p>The language “pending a hearing” has been removed concerning the possible disciplinary action taken for violation of the policy, as not all staff members would be entitled to a hearing prior to a suspension. Short term suspensions may be given without a formal hearing requirement.</p>	<p>this revision is legally required.</p>
<p>GAAF (Emergency Safety Interventions) → NEW</p>	<p>The State Board of Education adopted new regulations requiring districts to adopt policy concerning emergency safety interventions (“ESI”) applicable to ALL district students. This policy and the accompanying forms have been developed to address the new regulatory requirements.</p> <p>The pertinent regulations are K.A.R. 91-42-1 and K.A.R. 91-42-2 and are available upon request. Please note the next column for where the policy must be accessible per K.A.R. 91-42-2.</p> <p>Note also that training will be required for all staff in some degree or another. This means not only certified staff but bus drivers, custodians, cooks, board clerks, etc. will need to be provided at least a basic level of training in ESI as determined necessary by district administration.</p> <p>For questions on this policy or its implementation, please contact Sarah Loquist with the KASB legal staff.</p>	<p>Review and adopt this policy; discuss it with building administration and staff; and include on each school’s website as well as in at least one of the following: the school code of conduct, student (not staff) handbooks, and/or the school’s safety plan.</p> <p>This policy is legally required</p>

		for next school year.
GACCA (Nepotism)	<p>Nepotism policies are not required, but this policy is a starting point for discussions. While it is best to reduce situations where moral or ethical conflicts of interest will arise, some districts are small enough that adopting such a policy would greatly reduce the pool of qualified candidates for a position.</p> <p>The first and last paragraphs have been added. The first requires the superintendent to make reasonable efforts to determine if a job candidate is related to a board member, and, if so, would obligate the superintendent to inform the board of the familial relationship.</p> <p>The last paragraph ensures that no employee directly supervise or perform any portion of the evaluation of an immediate family member.</p> <p>A less restrictive option would be to delete the second and third paragraphs of the policy and keep the remainder. This would ensure that the board is informed prior to making employment decisions and would at least limit family members serving in direct supervisory or evaluative roles over other immediate family members.</p>	<p>Review and adopt the policy and add to present policy language. This is not a legal requirement.</p>
GANA (Expense Reimbursement and Credit Cards) → NEW	<p>This policy is in response to requests for more guidance on the use of credit cards by staff members other than the superintendent. It compliments CEF and GAN.</p> <p>Note that there are some statutory limits to school district staff credit card use, so edits to this policy should be done so as to be mindful of those restrictions. Please see the relevant statutory language below.</p>	<p>Review the policy and adopt if helpful. Discuss it with building administrators. This is not a legally required policy, although there are statutory</p>

	<p>K.S.A. 72-8244 provides:</p> <p><i>(a) The board of education of any school district, pursuant to a policy developed and adopted by the board, may provide for the acquisition of credit cards in the name of the school district for use by designated officers and employees of the school district. The policy shall prescribe limitations and restrictions on the use of such credit cards and on the amounts and categories of expenses which may be paid through use of such credit cards. The policy shall provide for maintenance of a public record of all expenditures for payment of charges incurred by the school district through use of credit cards.</i></p> <p><i>(b) The provisions and restrictions of the cash basis and budget laws of this state shall not apply to the provisions of this section in any manner so as to prevent the intention of this section from being made effective.</i></p>	<p>requirements on the use and approval of credit cards and related policies.</p>
<p>GAOC (Use of Tobacco Products and Electronic Cigarettes)</p>	<p>Language was added to prohibit staff use of electronic cigarettes (generally containing nicotine or other products but not usually tobacco) as well as tobacco products in <u>all</u> school buildings. Formerly, the policy did not address electronic cigarettes and did not cover school buildings not used for student attendance. There's also optional language in braces at the end which the board may include if it wishes to make this conduct acceptable in certain areas on district property.</p> <p>Keep in mind that the Kansas Indoor Clean Air Act requires public places and enclosed places of employment to be free of smoke. So all bus barns and other areas used for employment purposes or public access regardless of student access to such places are to be smoke free. Any smoking areas will need to be at least 10 feet away from any doorway, open window, or air intake to a facility where smoking is prohibited. There are fines</p>	<p>Review and replace the old policy. An expansion of the policy to prohibit smoking in all school buildings will help keep the district compliant with state law.</p>

	<p>associated for employers failing to enforce the restrictions on smoking as required by statute. A fact sheet on the law is available at http://www.kssmokefree.org/fact_sheet.html.</p>	
GAOF (Salary Deductions)	<p>This policy was revised to address changes in the salary withholding aspects of the Kansas Wage Payment Act passed by the 2013 Legislature in Senate Substitute for House Bill No. 2022. The language now allows salary deductions to be made if permitted by board policy, the negotiated agreement, or are required <u>or authorized</u> by law.</p> <p>The change would allow withholdings to be made either upon agreement between the parties or upon the provision of notice of the withholding at the end of the work relationship so long as the amount withheld does not reduce the wages below the federal minimum wage for hours worked in any pay period.</p>	<p>Review and replace the old policy. This change is not required by law, but it allows the district to do deductions to the full extent of what the law now allows.</p>
IIBGA (Children’s Internet Protection Act)	<p>This policy and the recommended plans for compliance with the federal Children’s Internet Protection Act (“CIPA”) requirements were revised to reflect the Kansas Children’s Internet Protection Act requirements passed in House Bill No. 2109 (“HB 2109”) by the 2013 Legislature.</p> <p>We do not anticipate that districts complying with the federal CIPA requirements to receive E-rate funding will need modify their procedures much to comply with this new state law. Most of the changes to present policy were to make the language for CIPA compliance reflect the new language in HB 2109 as well. Most of the language of the bill having to do with school districts follows.</p> <p>HB 2109 provides in Section 1(a):</p> <p><i>Any school district that provides public access to a computer shall implement and enforce technology protection measures to ensure that</i></p>	<p>Review and replace</p>

no minor has access to visual depictions that are child pornography, harmful to minors or obscene. Each board of education shall adopt policies for the enforcement of this subsection. Such policies and any standards or rules promulgated pursuant to such policies shall be made available to the public...

Although we are not comfortable with districts having to “ensure” minors will not have access to harmful materials in the age of iPads and other devices which are not always restricted by protection measures to filter or block online material, most districts already have protections in place and just need to look at how they may be tightened up in response to the new law.

IIBGC (Staff Online Activities)
→ NEW

This policy was added to provide some procedures for approval and use of social media as an educational communication tool in the school setting.

Staff members are also discouraged from using their personal social media accounts in such a way as to violate board policy or law, to compromise the protection of student record information, or to impair their job performance or effectiveness in the work setting.

Please keep in mind there may be some concerns from certified employees on this policy regarding Freedom of Expression and certified staff disciplinary procedures. Our legal staff has reviewed the policy and believes this policy contains no unreasonable restrictions on the school employees’ First Amendment Rights nor does it contain any disciplinary procedures that would require negotiations. School districts may restrict employees’ use of school media communication tools to educational purposes.

Please consult your local counsel or one the KASB attorneys before expanding the

Review and adopt if desired after a full and frank discussion with the board after administrative input. Double check that board policy and any negotiated language concerning employment policy review and adoption are followed prior to adoption.

	<p>language to be more restrictive on staff off-hours social networking activity.</p> <p>Restrictions in this policy are geared toward social media use in the school and school activities setting, addressing legal requirements of confidentiality of student record information for educators, and simply advising staff that indiscretions on social networking sites may result in disciplinary action if they spill over into the employee's job performance, responsibilities, or effectiveness.</p>	
JBC (Enrollment)	<p>There were two small revisions to this policy. The first was changing a reference to the "Kansas Social and Rehabilitation Services" Department on page 2 to the "Kansas Department for Children and Families" in accordance with the Governor's Executive Reorganization Order No. 41 from 2012.</p> <p>The second change clarifies that the district will accept credits earned in other accredited schools at the time a student transfers and enrolls in the district in accordance with K.A.R. 91-31-34(d) but states that online credit approval procedures after initial enrollment will be handled through board policy IIBGB.</p> <p>Some districts had trouble with students enrolling in online courses offered outside the district in lieu of taking district courses and expecting them to be credited under JBC. This revision should remove any uncertainty as to how this situation should be handled.</p>	Review and adopt this policy. This is not a legal requirement.
JCDAA (Tobacco and Electronic Cigarettes)	As with the staff tobacco policy, GAOC, this policy was expanded to prohibit student use of electronic cigarettes. It also prohibits such use in district vehicles where the previous policy did not include them specifically.	Review and adopt this policy. This is not a legal requirement.

<p>JDDC (Bullying)</p>	<p>This policy was revised to reflect the statutory changes brought about by the passage of HB 2261 as discussed in the notes to GAAE above.</p> <p>Since the bill requires school policies to address bullying of students and staff members by parents as well as students and staff members, some language on the prohibited conduct by parents was added. See the revised bullying plan, also.</p>	<p>Review and adopt this policy to replace the outdated policy. This is a legally required change.</p>
<p>JGEC (Sexual Harassment)</p>	<p>The only revision of this policy was replacing an outdated “SRS” reference on page 3 with “DCF”.</p>	<p>Review and adopt this policy to reflect current state agency name.</p>
<p>JGFF (Student Transportation Regulation)</p>	<p>Our old policy in this code only addressed the use of vehicles by students on school property. This one has been expanded to address bicycles and safety concerns for walkers.</p>	<p>Review and adopt this policy if helpful. This is not a legal requirement.</p>
<p>JRB (Release of Student Records)</p>	<p>This policy was revised to reflect changes in the Family Education Rights and Privacy Act brought about by the passage of the federal Uninterrupted Scholars Act (“USA”).</p> <p>The USA, also known as the A+ Act, became effective on January 14, 2013. The law makes two changes to FERPA. First, USA creates a new exception under FERPA that makes it easier for schools to release a child’s education records to child welfare agencies without the prior written consent of the parents. Second, USA eliminates the requirement that education agencies notify parents before education records are released pursuant to a court order to any individual,</p>	<p>Review and adopt this policy. Discuss the new language with district administrators. This is a change brought about by federal law.</p>

when the parent is a party to the case where that order was issued.

The new amendment permits schools to release education records to “an agency caseworker or other representative of a State or local child welfare agency, or tribal organization” who has the right to access a student’s case plan, and when the agency or organization is “legally responsible” for the child’s “care and protection.”

While this will clearly include all children placed in out-of-home care by the agency, it is less clear how this language will be interpreted with regard to disclosing student records when the child is not yet in protective custody, such as when the Department for Children and Families is doing a child abuse investigation.

Another exception to FERPA’s parental consent requirement will now apply when education records are shared with a third party to comply with a judicial order or subpoena. A school can release education records to any party listed on a court order, such as the child welfare agency or caseworker, caretaker, the child’s attorney, or court appointed special advocate. Under the new law, schools do not need to provide notice to parents prior to the release of records when the parents are parties to the child welfare case and are already on notice the school records will be shared.

KGC (Bullying by Parents)
→ NEW

This change was precipitated by House Bill No. 2162 (“HB 2162”), which was passed by the 2013 Legislature, now requiring schools to prohibit the bullying of students and staff by parents.

As KASB suggested to the legislature this session, we are actually extremely limited in how we may “control” parent behavior for lack of jurisdiction absent statutory authority to discipline them. The following is an excerpt

Review and adopt this policy to conform to new state law. Share the policy with district administrators, and train staff as necessary to

	<p>of the new policy describing actions we feel are within the district’s control which may be used to respond to parents bullying students or staff.</p> <p><i>...Parents participating in prohibited bullying conduct aimed at district students and/or staff members may jeopardize their access to district facilities; district property; school sponsored activities, programs, and events; and/or district students and/or staff members through the district’s communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors...</i></p>	<p>adjust to the change.</p>
<p>KGD (Disruptive Acts at School or School Activities)</p>	<p>The former crowd control policy was modified to clear up some confusion concerning the changes to the concealed carry law in Senate Substitute for House Bill No. 2052 and the possession of firearms in the school setting.</p> <p>Directed at all persons, this policy generally prohibits the possession of firearms on district property, in district vehicles or personal vehicles being used to transport students, in district buildings or facilities, and at any school sponsored activities, programs, or events. However, it allows those otherwise authorized by law (such as law enforcement officers but not so broad to allow all concealed carry licensees) or as authorized by board policy to carry a firearm.</p> <p>Note, for those districts intending not to allow employees to concealed carry firearms, this policy should address that issue in absence of board policy providing otherwise. For districts considering allowing staff members to carry firearms, an additional policy authorizing such carry would be required. Please contact Angie at KASB for additional policy needs.</p> <p>We recommend such authorization only be given after much discussion with the board and staff and confirmation that the district will remain covered by its liability insurance</p>	

	carrier if staff members are allowed to concealed carry. Check with your insurance carrier and discuss this with your local counsel or KASB attorney.	
KN (Complaints)	Our complaints policy was revised to refer to the local dispute resolution procedures contained in GAAF in cases of complaints concerning emergency safety intervention use by district staff.	Review and adopt this policy. This is not legally required, but should be helpful.
<u>NEW OR REVISED FORMS</u>		
GAAF: ESI Acknowledgement Form → NEW	This form will document that parents have had access to the ESI policy each year per the annual provision of policies requirement in the regulations.	Review and use if it meets district needs.
GAAF: ESI Documentation Form → NEW	This form meets the documentation requirements for the new ESI regulations and may be used by districts in reporting the use of ESI techniques.	Review and use if it meets district needs.
IIBGA: CIPA Plan	These plan samples for compliance with CIPA were revised to address Kansas CIPA language.	Review and use if they meet local needs.
GAAE, JDDC, & KGC: Short Model Bullying Plan	This plan was revised to address the addition of parent bullying to the state bullying law, K.S.A. 72-8256, through HB 2261. Some additional definitions were added on “staff member” and “parent”, and a staff and student training component was added to bring the plan in compliance with state law.	Review and use if it meets district needs.

TOTAL=

5 New Policies

14 Existing Policy Revisions

**4 New/Revised Forms Complementing
Recommended Policies**

Source: KASB Policy and Legal Services

BBC Board Committees (See CF)

BBC

The board shall operate at all times as a committee of the whole.

There shall be no standing or temporary board committees except as provided for in this policy. Board members [shall not/may] serve on committees which advise the board.

Sub-committees of the board may be assigned on a temporary basis and shall consist of no more than three board members. Board subcommittees are subject to the open meetings law.

Advisory Committees

After considering administrative recommendations, the board may establish advisory committees. The type and function of each advisory committee shall be dictated by district needs. After considering recommendations of the superintendent and other members of the administrative staff, the board shall appoint all members of board advisory committees.

No financial assistance shall be furnished any committee without prior board approval. The superintendent shall monitor each committee's progress and relay information to the board. As requested, each committee shall report in writing to the superintendent and/or the board.

The board may dissolve any advisory committee at any time. No committee shall exist longer than one year unless reappointed by board action.

Approved: KASB Recommendation – 1/01; 4/07; 11/12; 6/13

Memorials

As places designed primarily to support learning, school sites should not serve as the main venue for permanent memorials for students or staff. Permanent memorials for deceased students or staff shall be limited in form to perpetual awards or scholarships for district students.

Any permanent memorials in existence before the adoption of this policy can only be removed by board action.

Naming of Facilities

The board will consider requests from school and community groups to name an athletic or other school activity facility, building, or a portion thereof for a person provided the proposed name has special significance and/or the person has made an outstanding contribution to the school or the school system and has been deceased for at least ___{10} years. The board shall consider naming requests after they are recommended by the superintendent.

Approved: KASB Recommendation – 6/13

GAAE Bullying by Staff (See EBC, GAAB, JDD, JDDC, and KGC) GAAE

The board of education prohibits bullying in any form either by any student, staff member, or parent towards a student or by a student, staff member, or parent towards a staff member on or while using school property, in a school vehicle or at a school-sponsored activity or event. For the purposes of this policy, the term “bullying” shall have the meaning ascribed to it in Kansas law.

The administration shall propose, and the board shall review and approve a plan to address bullying as prohibited herein. The plan shall include provisions for the training and education of staff members.

Staff members who bully others in violation of this policy may be subject to disciplinary action, up to and including suspension and/or termination. If appropriate, staff members who violate the bullying prohibition shall be reported to local law enforcement.

Approved: KASB Recommendation – 6/08; 6/13

GAAF Emergency Safety Interventions (See JRB, JQ, JQA, and KN) GAAF

The board of education is committed to limiting the use of Emergency Safety Interventions (“ESI”), such as seclusion and restraint, with all students. The board of education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

This policy shall be made available on the district website with links to the policy available on any individual school pages. In addition, this policy shall be included in at least one of the following: each school’s code of conduct, school safety plan, or student handbook.

Definitions (See K.A.R. 91-42-1)

“Emergency Safety Intervention” is the use of seclusion or physical restraint when a student presents an immediate danger to self or others. Violent action that is destructive of property may necessitate the use of an emergency safety intervention.

“Seclusion” requires all three of the following conditions to be met: (1) the student is placed in an enclosed area by school personnel; (2) the student is purposefully isolated from adults and peers; and (3) the student is prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.

“Chemical Restraint” means the use of medication to control a student’s violent physical behavior or restrict a student’s freedom of movement.

“Mechanical Restraint” means any device or object used to limit a student’s movement.

“Physical Restraint” means bodily force used to substantially limit a student’s movement.

“Physical Escort” means the temporary touching or holding the hand, wrist, arm, shoulder, or back of a student who is acting out for the purpose of inducing the student to walk to a safe location.

“Time-out” means a behavioral intervention in which a student is temporarily removed from a learning activity without being confined.

Prohibited Types of Restraint

All staff members are prohibited from engaging in the following actions with all students:

- Using face-down (prone) physical restraint;
- Using face-up (supine) physical restraint;
- Using physical restraint that obstructs the student’s airway;
- Using physical restraint that impacts a student’s primary mode of communication;
- Using chemical restraint, except as prescribed by a licensed healthcare professional for treatment of a medical or psychiatric condition; and
- Use of mechanical restraint, except:
 - Protective or stabilizing devices required by law or used in accordance with an order from a licensed healthcare professional;
 - Any device used by law enforcement officers to carry out law enforcement duties; or

- Seatbelts and other safety equipment used to secure students during transportation.

Training

All staff members shall be trained regarding the use of positive behavioral intervention strategies, de-escalation techniques, and prevention techniques. Such training shall be consistent with nationally recognized training programs on the use of emergency safety interventions. The intensity of the training provided will depend upon the employee's position. Administrators, licensed staff members, and other staff deemed most likely to need to restrain a student will be provided more intense training than classified staff who do not work directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position.

Each school building shall maintain documentation regarding the training that was provided and a list of participants.

Documentation

The principal or designee shall provide written notification to the student's parents any time that ESI is used with a student. Such notification must be provided within two (2) school days.

In addition, each building shall maintain documentation any time ESI is used with a student. Such documentation must include all of the following:

- Date and time of the intervention,
- Type of intervention,
- Length of time the intervention was used, and
- School personnel who participated in or supervised the intervention.

All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the superintendent on at least a biannual basis. At least once per school year, each building principal or designee shall review the documentation of ESI incidents with appropriate staff members to consider the appropriateness of the use of ESI in those instances.

Reporting Data

District administration shall report ESI data to the state department of education as required.

Local Dispute Resolution Process

The board of education encourages parents to attempt to resolve issues relating to the use of ESI informally with the building principal and/or the superintendent before filing a formal complaint with the board. In the event that the complaint is resolved informally, the administrator must provide a written report of the informal resolution to the superintendent and the parents and retain a copy of the report at the school. The superintendent will share the informal resolution with the board of education and provide a copy to the state department of education.

If the issues are not resolved informally with the building principal and/or the superintendent, the parents may submit a formal written complaint to the board of education by providing a copy of the complaint to the clerk of the board and the superintendent.

Upon receipt of a formal written complaint, the board president shall assign an investigator to review the complaint and report findings to the board as a whole. Such investigator may be a board member, a school administrator selected by the board, or a board attorney. Such investigator shall be informed

of the obligation to maintain confidentiality of student records and shall report the findings and recommended action to the board in executive session.

Any such investigation must be completed within thirty (30) days of receipt of the formal written complaint by the board clerk and superintendent. On or before the 30th day after receipt of the written complaint, the board shall adopt a report containing written findings of fact and, if necessary, appropriate corrective action. A copy of the report adopted by the board shall be provided to the parents, the school, and the state board of education.

Approved: KASB Recommendation – 6/13

GACCA Nepotism

GACCA

The superintendent shall make reasonable efforts to determine whether a candidate for employment is related to a board member or an administrator of the district. If a candidate is related to a board member or administrator, the superintendent will make this fact known to the board.

Except in an emergency, the board will not employ anyone who is the father, mother, brother, sister, spouse, son, daughter, step-son, step-daughter, son-in-law, or daughter-in-law of any board member.

This provision shall not apply to any person who has been regularly employed by the board prior to the adoption of this policy or to any person who has been regularly employed by the board prior to the election or appointment of a new board member to whom the person is related.

Supervision Limitations

No employee shall directly supervise or be responsible for any portion of the evaluation of his or her father, mother, brother, sister, spouse, son, daughter, step-son, step-daughter, son-in-law, or daughter-in-law.

Approved: KASB Recommendation - 2/98; 6/07; 4/13

Non-administrative staff use of a district credit card, if authorized by the staff member's immediate supervisor, shall be confined to necessary school business and shall be subject to any guidelines for such use established by the board or district administration. Unless otherwise specified in guidelines established pursuant to this policy, staff members shall retain any receipt(s) for district credit card expenditure(s) and shall provide them to the staff member's immediate supervisor as soon as practicable following the expenditure.

The superintendent may designate administrative and other staff members to whom a district credit card will be issued. The board shall annually prescribe limits and restrictions on the use of district credit cards and shall monitor monthly receipts and reimbursement expenses. In no case will credit card expenditures in excess of \$_____ in one {month/year} be authorized for any non-administrative staff member without the prior approval of the superintendent.

Accountings of district credit card use shall be provided to the board for review on a monthly basis, and a record of district credit card usage shall be maintained. Expenses for district travel in personal vehicles or extended travel incurred in the performance of official duties shall be reimbursed in accordance with the provisions of GAN.

Approved: KASB Recommendation - 6/13

GAOC Use of Tobacco Products and Electronic Cigarettes (See JCDA)

GAOC

The use of tobacco products in any form and/or electronic cigarettes is prohibited in any school building owned or operated by the district and in school vehicles. {Any use of tobacco products or electronic cigarettes on district property shall be only in areas designated for such purpose.}

Approved: KASB Recommendation - 2/98; 4/07; 6/13

GAOF Salary Deductions (See GAL)

GAOF

Salary deductions shall be made if permitted by board policy, the negotiated agreement, or as required or authorized by law. The district shall comply with the salary basis requirements of the Fair Labor Standards Act (FLSA.)

The superintendent shall develop forms to provide information needed to make approved salary deductions. All requests for salary deductions shall be submitted to the superintendent during enrollment periods established by the board.

Approved: KASB Recommendation - 2/98; 11/04; 4/07; 6/13

The district shall implement and enforce an internet safety plan meeting the requirements of both the federal and the Kansas Children's Internet Protection Acts (CIPA). The superintendent shall develop a plan to implement the Children's Internet Protection Acts.

Such plan shall include technology protection measures and such other measures as deemed appropriate to address the following issues:

- (1) Access by minors to inappropriate matter on the Internet and World Wide Web,
- (2) The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications,
- (3) Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- (4) Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- (5) Measures designed to restrict minors' access to materials that may be harmful to them.

For the purposes of this policy, "minor" shall be defined to mean any student who is under 18 years of age. The board charges the superintendent to develop the CIPA implementing plan so that all of the protections provided by this policy and the corresponding plan may be afforded to all district students, regardless of their age.

If the district is providing public access to any computer, the CIPA plan shall also implement and enforce technology protection measures to ensure no minor has access to visual depictions that are child pornography, harmful to

IIBGA Children's Internet Protection Act

IIBGA-2

minors, or obscene. This plan shall be on file with the board clerk and in each school office with Internet access, and copies shall be made available upon request. The superintendent shall ensure compliance with CIPA by completing Federal Communication Commission forms as required.

Approved: KASB Recommendation – 7/01; 6/04; 4/07; 6/09; 6/12; 6/13

IIBGC Staff Online Activities (See GAF, GBU, IIBG, IIBGA, KGA) IIBGC

Employees are encouraged to use district electronic mail and other district technology resources to promote student learning and communication with parents of students and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities. Technology-based materials, activities, and communication tools shall be appropriate for and within the range of the knowledge, understanding, age, and maturity of students with whom they are used.

District employees, including, but not limited to, classroom teachers and extracurricular activity coaches and sponsors, may set up blogs and other social networking accounts using district technological resources and following district policy and guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction. Social networking sites and other online communication options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for district employees and activity sponsors to utilize a social networking site for instructional, administrative, or other work-related communication purposes, they shall comply with the following:

IIBGC Staff Online Activities

IIBGC-2

1. They shall request prior permission from the superintendent or the superintendent's designee.
2. If permission is granted, staff members will set up the site following any district guidelines developed by the superintendent and approved by the board. If the expenditure of district funds is required to complete the set-up or maintenance of the site, the requesting staff member shall present an itemized summary of such costs to the superintendent. {Board/Superintendent} approval shall be required prior to the expenditure of district funds for such purpose.
3. Guidelines shall specify whether access to the site must be given to school/district administrators and technology staff.
4. If written parental consent is not otherwise granted through acceptable use policy forms provided by the district, staff shall notify parents of the site and obtain written permission for students to become "friends" of the site prior to the students being granted access. This permission shall be kept on file at the school as determined by the principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
 - a. Monitoring and managing the site to promote safe and acceptable use and compliance with district policies; and

- b. Observing confidentiality restrictions concerning release of personally identifiable student information under state and federal law.

Staff members are discouraged from creating personal social networking accounts to which they invite current or future students to be friends. Employees taking such action do so at their own risk. All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable board policy, statutory, or regulatory provisions governing employee conduct or the protection of student record information; or if it impairs the staff member's job performance or effectiveness in the work setting. District staff shall endeavor to protect the health, safety, and emotional well-being of students and confidentiality of student record information both in the school setting and in their online actions. Conduct in violation of this policy, including, but not limited to, conduct relating to the use of technology, social networking, or online resources, may form the basis for disciplinary action up to and including termination from employment.

Approved: KASB Recommendation – 6/13

Resident Students

A resident student is any child who has attained the age of eligibility for school attendance and lives with a parent or a person acting as a parent who is a resident of the district. Children who are homeless as defined by Kansas law and who are located in the district will be admitted as resident students. For purposes of this policy, parent means the natural parents, adoptive parents, step-parents and foster parents. For purposes of this policy, person acting as a parent means a guardian or conservator, a person liable by law to care for or support the child, a person who has actual care and control of the child and provides a major portion of support or a person who has actual care and control of the child with written consent of a person who has legal custody of the child.

Non-resident Students

Non-resident students are those who do not meet the definition of a resident student. Non-resident students may be admitted only to the extent that staff, facilities, equipment, and supplies are available.

A non-resident student who has been suspended or expelled from another district will not be admitted to the district unless approved by the board.

Enrollment Procedures

The superintendent shall establish orderly procedures for enrolling all students, including pre-enrollment, changes in enrollment, normal enrollment times, and communication to parents and to the public.

{Part-Time Students

Part-time students may enroll with the (board's/administration's) permission if they complete all paperwork in a timely fashion and are in attendance no later than _____. (Insert date) Part-time students may be admitted only to the extent that staff, facilities, equipment, and supplies are available and the students follow the district's student conduct policies and rules. }

Identification of Students

All students enrolling in the district for the first time shall provide required proof of identity. Students enrolling in kindergarten or first grade shall provide a certified copy of their birth certificate or other documentation which the board determines to be satisfactory. Students enrolling in grades 2-12 shall provide a certified transcript or similar pupil records.

Enrollment Information

The enrollment documentation shall include a student's permanent record card with a student's legal name as it appears on the birth certificate, or as changed by a court order and the name, address, telephone number of the lawful custodian. The records shall also provide the identity of the student as evidenced by a certified birth certificate, copy of a court order placing the student in the custody of the Kansas Department for Children and Families, a certified transcript of the student, a baptismal certificate, or other documentation the board considers satisfactory. If proper proof of identity is not provided within 30 days of enrolling, the superintendent shall notify local law enforcement officials as required by law and shall not notify any person

claiming custody of the child.

Assignment to a School Building, Grade Level, or Classes

The superintendent shall assign students to the appropriate building. Any student desiring to attend a school outside the attendance area in which the student resides may do so only with the prior written permission of the superintendent. Assignment to a particular grade level or particular classes shall be determined by the building principal based on the educational abilities of the student. If the parents disagree, the principal's decision may be appealed to the superintendent. If the parents are still dissatisfied with the assignment, they may appeal in writing to the board.

Transferring Credit

In the middle (junior high) school and in the senior high school, full faith and credit shall be given to units earned in other accredited schools at the time the student enrolls in the district, unless the principal determines there is valid reason for not doing so. For online credit approval procedures after enrollment, see board policy IIBGB.

Transfers from Non-Accredited Schools

Students transferring from non-accredited schools will be placed by the principal. Initial placement will be made by the principal after consultation with parents or guardians and guidance personnel. Final placement shall be made by the principal based on the student's documented past educational experiences and performance on tests administered to determine grade level placement.

Approved: KASB Recommendation – 6/01; 4/07; 6/13

JCDAA Tobacco and Electronic Cigarettes (See GAOC)

JCDAA

Smoking by students and/or the possession or use of any other tobacco product or electronic cigarette is prohibited in any district facility; in school vehicles; at school-sponsored, activities, programs, or events, and on school owned or operated property.

Administrators may report students who are in violation of this policy to the appropriate law enforcement agency.

Approved: KASB Recommendation 7/96; 9/97; 4/07; 6/13

JDDC Bullying (See EBC, GAAE, JCE, JDD, JGEC, JGECA, and KGC) JDDC

The board of education prohibits bullying in any form either by any student, staff member, or parent towards a student or by a student, staff member, or parent towards a staff member on or while using school property, in a school vehicle, or at a school-sponsored activity or event. For the purposes of this policy, the term “bullying” shall have the meaning ascribed to it in Kansas law.

The administration shall propose, and the board shall review and approve a plan to address bullying as prohibited herein. The plan shall include provisions for the training and education of staff members and students and shall include appropriate community involvement as approved by the board.

Students who have bullied others in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion. If appropriate, students who violate the bullying prohibition shall be reported to local law enforcement.

Approved: KASB Recommendation – 06/07; 6/08; 6/09; 6/13

JGEC Sexual Harassment (See GAAC, GAAD, GAF, JDDC and KN) JGEC

The board of education is committed to providing a positive and productive learning and working environment, free from discrimination on the basis of sex, including sexual harassment. Sexual harassment shall not be tolerated in the school district. Sexual harassment of employees or students of the district by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events. Sexual harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

It shall be a violation of this policy for any student, employee or third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy.

Sexual harassment is unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the school staff to a student or when made by any student to another student when: (1) submission to such conduct is

made, explicitly or implicitly, a term or condition of the individual's education; (2) submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting that individual; or (3) such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive academic environment.

Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include, but is not limited to: verbal harassment or abuse; pressure for sexual activity; repeated remarks to a person, with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades, participation in extra-curricular activities, etc.

The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. The district will promptly investigate all complaints of sexual harassment and take prompt corrective action to end the harassment.

Any student who believes that he or she has been subjected to sexual harassment should discuss the alleged harassment with the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall

be reported to the district compliance coordinator. The building principal or district compliance coordinator shall discuss the complaint with the student to determine if it can be resolved. If the matter is not resolved to the satisfaction of the student in this meeting, the student may initiate a formal complaint under the district's discrimination complaint procedure.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable student conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may provide grounds for discipline under the code of student conduct.

An employee who witnesses an act of sexual harassment shall report the incident to the building principal. Employees who fail to report complaints or incidents of sexual harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

When a complaint contains evidence of criminal activity or child abuse, the building coordinator or district coordinator shall report such conduct to the appropriate law enforcement or DCF authorities.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be

balanced with the district's obligation to conduct a thorough investigation, to take appropriate corrective action or to provide due process to the accused.

The filing of a complaint or otherwise reporting sexual harassment shall not reflect upon the individual's status or grades. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a sexual harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including expulsion for a student or termination of employment for an employee.

False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant.

A summary of this policy and related materials shall be posted in each district facility. The policy shall also be published in student, parent and employee handbooks as directed by the district compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually.

Approved: KASB Recommendation-7/96; 8/98; 7/03; 4/07; 6/13

Use of Vehicles and Bicycles

The superintendent shall develop procedures regulating the driving, parking, and use of vehicles and the use and parking of bicycles during the school day. Failure to observe district regulations may result in disciplinary action.

Rules and regulations concerning use of vehicles and bicycles on school property shall be approved by the board and {shall/may} be included in the student handbook.

Walkers

Students who walk to and from school are urged to become familiar with traffic safety laws governing such activities, to be alert to their surroundings, and to exercise caution while crossing streets in high traffic areas.

Notice

At the beginning of each school year, district staff will provide students with appropriate notice of the rules and regulations pertinent to this policy.

Approved: KASB Recommendation– 6/13

JRB **Release of Student Records** **JRB**
(See BCBK, CN, CNA, ECA, IDAE, JGGA, JR et seq. and KBA)

Individual student files are not available for public inspection. The custodian of student records shall disclose the student's educational records only as provided for in policy.

Directory Information

Annual notice shall be given to parents and eligible students concerning the student's records. In addition, the custodian of the educational records shall give annual public notice of the class of records the institution has designated as directory information, and of the right of the parent or eligible student to object to the release of directory information without prior written consent. The appropriate forms for providing notice shall be on file in the office of the custodian of the educational records.

After giving notice, the custodian of records may make directory information available without parental or eligible student's consent. The custodian of records shall make student recruiting information (name, address, and telephone listing) available to military recruiters and postsecondary institutions unless parents or eligible students request the information not be released without written consent.

For the purposes of this policy, school official means teacher, administrator, other certified employee or board of education. The district may disclose, without the parents or eligible students' consent, personally identifiable information to school officials with a legitimate educational interest. A school official is a person employed by the school as an administrator, supervisor, instructor, or support-staff member (including health or medical staff and law enforcement unit personnel); the school board (in

executive session); a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

The custodian may disclose students' education records to the following persons without the prior consent of the parents:

- Other school officials, including teachers within the district who have legitimate educational interests;
- Officials of other schools or school systems in which the student intends to enroll. The school district will forward student records to such institutions without further notice to the parents or eligible student when the disclosure is initiated by a parent or eligible student or an annual notice provided to parents and eligible students by the district informs them that such records will be automatically disclosed to these institutions for the purposes of enrollment or transfer of the student;
- Authorized persons to whom a student has applied for or from whom a student has received financial aid;
- State and local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to state statutes;
- Organizations conducting studies for educational agencies for the purpose of developing, validating or administering student tests or programs;
- Accrediting organizations;
- Parents of a student 18 years of age if parents claim the student as a dependent for income tax purposes;
- Appropriate persons if knowledge of any information is necessary to protect the health or safety of the student or other persons in an emergency;

- An agency caseworker or representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student and when any further disclosure of such information thereby will be limited in accordance with law; and
- In compliance with a lawfully issued subpoena or judicial order.

Access will be granted to any third party upon written authorization of the eligible student, parent or guardian.

No personally identifiable information contained in personal school records shall be furnished to any person other than those named herein. When there is written instruction from the student's parents, guardian or the eligible student specifying the records, the reasons and the person(s) to whom the release is to be made, a copy of the records to be released shall be made available to the student, parents or guardian upon request. When information is requested in compliance with a judicial order or pursuant to any lawfully issued subpoena, parent(s)/guardian and the student shall be notified of the orders or subpoenas in advance of compliance with the order or subpoena unless:

- the order or subpoena specifically forbids such disclosure; or
- the order is issued in the context of a court proceeding where a parent is a party and the proceeding involves child abuse and neglect or dependency matters.

Nothing contained in this policy shall preclude authorized representatives of the Comptroller General of the United States, the Secretary and an administrative head of an educational agency or state authorities from having access to student or other records which may be necessary in connection with

JRB Release of Student Records

JRB-4

the audit and evaluation of federally supported education programs or the enforcement of the federal legal requirements which relate to these programs. The data collection by such official with respect to individual students shall not include information (including social security numbers) which would permit the personal identification of students or their parents or guardian on the data collected and provided.

All persons, agencies or organizations desiring access to the records of a student shall be required to sign a form, which shall be kept permanently with the student's file, but only for inspection by the parents/guardian, the student or a school official responsible for record maintenance. The form signed shall indicate the specific educational or other interest of each person; agency or organization has in seeking this information.

Personal information shall be transferred to a third party only on the condition that such party shall not permit any other party to have access to such information without the written consent of the student's parents or the eligible student. The board and staff shall protect the rights of privacy of students and their families in connection with any surveys or data-gathering activities conducted, assisted or authorized by the board or administration. Regulations established under this policy shall include provisions controlling the use, dissemination and protection of such data.

Forwarding Pupil Records

Administrators shall forward student's school records upon request and may not withhold them for any reason.

Approved: KASB Recommendation – 7/96; 6/00; 7/02; 7/03; 4/07; 2/13

The board of education, in its commitment to provide a positive and productive learning and working environment for its students and staff in accordance with state law, prohibits bullying in any form either by any student, staff member, or parent towards a student or by a student, staff member, or parent towards a staff member on or while using school property, in a school vehicle, or at a school-sponsored activity or event. For the purposes of this policy, the term “bullying” shall have the meaning ascribed to it in Kansas law.

The administration shall propose, and the board shall review and approve a plan to address bullying as prohibited herein.

Parents participating in prohibited bullying conduct aimed at district students and/or staff members may jeopardize their access to district facilities; district property; school sponsored activities, programs, and events; and/or district students and/or staff members through the district’s communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors.

This policy and the district bullying plan {shall/may} be posted on the district’s website and copies of such documents shall be made available to parents of current students upon request.

Approved: KASB Recommendation – 6/13

KGD Disruptive Acts at School or School Activities
(See EBC, GAAE, JCDBB, JDDC, and KGC)

KGD

Disruptive acts at school or school sponsored activities will not be tolerated. Persons threatening the safety of students, school personnel, or other persons; to damage school property; or to interfere with school or school activities or the educational process will be asked to leave the premises.

The school administration and staff are responsible for handling any disturbance caused by adults or students. The final decision for determining if assistance is needed is the responsibility of the superintendent or school principal. In the absence of these individuals, the determination shall be made by the assistant principal or person designated to be in charge of the building or activity. The superintendent shall be notified of any serious problem at the school.

Possession of a Firearm

Unless otherwise required by law or authorized by board policy, no person other than a law enforcement officer shall possess a firearm on any district owned or operated property, within any district owned or operated building or facility; in a school vehicle or an employee's personal vehicle being used to transport students, or at any school sponsored activity, program, or event. This prohibition includes possession of concealed weapons even if the person has a valid concealed carry license in this state; however such prohibition shall not apply to the secured storage of a handgun in a district employee's own locked vehicle on school property so long as such employee holds a valid Kansas concealed carry license and such weapon is maintained out of plain sight.

KGD Disruptive Acts at School or School Activities

KGD-2

Appropriate signs shall be conspicuously posted as directed by the board and required by law.

Anyone in violation of this policy shall be directed to leave the premises immediately and not return without prior approval from the building administrator or superintendent. Failure to comply with such order will result in a report to law enforcement.

Approved: KASB Recommendation – 6/99; 7/03; 6/06; 4/07; 7/12; 6/13

KN Complaints (See BCBI, GAACA, GAAB, GAAF, IF, IKD and JCE) KN

The board encourages all complaints regarding the district to be resolved at the lowest possible administrative level. Whenever a complaint is made directly to the board as a whole or to a board member as an individual, it will be referred to the administration for study and possible resolution.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. Harassment of an individual on any of these grounds is also prohibited. (Position, address and phone number of compliance coordinator) has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.

Complaints About Discrimination or Discriminatory Harassment

Complaints of discrimination or discriminatory harassment by an employee should be addressed to the employee's supervisor, the building principal, or the district compliance coordinator. Complaints by a student should be addressed to the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and

any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator. Complaints by any other person alleging discrimination should be addressed to the building principal or the district compliance coordinator. Complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

Informal Procedures

The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any school employee who receives a complaint of discrimination harassment from a student, another employee or any other individual shall inform the individual of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. The building principal shall discuss the complaint with the individual to determine if it can be resolved. If the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the district compliance coordinator. Within 20 days after the complaint is resolved in this manner, the principal shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the individual in the meeting with the principal, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint.

Formal Complaint Procedures

- A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the building principal may initiate the complaint. Forms for filing written complaints are available in each building office and the central office.
- A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.
- A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant no later than 30 days after the filing of the complaint.
 - ◊ If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.
 - ◊ If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement or state law will be followed.
- Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.

- The complainant may appeal the determination of the complaint. Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report, and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 days after the appeal is filed.
- Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Complaints About Policy

The superintendent shall report any unresolved complaint about policies to the board at the next regularly scheduled board meeting.

Complaints About Curriculum (See IF)

The superintendent shall report a failure to resolve any complaint about curriculum to the board at the next regularly scheduled board meeting.

Complaints About Instructional Materials

The building principal shall report any unresolved complaint about instructional materials to the superintendent immediately after receiving the complaint.

Complaints About Facilities and Services

The superintendent shall report any unresolved complaint about facilities and services to the board at the next regularly scheduled board meeting.

Complaints About Personnel

The superintendent or the building principal involved shall report any unresolved complaint about personnel to the board at the next regularly scheduled board meeting.

Complaints About Emergency Safety Intervention Use

Complaints concerning the use of emergency safety interventions by district staff shall be addressed in accordance with the local dispute resolution process outlined in board policy GAAF.

Approved: KASB Recommendation—9/97; 8/98; 3/00; 4/07; 6/13

EMERGENCY SAFETY INTERVENTION DOCUMENTATION

Date: _____

Dear: _____

The purpose of this letter is to inform you that on _____, at _____ (a.m./p.m.)
(date) (time)
the need for the use of an Emergency Safety Intervention was required for
_____.

(name of student)

K.A.R. 91-42-1(c) defines Emergency Safety Interventions (ESI) as “the use of seclusion or physical restraint when a student presents an immediate danger to self or others. Violent action that is destructive of property may necessitate the use of an ESI.” Whenever an ESI is used, the parent(s)/guardian(s) must be informed within (2) school days.

Type of Emergency Safety Intervention Used: Seclusion _____ Restraint _____

Duration of Seclusion/Restraint: _____ (minutes) Location: _____

Name of Staff Member: _____ Witnesses: _____

Description of Incident:

Please contact the building principal if you have any questions regarding this use of ESI.

(Signature of person completing report) (Date)

*Parent(s)/guardian(s) notified of this incident on _____ by _____.
(Date) (Name of staff member)

- *Original provided to Building Principal
- *Copy provided to (Parents/Guardians, Administrative Office)

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ESI Acknowledgement Form

Kansas regulations now require that we provide all parents with notice of our written policies regarding Emergency Safety Interventions (“ESI”). Our district policy is available on our website at [insert website address] and in our [insert whichever one of the following is applicable: our school safety plan, our school code of conduct, or the student handbook]. In addition, we will provide a copy of the policy at any time upon request.

Please select one of the following options:

I have been informed of the district’s policy, and I do not want a copy of the policy.

I have been informed of the district’s policy, and I do want a copy of the policy. By my signature below, I acknowledge that I have received a copy of the policy.

DATE

PARENT SIGNATURE

Children's Internet Protection Act (CIPA) Safety Plan

[Revise and edit as necessary to fit USD goals and include in Handbook]

Goals:

It is the policy of USD ___ to take the following technology protection or other specified measures in order to better protect our district students from harmful online and electronically transmitted content:

- install blocks or Internet filters to the district network in order to limit access by both minors and adults to child pornography and visual depictions or materials that are obscene, inappropriate, or harmful to minors and/or the transmission thereof;
- monitor the online activities of students while at school, at school sponsored activities, or while utilizing the district's network, computer system, computers, e-mail system, or electronic devices having access to the Internet;
- address issues related to the safety of students when using e-mail, chat rooms, and other electronic communication;
- educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms as well as on cyberbullying awareness and response;
- hinder unauthorized access (hacking) and other unlawful on-line activities by students; and
- prevent unauthorized disclosure, use, or dissemination of personal information regarding minors, which shall include, but may not be limited to, personally identifiable information contained in student records; and
- comply with the Children's Internet Protection Act.

Access to Inappropriate Material

To the extent practicable, technology protection measures or Internet filters shall be used to block or filter the Internet or other forms of electronic devices from accessing child pornography as well as obscene, inappropriate, or harmful material given the age and maturity levels of district students. It is the district's goal to implement and enforce technology protection measures under

this plan in such a way as to ensure no minor has access to visual depictions that are child pornography, harmful to minors, or obscene.

Subject to administrative approval, technology protection measures may be minimized only for bonafide research or other lawful purposes that are closely monitored by district staff.

Inappropriate Network Usage

To the extent practicable, steps shall be taken to promote the safety and security of users of the district's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, in accordance with CIPA, measures to prevent inappropriate network usage shall include frequent monitoring of the District's network, computer systems, and equipment to detect any unauthorized access to prohibited materials as described earlier in this plan, hacking, and other unlawful activities by students or staff members. Such monitoring shall also strive to detect unauthorized disclosure, use, and dissemination of personally identifiable information regarding students.

Education, Supervision and Monitoring

It shall be the responsibility of all members of the District's staff to educate, supervise, and monitor appropriate usage of online computer network access to the internet in accordance with this policy and CIPA. If, during the course of such monitoring, a student or staff member discovers a violation of this policy, the student or staff member shall make a report as follows:

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- 1) Students shall report suspected violation of this policy to any classroom teacher.
- 2) Staff members shall report suspected violations of this policy to their immediate supervisor when possible.

Disciplinary Measures

The district retains the right to discipline any student, up to and including expulsion, and any employee, up to and including termination, for violation of this policy.

Adoption

This Children's Internet Protection Act Safety Plan was adopted by the Board of USD ___ at a public meeting, following normal public notice and a hearing, on (Month Day, Year).

Approved: KASB Recommendation – 6/12; 6/13

If requesting discounts for internal connections and basic maintenance for internal connections, the following items need addressed as part of a technology plan. This plan should be approved by the board and filed in the district office. There would be no need to publish it in handbooks.

***{THE CHILDREN'S INTERNET PROTECTION ACT TECHNOLOGY
PLAN}***

The district's technology plan must be designed with input from district staff who have an understanding of the district's technology level and available resources. The elements of such plan shall include the following:

- 1) Clear Statement of Goals and a Realistic Strategy for Using Telecommunications and Information Technology to Improve Educational or Library Services;*
- 2) Professional Development Strategy to Ensure Staff Understands How to Use These New Technologies to Improve Education or Library Services;*
- 3) Assessment of the Telecommunication Services, Hardware, Software, and other Services that will be Needed to Improve Education or Library Services; and*
- 4) Evaluation Process that Enables the School or Library to Monitor Progress Toward the Specified Goals and Make Mid-Course Corrections in Response to New Developments and Opportunities as They Arise.*

****This Children's Internet Protection Act Technology Plan must be adopted by the Board of USD ___ at a public meeting, following normal public notice and a hearing. Documentation of such adoption including*

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the date thereof (Month Day, Year) must be included in the plan language.

Approved: KASB Recommendation – 6/12

USD ____ Bullying Plan

(Also see Policies GAAE and JDDC)

Bullying means: Any intentional gesture or any intentional written, verbal, electronic, or physical act or threat either by any student, staff member, or parent towards a student or by any student, staff member or parent towards a staff member that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment that a reasonable person, under the circumstances, knows or should know will have the effect of:

- Harming a student or staff member, whether physically or mentally;
- Damaging a student's or staff member's property;
- Placing a student or staff member in reasonable fear of harm; or
- Placing a student or staff member in reasonable fear of damage to the student's or staff member's property.

Bullying also includes cyberbullying. "Cyberbullying" means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games, and websites.

Additionally, bullying means any form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to K.S.A. 72-8256 or subsection (e) of K.S.A. 72-8205, and amendments thereto. USD ____ will not tolerate these actions by students, staff, or parents.

For the purposes of this plan and its authorizing policies, "parent" includes a biological, adoptive, or step-parent; guardian; custodian; or other person with authority to act on behalf of a student.

Similarly, a "staff member" means any person employed by the district.

Any act of bullying by either an individual student or group of students towards a student or staff member of the district is prohibited on or while utilizing school property, in a school vehicle, or at school-sponsored activities, programs, and events. This policy applies to students who directly engage in an act of bullying, to students who, by their behavior, support another student's act of bullying, and to all staff members and parents who engage in similar behaviors.

Children's Internet Protection Plan

Training concerning identifying, reporting, investigating, and preventing bullying behaviors as outlined in district policies and this plan shall be provided to students and staff members using district resources available for such purpose and shall be provided through school assemblies, staff development, or other appropriate forums at least {annually/biannually}.

The board or the district administration on behalf of the board may seek student, staff, parent, and/or community input on the adoption, revision, and/or implementation of the board's bullying policies or plan as directed or approved by the board.

No teacher, administrator, or school district employee shall engage in, permit, or tolerate bullying.

Retaliation against a victim, good faith reporter, or a witness to bullying is prohibited. A student or staff member who engages in an act of bullying, reprisal, retaliation or false reporting of bullying, shall be subject to discipline in accordance with school district policy and procedures. The school administration and/or board may take into account the following factors when determining an appropriate disciplinary action for such prohibited conduct: the ages of the parties involved; the developmental and maturity levels, special education needs of the parties involved, and the severity of the behavior.

Discipline guidelines for student bullying may be found in student and employee handbooks. Offenses over time or single offenses which are severe in nature may result in discipline up to and including suspension and/or expulsion or termination from employment. Parents participating in prohibited bullying conduct aimed at district students and/or staff members may jeopardize their access to district facilities; district property; school sponsored activities, programs, and events; and/or district students and/or staff members through the district's communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors. (See Policies EBC, GAAC, GAACA, JGEC, JGECA and KN)

- Sample Form -

Retype to suit local needs, remove from policy book, and file with the clerk and principals. Form could also be included in staff or student handbooks.

Report to Local Law Enforcement
USD _____

Pursuant to K.S.A. 72-89b03, the administrator or other school employee whose signature appears below is reporting the following crimes.

{ Briefly describe each incident and the person/s involved in felonies, misdemeanors and weapons }

Date	School/Location	Student/s or Person/s Involved	Brief Description
1.			
2.			
3.			
4.			
5.			

School Districts are required by Federal Law and K.S.A. 72-6214 to protect the privacy rights of students under the age of 18.

Signed: _____
Administrator or other school employee.

cc: Superintendent of Schools, USD ____ Student/s file

- Sample Form -

Retype to suit local needs, remove from policy book, and file with the clerk and principals. Form could also be included in staff or student handbooks.

Report to Staff Member USD _____

Pursuant to K.S.A. 72-89b03, administrative, professional or paraprofessional employees of a school who have information that a pupil has engaged in the following shall report the information and the identity of the student to the superintendent. The superintendent shall investigate the matter, and, if it is determined the student has been involved in the following, the superintendent shall provide information and the identity of the pupil to all employees who are involved, or likely to be directly involved, in teaching or providing related services to pupil:

1. Any student who has been expelled for conduct which endangers the safety of others;
2. Any student who has been expelled for commission of felony type offenses;
3. Any student who has been expelled for possession of a weapon;
4. Any student who has been adjudged to be a juvenile offender and whose offense, if committed by an adult, would constitute a felony, except a felony theft offense involving no direct threat to human life;
5. Any student who has been tried and convicted as an adult of any felony, except theft involving no direct threat to human life.

You are notified that _____, within the past 365 days, has been expelled, adjudged or convicted for an activity listed above.

School District staff are required by both Federal Law and K.S.A. 72-6214 to protect the right of privacy of any student under the age of 18 and the student's family regarding personally identifiable records, files, data, and information directly related to the student and his/her family. I acknowledge this responsibility and agree that I will disclose the above information only to other USD _____ employees and officials. Violation of these privacy rights could include sanctions up to and including termination.

Signed: _____
School employee who receives the report

Signed: _____
Administrator or school employee making report

- Sample Form -

Retype to suit local needs, remove from policy book and file with the clerk and principals. Form could also be included in staff or student handbooks.

Report to Local Law Enforcement
USD ___

Pursuant to Kansas law, the administrator or other school employee whose signature appears below is reporting the following crimes.

Briefly describe each incident and the person/s involved in a misdemeanor or felony behavior at school, on school property, or at a school activity.

Date	School/Location	Student/s or Person/s Involved	Brief Description of bullying incident/s.
1.			
2.			

School Districts are required by Federal Law and K.S.A. 72-6214 to protect the privacy rights of students under the age of 18.

Signed: _____
Administrator or other school employee

c/superintendent, USD ___; c/student's file/employee's file as allowed by applicable negotiated language