619 Interlocal

Board Policy

**AA Interlocal** **Legal Status AA**

The basic legal status for educational interlocals is found in K.S.A. 12-2901 et seq and K.S.A. 72-8230.

This permissive legislation allows public agencies, such as school districts, to join with public or private agencies to jointly exercise and enjoy any powers, privileges, or authorities of an agency. In so doing, the member school districts forming this interlocal entered into a school district interlocal cooperative agreement in order to jointly provide special education services to its member districts.

The school district interlocal cooperation agreement entered into by participating local board of education to form the Sumner County Educational Services Interlocal, hereafter “interlocal”, shall be perpetual unless partially or completely terminated in accordance with state law. In the event such agreement, the resulting legal entity thereby established shall assume and be the successor in every way to the powers, duties, functions and obligations of the previous legal entity established under the prior agreement.

Approved: BOE Approved 11/13

**ABA Authority of the Board ABA**

Any powers, privileges or authority exercised by the interlocal that relate to educational service shall be limited to special education.

Unless otherwise specified by law, the board of directors shall be considered to have all powers and duties, except for the power to levy and collect taxes, of a school district board for the performance of any obligation or responsibility to provide educational services in the are of special education as provided in the interlocal cooperation agreement.

Executive Board

An Executive Board comprised of the president and vice-president of the board of directors has been established to exercise the powers, have the responsibilities, and perform the duties and functions of the board of directors to the extent such authority is delegated by the board of directors. Chief among the duties delegated to the executive board is the consideration and recommendation of action on items of business requiring immediate action by cooperative staff but not requiring action of the whole board of directors.

The members of the executive board hall be selected by the board of directors from its membership each July.

Approved: BOE Approved 11/13

**AF School Day AF**

Except as otherwise provided in the negotiated agreement for staff members covered thereby, the board shall establish the time of beginning and of ending the school day and other time schedules.

Approved: BOE Approved 07/18

**BBA Internal Organization BBA**

The board shall consist of one board member representing each member district. The board shall elect a president and a vice-president at its annual organizational meeting.

The duties and operational procedures of the board shall include:

Reviewing, considering and formulating basic policy;

Adopting an annual budget;

Selecting an interlocal director, special education directors, and other personnel for employment; and

Considering and acting on application for membership in the interlocal from non-member cooperatives and agencies.

Quorum

A quorum shall consist of a majority of the participating districts.

Voting Rights

Each participating district shall be eligible for casting one vote in all matters acted upon by the board. The vote may be cast only by the appointed board member of each district or a member district board appointed alternate.

Approved: BOE Approved 07/13

**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 committees except as otherwise provided for in these policies.

The board shall establish advisory committees as it deems necessary. The type and function of each advisory committee shall be dictated by the needs of the interlocal for the special services of the committees. The board shall appoint all members of all advisory committees. Board members 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 2 board members. Board subcommittees are subject to the open meeting law.

Each advisory committee shall organize itself with assistance from the director. The director shall provide appropriate material to each committee. A line of communication shall be established between each committee and the director and the board. Each committee shall report to the director and/or the board as the board may require by regulation or by procedure.

No direct financial assistance shall be furnished any committee without prior approval of 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: BOE Approved 11/13

**BCAC Special Meetings BCAC**

Special meetings may be called at any time by the president of the board or by joint action of any three board members. Written notice, stating the time and place of any special meeting and the purpose for which the meeting has been called shall, unless waived, be given to each board member at least two calendar days in advance of the special meeting. No business other than that stated in the notice may be transacted at the special meeting.

Approved : BOE Approved 11/13; 12/18

**BCAC Special Meeting**

**WAIVER OF NOTICE**

**I hereby waive the written notice required under the provisions of K.S.A. 72-1138 as to the time, place, and purpose of a special meeting of the Board of Education of Unified School District No.\_\_\_\_, State of Kansas, held on \_\_\_\_\_\_\_\_\_\_\_\_\_,20\_\_.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Member, Board of Education**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Member, Board of Education**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Member, Board of Education**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Member, Board of Education**

**Attest:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Member, Board of Education**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Clerk, Board of Education \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Member, Board of Education**

**Unified School Distict No.\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_County**

**State of Kansas**

Approved: BOE Approved 7/18

**BCBG Voting Method BCBG**

The board shall take action by way of motions. No motions may be acted upon until it has been seconded by a board member. The vote on all motions shall be by “yes” and “no” and will be taken by a show of hands or other public voting method. Following each vote, the president shall announce the motion carried or failed by a vote of \_\_\_\_affirmative votes to \_\_\_negative votes. The minutes shall indicate whether a motion passed or failed. Each board member shall have the privilege of explaining any vote.

Any abstaining vote shall be counted as a “no” vote. (See KSA 72-1138)

Any member may declare a conflict of interest in a particular issue and shall leave the meeting room until discussion and voting on the matter is concluded. The minutes shall also record the time the member left the meeting and when the member returned to the board meeting.

Approved: BOE Approved 11/13; 06/18

**BCBH Minutes (See BCBF) BCBH**

Accurate minutes of each board meeting shall be taken and transcribed. The clerk shall be responsible for taking and transcribing minutes of a board meeting. The board shall designate an acting clerk if the clerk is absent. Neither the director nor a board member may serve as acting clerk. Unofficial minutes shall be sent to the board as soon as possible after each meeting. The board shall review minutes of each meeting as soon as practicable, shall make any corrections or changes required to make the minutes accurately reflect board actions taken, and then approve the minutes as presented or changed.

The minutes shall clearly reflect all motions voted on by the board, including board actions taken on motions which did not pass. The minutes will not contain a summary of each statement , wither written or oral, made by a board member, a guest or a member of the staff unless the board chooses to have written remarks made part of the minutes. If a request is made, the board may direct the clerk to attach a copy of the written remarks to the original minutes

Approved: BOE Approved 11/13

**BCBI Public Participation at Board Meetings (See BCAE and KN) BCBI**

Open Forum

The president or presiding officer may ask patrons attending if they would like to speak during the open forum. Rules for the open forum will be available from the clerk prior to the board meeting and at the meeting itself. The board president may impose a limit on the time a visitor may address the board. The board president may ask groups with the same interest to appoint a spokesperson to deliver the group’s message. Except to ask clarifying questions, board members shall not interact with speakers at the open forum.

Patron-Requested Agenda Items

Any patron may request addition of a specific agenda item and shall notify the director (seven) days prior to the meeting and state the reason(s) for the request. The director shall determine whether the request can be solved by staff without the patron’s appearance before the board. If not, the director shall consult with the board president, and the patron’s request may be placed on the next regular board meeting agenda.

Handling Complaints

The director may refer complaints to the board only if a satisfactory adjustment cannot be made by the proper administrator, the director, or other appropriate staff members in accordance with board policy.

Approved: BOE Approved 11/13

**BCBK Executive Session BCBK**

(See BBBB, BE, CN, ECA, IDEA, II, JDD, and JRB)

The board shall conduct executive sessions only as provided by law, specifically the Kansas Open Meetings Act (“KOMA”)

Sample Motion

Motions to recess into executive session may be constructed as follows. “ I move that the board go into executive session to [fill in subject(s) pursuant to [fill in justification from 1-7 enumerated below] and that the open meeting shall resume at [fill in time] in the board room.

A subject of executive session would be the matter or issue presented for discussion, and the board member must include a brief description of the subject(s) to be discussed in the motion while still protecting important privacy interests. For example, the subject could be to discuss an individual employee’s performance, to hold a student discipline appeal hearing, to discuss potential litigation with our legal counsel, and/or any other matters as would appropriately fit under the justification to be utilized.

Acceptable justification for recessing into executive session include the following:

1. The non-elected personnel exception under KOMA;
2. The exception for matters which would be deemed privileged in the attorney-client relationship under KOMA;
3. The exception for employer-employee negotiations under KOMA;
4. The exception for data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships under KOMA;
5. The exception relating to actions adversely or favorably affecting a student under KOMA;
6. The exception for preliminary discussion of the acquisition of real property under KOMA;

**BCBK Executive Session BCBK-2**

1. The exception under KOMA for school security matters to ensure the security of the school, its buildings, and/or its systems is not jeopardized.

NO BINDING ACTION SHALL BE TAKEN DURING CLOSED OR EXECUTIVE SESSIONS

When a motion is made to go into executive session, all blanks in the sample motion must be filled in.

The time the board will return to the open meeting and the room in which the meeting will resume will be specifically stated. If necessary, the executive session may be extended with another motion made after the board returns to open session.

Approved: BOE Approved 11/13

**Addendum 1: Sample Motions for Executive Session**

Mr. President, I move we go into executive session to [fill in subject(s)] pursuant to [fill in justification], and the open meeting will resume in the board room at [fill in time].

|  |  |
| --- | --- |
| **SUBJECTS TO BE DISCUSSED**  **(Provide a brief description of what subject will be discussed while still protecting important privacy interest)** | **JUSTIFICATION** |
| **Example**: discuss an individual employee’s performance | Non-elected personnel exception under KOMA |
|  |  |
| **Example 1**: discuss confidential student information  **Example 2**: hold a student discipline appeal hearing | the exception relating to actions adversely or favorably affecting a student under KOMA |
|  |  |
| **Example**: discuss coding mechanisms PowerSchool uses to secure student data with PowerSchool representatives | the exception for data relating to financial affairs or trade secrets of corporations, partnerships, trust, and individual proprietorships under KOMA |
|  |  |
| **Example**: discuss potential litigation with our legal counsel | the exception for matters which would be deemed privileged in the attorney-client relationship under KOMA |
|  |  |
| **Example**: discuss the latest proposal for increasing the base pay rate from the teachers | the exception for employer-employee negotiations under KOMA |
|  |  |
| **Example**: discuss potential properties for a new middle school site | the exception for preliminary discussion of the acquisition of real property under KOMA |
|  |  |
| **Example 1**: discuss the high school crisis plan  **Example 2**: discuss the exact placement of security cameras and alarms throughout the buildings | the exception under KOMA for school security matters to ensure the security of the school, its buildings and/or its systems is not jeopardized |

**BDA Developing and Adopting Policy (See CM, CMA, GAA and JA) BDA**

The board shall adopt all new policies and delete or modify existing policies. Board policies, rules and regulations may be amended at any board meeting by a majority vote of the board. All handbooks shall be approved by the board and adopted, by reference, as a part of these policies and rules.

Drafting Policy

The director shall draft all recommended policy changes, including new policy recommendations. The director may involve appropriate staff members, patrons, or students when revising or drafting new policy.

Attorney Involvement

Board policies and rules {may} be submitted to the legal counsel to determine their legality before they are submitted to the board.

Policy Dissemination

Changes in board policy shall be disseminated as appropriate. The director shall develop a procedure to ensure appropriate dissemination and the destruction or removal of obsolete policies. One hard copy policy book shall be kept in the interlocal business office. If appropriate, the director may also designate additional staff members who shall be furnished a policy book. Current board-approved policies {may} be posted on the interlocal website, or other website designated by the board. Board members, interlocal staff, patrons and others will be encouraged to use the website to access current board policy.

Historical Policy Files

The clerk shall keep an historical set of board policies which will reflect all revisions, amendments or other actions pertaining to every policy.

Public Input on Policy

Individuals or groups may submit proposed changes in board policy.

Approved: BOE Approved 11/13

**CE Director of Interlocal CE**

The director shall be the chief administrative head of the interlocal and shall have, under the direction of the board, general supervision of all programs. The director is responsible for management of the interlocal under board policies and is accountable to the board.

The director may delegate to other personnel the exercise of any powers and the discharge of any duties imposed upon the director by those policies or be the board. The delegation of power or duty, however, shall not relieve the director of responsibility for the action taken under such delegation.

Approved: BOE Approved 11/13

**CEF Expense Reimbursement and Credit Cards CEF**

**(See CG, GAN and KB)**

The superintendent’s use of a district motor vehicle and a district credit card shall be confined to necessary school business. The board shall annually prescribe limits and restricts on the use of credit cards and shall monitor monthly receipts and reimbursement expenses.

All rewards points or cash back payments earned using district credit cards are district property and shall be either applied to future district credit card purchases or remitted to the district treasurer for accounting and deposit.

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: BOE Approved 07/15

**CG Administrative Personnel (Also see KB) CG**

The board of directors shall employ administrative personnel as needed.

Compensation Guides and Contracts

Administrative personnel shall be compensated for their services with a contracted hourly rate determined by the board of directors. Administrative contracts shall be reviewed annually. The board of directors shall determine the terms and length of each contract. The board of directors’, job descriptions shall be filed in the Interlocal’s central office and may be published in appropriate handbooks.

Qualifications and Duties

The director shall develop appropriate job descriptions for each administrative position. When adopted by the board of directors, job descriptions shall be filed in the Interlocal’s central office and may be published in appropriate handbooks.

Recruitment

The board of directors’ delegates to the director the authority to identify and recommend the appointment of individuals to fill vacant administrative positions. The director shall screen all applicants and may use other staff members to assist. The director shall make recommendations to the board of directors. The Interlocal may pay preapproved expenses incurred by candidates interviewed for an administrative position.

Assignment

The board of directors shall solicit the director’s recommendation in appointment, assignment, transfer, demotion, termination or nonrenewal of any administrative personnel.

**CG Administrative Personnel CG-2**

Orientation

The director shall conduct an appropriate administrative orientation program.

Supervision

The director shall be responsible for supervising all administrative personnel.

Administrative

The board of directors may establish, by contract with an approved administrator training institution, and administrative intern program.

Travel Expense and Reimbursement

Travel expense for administrative staff shall be provided in accordance with CEF, GAN, and GANA as applicable.

Approved: KASB Recommendation- 01/02; 07/03; 04/13; 07/13

**CGI Evaluation (See CEI, GBI) CGI**

Administrative personnel shall be evaluated in writing by the director in accordance with the minimum statutory requirements for the first four years of employment and at least annually thereafter. Administrative personnel files and evaluations shall be available only to the board, the appropriate administrator, the director and others authorized by law.

The board’s procedures concerning evaluation of interlocal administrators shall be on file in the central office with the clerk and may be published in the appropriate handbook.

Approved: KASB Recommendation-4/13; 7/1; 6/14

**CGK Suspension CGK**

The superintendent shall have the authority to suspend district administrators with pay pending further board action.

The superintendent may suspend administrators with pay for any reason, including, but not limited to, one or more of the following: alleged violation of or failure to implement board policy, rule, or regulation; refusal or failure to follow a reasonable directive of the administrator’s supervisor, the superintendent, or the board; the filing of a complaint against the administrator with any civil or criminal authority; the alleged commission of an offense involving moral turpitude; or other good cause.

If a suspension without pay is imposed on an administrator, the administrator is entitled to pay until the administrator has been advised of the basis for suspension and has been given an opportunity to respond.

Approved: BOE approved 7/19

**CM Policy Implementation (See BDA, CGK, CMA, GAA, and JA) CM**

Administrative employees who fail to implement board policies may, by board action, be suspended without pay, demoted, placed on probation, nonrenewed, or terminated.

Approved: BOE Approved 11/13; 7/19

**CMA Administrative Rules and Regulations CMA**

**(See BDA, CM, DJFAB, GAA and JA)**

The director is responsible for recommending, rules and regulations necessary to carry out board policy and to operate the Interlocal’s programs. These rules and regulations shall constitute the administrative handbooks governing the interlocal and shall be considered for approval, modification, or disapproval by the board. No administrative rule shall conflict with board policy.

The director shall review all proposed rules before they are submitted to the board. The administrative stall shall review all administrative rules recommended by the director before being submitted to the board for its consideration.

Staff Involvement

The director {shall/may} include representatives of those employees who will be affected at the planning stage.

Community Involvement

The director may involve interlocal patrons on committees or study groups whenever necessary and appropriate.

Student Involvement

The director may consider students opinions concerning rules which affect them.

Rules Drafting

All proposed rules {shall/may} be submitted to the legal counsel to determine their legality before they are submitted to the board.

Disseminating Rules

All employees who play a role in enforcing the rules or who will be affected by any rule changes shall be given copies of the pertinent rules and any revisions.

**CMA Administrative Rules CMA-2**

Reviewing Rules

Administrative rules adopted by the board shall be subject to regular review by the administrative staff. Proposed changes shall be submitted to the board.

Action Allowed When No Policy Exists

In an emergency when action must be taken, the director shall have authority to act. Any decision shall be subject to board review at the next meeting. The director should recommend any policy needs the incident may have created.

Approved: BOE Approved 11/13

**CN Public Records CN**

The board shall designate a Freedom of Information Officer, {the superintendent/Director}, with the authority to establish and maintain a system of records in accordance with the Kansas Open Records Act and other applicable laws and may assign another district employee, {the clerk/or\_\_\_\_}, to handle requests for records and to serve as the custodian of the records. The custodian shall prominently display and distribute or otherwise make available to the public a brochure in the form prescribed by the local Freedom of Information Officer.

Types of Records

A public record means any recorded information, regardless of form or characteristics, which is made, maintained, or kept by or is in possession of the district, including those exhibited at public board meetings.

Central Office Records

Records maintained by the superintendent shall include, but not limited to, the following: financial, personnel, and property (both real and personal) owned by the district.

Building Records

Records maintained by the building principals shall include, but not be limited to, the following: activity funds, student records, and personnel records. (See JR et seq.)

The board designates {the superintendent/other title} as its Freedom of Information Officer. The Freedom of Information Officer shall have the authority to establish and maintain a system of records in accordance with the Kansas Open Records Act and other applicable laws. The board further assigns {the clerk/or\_\_\_\_} to handle requests for records and to serve as the custodian of the records. The custodian shall prominently display and distribute or otherwise make available to the public a brochure concerning record access in the form prescribed by the local Freedom of Information Officer.

Types of Records

A public record means any recorded information, regardless of form or characteristics, which is made, maintained, kept by, or in the possession of the district, including those exhibited at public board meetings.

**CN Public Records CN-2**

Central Office Records

Records maintained by the superintendent shall include, but may not be limited to, the following: financial, personnel, and property (both real and personal) owned by the district.

Building Records

Records maintained by the building principals shall include, but may not be limited to, the following: activity funds, student records, and personnel records. (See JR et seq.)

Public Access

All records, except those subject to exception by the Kansas Open Records Act, shall be open to inspection by the general public during regular office hours of any school or the district office. The superintendent will establish procedures for making records available on normal business days when district offices are closed. The district may charge and require advance payment of a fee for providing access to or furnishing copies of public records.

Requests for access to open records shall be made in writing to an official custodian of district records. The official custodian shall examine each request to determine whether the record requested is an open record or is subject to an exception of the Kansas Open Records Act that would allow the record to remain closed. The custodian may also refuse to provide access to a public record or to permit inspection if a request places an unreasonable burden in producing public records or if the custodian has reason to believe that repeated requests are

intended to disrupt other essential functions of the district. The custodian shall either grant or deny each request.

If the custodian does not grant the request, the person requesting the record shall receive a written explanation of the reason for the denial within three days of the request, if an explanation is

requested. If the requester disagrees with the explanation, the freedom of information officer shall settle the dispute.

Each request for access to a public record shall be acted upon as soon as possible, but not later than the end of the third business day following the date that the request is received. If the request is not acted on immediately,

the custodian shall inform the requester, within the three-day window, when and where the open record will be made available.

**CN Public Records CN-3**

Each custodian shall file all requests and their dispositions in the appropriate office and make reports as requested by the superintendent or the board.

Copies of Records

Copies of open records shall be available upon written request, unless otherwise specified in Kansas or federal law. Requestors may only make abstracts or obtain copies of public records to which they have access under the Kansas Open Records Act. The district shall not be required to provide copies of radio or recording tapes or discs, video tapes, films, pictures, slides, graphics, illustrations, or similar audio or visual items or devices, unless such items or devices were shown or played during open session of a district board meeting. Similarly, the district shall not be required to provide such items or devices which are copyrighted by a person other than the board. Furthermore, nothing in the Kansas Open Records Act requires the district to electronically make copies available by allowing a requestor to obtain copies by inserting, connecting, or otherwise attaching an electronic device provided by the requestor to the computer or other electronic device of the district.

Advance payment of the expense of providing access to or furnishing copies of open records shall be borne by the requestor. Under no circumstances shall the documents be allowed out of their usual building location without approval of the official custodian.

The board may prescribe reasonable fees for providing access to or furnishing copies of public records, subject to the following:

in the case of fees for copies of records, the fees shall not exceed the actual cost of furnishing copies, including the cost of staff time required to make the information available and printing fees of .25 cents per page, as applicable;

In the case of fees for providing access to records maintained on computer facilities, the fees shall include only the cost of any computer services, including staff time required.

Revenue from copying open records will be deposited in the district’s general fund.

Disposition

All district office records shall be kept for at least the minimum length of time required by law.

The clerk is designated as the official custodian of all board and district office records maintained by the district. Each building principal is designated as official custodian of all records maintained at the building level. In addition to those records required by law, the

**CN Records CN-4**

{clerk} shall be responsible for preparing and keeping other records necessary for the district’s efficient operation.

District employees shall follow the guidelines found in the student records policies. (See IDAE and JR through JRD)

Approved: BOE Approved 11/13; 01/17; 12/18; 07/19

**CNA Document Production, Including Electronic Information\* CNA**

(See BCBK, BE, CN, ECA, IDAE, II, JGGA, JR et seq. and KBA)

Destroying Documents

After the district receives knowledge of legal action against the district or its employees, no documents or electronic information pertaining to the subject of the action, maintained in any form, may be destroyed as long as the legal action is pending.

Approved: BOE Approved 11/13; 07/19

**DB Budget Planning DB**

A planned, systematically prepared budget is essential in the management of the Interlocal. The board delegates to the director the authority to develop a budget for the board’s consideration.

Approved: BOE Approved 11/13

**DC Annual Operating Budget** (See KBA) **DC**

The district budget shall be prepared by the Director in cooperation with selected district employees and shall reflect the district’s educational goals.

The Director shall follow the adopted budget.

The district shall fund the operating budget according to approved fiscal and budgetary procedures required by the State of Kansas.

Budget Forms

Budget forms used shall be those prepared and recommended by the Kansas State Department of Education. Budget summary documents shall be prepared on forms provided by the Kansas State Department of Education.

Priorities

The board will establish priorities for the district on a short-term, intermediate, and long-range basis.

Deadlines and Schedules

Deadlines and time schedules shall be established by the board.

Encumbrances

An encumbrance shall be made when a purchase is made or when an approved purchase order is processed. All encumbrances shall be charged to a specific fund. All necessary encumbrances shall be made by the Director.

Recommendations

Recommendations of the Director and professional staff concerning the district’s budget allocations will be presented to the board prior to submission of the tentative draft budget.

Preliminary Adoption Procedures

The Director will be responsible for developing the budget cover letter. It is recommended that the letter include a restatement of the goals and objectives of the district and a list of budget priorities. An explanation of line-item expenditures will be included in the letter. Fund expenditures and line categories will also be explained in terms of how the budget meets the goals and objectives of the district and enhances completion of priority programs. A preliminary draft of the district’s budget will be submitted by the Director within a timeframe that allows the district to comply with all statutory deadlines.

Hearings and Reviews

The board shall conduct budget hearings according to state law.

**DC Annual Operating Budget DC-2**

Budget Transparency

The district shall comply with the requirements of the Kansas Uniform Financial Accounting and Reporting Act and rules and regulations promulgated by the Kansas State Board of Education thereunder in maintaining, reporting, publishing on the district’s website, and making available to the public specified budgetary records, forms, and information.

Management of District Assests/Accounts

The Director shall establish and maintain accurate, financial management systems to meet the district’s fiscal obligations, produce useful information for financial reports, and safeguard district resources. The Director shall ensure the district’s accounting system provides ongoing internal controls. The Director shall review the accounting system with the board.

Approved: BOE Approved 07/15; 07/18; 07/21

**DE Fraud Prevention and Investigation DE**

All employees, board members, consultants, vendors, contractors, and other parties maintaining a business relationship with the district shall ac with due diligence in duties involving the district’s fiscal resources. The superintendent shall develop internal controls that aid in the prevention and detection of fraud, financial impropriety, or irregularity.

Reporting Fraud

An employee who suspects fraud, impropriety, or irregularity shall promptly report those suspicions to the immediate supervisor and/or the superintendent. If the superintendent is the subject of the complaint, reports shall be made o the board president or the board’s legal counsel. The superintendent shall generally have primary responsibility for any investigations, in coordination with legal counsel and other internal or external departments and agencies as appropriate. If the superintendent is the subject of the report of fraud, impropriety, or irregularity, the board shall retain control over the investigation or may designate its legal counsel or another investigator to act on behalf of the board in investigating the matter and reporting any findings back to the board.

Whistleblowers

The district encourages complaints, reports, or inquires about illegal practices or violations of district policies, including illegal or improper conduct by the district, its leadership, or by others on its behalf. Reports may include, but not limited to, financial improprieties, accounting, or audit matters, ethical violations, or other similar illegal or improper practices or policies. The district prohibits retaliation by or on behalf of the district against staff members

who make good faith complaints, reports, or inquires under this policy or for participants in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The district reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquires or who otherwise abuse this policy.

Complaints, reports, or inquires may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the bases for the complaints, reports, or inquires. They should be directed to the superintendent unless otherwise provided above. If the superintendent is implicated in the complaint, report, or inquiry, it should be directed to the board or its legal counsel. The district will conduct a prompt, review or investigation. The district may be unable to fully evaluate a vague or general complaint, report, or inquiry that is made anonymously.

Approved: BOE Approved 6/18

**DFAC Federal Fiscal Compliance (See CMA, CN, DFAA, and DFAB) DFAC**

The board shall ensure federal funds received by the district are administered in accordance with federal requirements, including but not limited to the federal Uniform Grant Guidance. This policy outlines the district’s responsibilities when federal funding is considered. The board designates the Director as the federal programs coordinator and district contact for all federal programs and funding.

The Director shall establish and maintain a sound fiscal management system to include internal controls and federal grant management standards covering the receipt of both direct and state -administered federal grants and to track costs and expenditures of funds associated with grant awards. The superintendent, to assist in the proper administration of federal funds and implementation of this policy, may recommend additional procedures and regulations be adopted to supplement this policy.

The district’s fiscal management system shall be designed with strong internal controls, a high level of transparency and accountability, and documented procedures to ensure that all fiscal management system requirements are met. Fiscal management standards and procedures shall assure that the following responsibilities are fulfilled:

* Identification- The district must identify, in its accounts, all federal awards received and expended and the federal programs under which they were received.
* Financial Reporting-Accurate, current, and complete disclosure of the financial results of each federal award or program must be made in accordance with the financial reporting requirements of the Education Department General Administrative Regulations (EDGAR)
* Accounting Records-The district must maintain records which adequately identify the source and application of funds provided for federally-assisted activities.
* Internal Controls- Effective control and accountability must be maintained for all federal funds, real and personal property purchased therewith, and other assets acquired with federal funding. The district must adequately safeguard all such property and must assure that it its used solely for authorized purposes.
* Budget Control- Actual expenditures or outlays must be compared with budgeted amounts for each federal award. Procedures shall be developed to establish determination for allowability of costs for federal funds.

**DFAC Federal Fiscal Compliance DFAC-2**

* Cash Management- The district shall maintain written procedures to implement the cash management requirements found in EDGAR.
* Allowability of Costs- The district shall ensure that allowability of all costs charged to each federal award is accurately determined and documented.

Time and Effort Reporting by Employees

All district employees paid with federal funds shall document the time they expend in work performed in support of each federal program, in accordance with law. Time and effort reporting requirements do not apply to contracted individuals.

Recordkeeping

The district shall develop and maintain a records management plan and related board policy, administrative regulations, and/or procedures for the retention, retrieval, and disposition of print and electronic records, including emails.

The district shall ensure the proper maintenance of federal fiscal records documenting:

* Amount of federal funds,
* How funds are used,
* Total cost of each project,
* Share of total cost of each project provided from other sources,
* Other records to facilitate an effective audit,
* Other records to show compliance with federal program requirements, and
* Significant project experiences and results.

All records must be retrievable and available for programmatic or financial audit.

The district shall provide the federal awarding agency, Inspectors General, the Comptroller General of the United Sates, and the pass-thru entity, or any of their authorized representatives, the right of access to any documents, papers, or other district records which are pertinent to the federal award. The district shall also permit timely and reasonable access to the district’s personnel for interview and discussion relation to such documents.

**DFAC Federal Fiscal Compliance DFAC-3**

Records shall be retained for a minimum of three (3) years from the date on which the final Financial Status Report is submitted, or as otherwise specified in federal law or in the requirements of the federal award, unless a written extension is provided by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. If any litigation, claim or audit is started before the expiration of the standard record retention period, the records shall be retained until all litigation, claims or audits have been resolved and final action has been taken.

The district shall ensure that all personally identifiable data protected by statue or regulation is handled in accordance with the requirements of applicable law, regulations, board policy, administrative regulations, and procedures.

Subrecipient Monitoring

If the district awards subgrants, the district shall establish procedures to:

* Assess the risk of noncompliance.
* Monitor grant subscriptions to ensure compliant with federal, state, and local laws and board policy, regulations, and procedures.
* Ensure the district’s records are adjusted to cure recordkeeping issues discovered through the subrecipient’s audits, on-site reviews, or other monitoring.

Compliance Violations

Employees and contractors involved in federally funded programs and subrecipients shall be made aware that failure to comply with federal law, regulations, or terms and conditions of a federal award may result in the federal awarding agency or pass-through entity imposing additional conditions terminating the award in whole or in part.

Approved: BOE Approved 07/18

**Allowability of Costs – Federal Programs**

Expenditures of federal funds must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval from the state.

**Delegation of Responsibility**

When determining how the school district will spend its grant funds, the Directorwill review the proposed cost to determine whether it is an allowable use of federal grant funds *before* obligating and spending those funds on the proposed good or service.

**Allowability Determinations**

All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part 200, Subpart E, which are listed below. The Director must consider these factors when making an allowability determination. A section entitled, *Helpful Questions for Determining Whether Costs are Allowable,* is located at the end of this document.

Part 200 sets forth general cost guidelines that must be considered, as well as rules for specific types of items, both of which must be considered when determining whether a cost is an allowable expenditure of federal funds. The expenditure must also be allowable under the applicable program statute (e.g., Title I of the Elementary and Secondary Education Act (ESEA), or the Carl D. Perkins Career and Technical Education Act (Perkins)), along with accompanying program regulations, nonregulatory guidance, and grant award notifications.

Restrictions in state and local rules or policy also must be considered. For example, travel and other job-related expenses incurred by employees are not allowable unless they also are in compliance with board policy GAN, administrative regulations, and related procedures.

Whichever allowability requirements are stricter will govern whether a cost is allowable.

General allowability determination factors include the following:

1. **Be Necessary and Reasonable for the performance of the federal award.** A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, **reasonable** means that sound business practices were followed, and purchases were comparable to market prices.

When determining reasonableness of a cost, consideration must be given to:

* Whether the cost is a type generally recognized as ordinary and necessary for the operation of the district or the proper and efficient performance of the federal award.
* The restraints or requirements imposed by factors, such as: sound business practices; arm’s-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award.
* Market prices for comparable goods or services for the geographic area.
* Whether the individual incurring the cost acted with prudence in the circumstances considering responsibilities to the district, its employees, its students, the public at large, and the federal government.
* Whether the district significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the federal award’s cost. (2 CFR Sec. 200.404)

Whether a cost is **necessary** will be determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the district can demonstrate that the cost addresses an existing need and can prove it. For example, the school entity may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, consideration may be given to:

* Whether the cost is needed for the proper and efficient performance of the federal award program.
* Whether the cost is identified in the approved budget or application.
* Whether there is an educational benefit associated with the cost.
* Whether the cost aligns with identified needs based on results and findings from a needs assessment.
* Whether the cost addresses program goals and objectives and is based on program data.

1. **Allocable to the federal award.** A cost is allocable to the federal award if the goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program. (2 CFR Sec. 200.405)

For example, if fifty percent (50%) of a teacher’s salary is paid with grant funds, then that teacher must spend at least fifty percent (50%) of his/her time on the grant program.

1. **Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the school entity.**
2. **Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the federal award.**
3. **Consistent treatment.** A cost cannot be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.
4. **Adequately documented.** All expenditures must be properly documented.
5. **Be calculated in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in Part 200.**
6. **Not included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such.** Some federal program statutes require the nonfederal entity to contribute a certain amount of nonfederal resources to be eligible for the federal program.
7. **Be the net of all applicable credits.** The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the state relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate. (2 CFR Sec. 200.406)

**Selected Items of Cost**

Subpart E of Part 200 sets forth principles to be applied in establishing the allowability of fifty-five (55) specific cost items (commonly referred to as Selected Items of Cost), at 2 CFR Sec. 200.420-200.475. These specific cost items are listed in the chart below along with the citation to the section of Subpart E addressing the allowability of that item. These principles are in addition to the other general allowability standards and apply whether or not a particular item of cost is properly treated as direct cost or indirect (F&A) cost. Meeting the specific criteria for a listed item does not by itself mean the cost is allowable, as it may be unallowable under other standards or for other reasons, such as restrictions contained in the terms and conditions of a particular grant or restrictions established by the state or in Board policy. If an item is unallowable for any of these reasons, federal funds cannot be used to purchase it.

School district employees responsible for spending federal grant funds and for determining allowability must be familiar with and refer to the Part 200 selected items of cost section. These rules must be followed when charging these specific expenditures to a federal grant. When applicable, employees must check costs against the selected items of cost requirements to ensure the cost is allowable and also check state, district, and program-specific rules.

The selected item of cost addressed in Part 200 includes the following (in alphabetical order):

|  |  |  |
| --- | --- | --- |
| **Item of Cost** | **Citation of Allowability Rule** | |
| Advertising and public relations costs | 2 CFR § 200.421 | |
| Advisory councils | 2 CFR § 200.422 | |
| Alcoholic beverages | 2 CFR § 200.423 | |
| Alumni/ae activities | 2 CFR § 200.424 | |
| Audit services | 2 CFR § 200.425 | |
| Bad debts | 2 CFR § 200.426 | |
| Bonding costs | 2 CFR § 200.427 | |
| Collection of improper payments | 2 CFR § 200.428 | |
| Commencement and convocation costs | 2 CFR § 200.429 | |
| Compensation – personal services | 2 CFR § 200.430 | |
| Compensation – fringe benefits | 2 CFR § 200.431 | |
| Conferences | 2 CFR § 200.432 | |
| Contingency provisions | 2 CFR § 200.433 | |
| Contributions and donations | 2 CFR § 200.434 |
| Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements | 2 CFR § 200.435 |
| Depreciation | 2 CFR § 200.436 |
| Employee health and welfare costs | 2 CFR § 200.437 |
| Entertainment costs | 2 CFR § 200.438 |
| Equipment and other capital expenditures | 2 CFR § 200.439 |
| Exchange rates | 2 CFR § 200.440 |
| Fines, penalties, damages and other settlements | 2 CFR § 200.441 |
| Fund raising and investment management costs | 2 CFR § 200.442 |
| Gains and losses on disposition of depreciable assets | 2 CFR § 200.443 |
| General costs of government | 2 CFR § 200.444 |
| Goods and services for personal use | 2 CFR § 200.445 |
| Idle facilities and idle capacity | 2 CFR § 200.446 |
| Insurance and indemnification | 2 CFR § 200.447 |
| Intellectual property | 2 CFR § 200.448 |
| Interest | 2 CFR § 200.449 |
| Lobbying | 2 CFR § 200.450 |
| Losses on other awards or contracts | 2 CFR § 200.451 |
| Maintenance and repair costs | 2 CFR § 200.452 |
| Materials and supplies costs, including costs of computing devices | 2 CFR § 200.453 |
| Memberships, subscriptions, and professional activity costs | 2 CFR § 200.454 |
| Organization costs | 2 CFR § 200.455 |
| Participant support costs | 2 CFR § 200.456 |
| Plant and security costs | 2 CFR § 200.457 |
| Pre-award costs | 2 CFR § 200.458 |
| Professional services costs | 2 CFR § 200.459 |
| Proposal costs | 2 CFR § 200.460 |
| Publication and printing costs | 2 CFR § 200.461 |
| Rearrangement and reconversion costs | 2 CFR § 200.462 |
| Recruiting costs | 2 CFR § 200.463 |
| Relocation costs of employees | 2 CFR § 200.464 |
| Rental costs of real property and equipment | 2 CFR § 200.465 |
| Scholarships and student aid costs | 2 CFR § 200.466 |
| Selling and marketing costs | 2 CFR § 200.467 |
| Specialized service facilities | 2 CFR § 200.468 |
| Student activity costs | 2 CFR § 200.469 |
| Taxes (including Value Added Tax) | 2 CFR § 200.470 |
| Termination costs | 2 CFR § 200.471 |
| Training and education costs | 2 CFR § 200.472 |
| Transportation costs | 2 CFR § 200.473 |
| Travel costs | 2 CFR § 200.474 |
| Trustees | 2 CFR § 200.475 |

*Helpful Questions for Determining Whether Costs are Allowable -*

In addition to applying the cost principles and standards described above, district staff involved in expending federal funds should ask the following questions when assessing the allowability of a particular cost:

* 1. Is the proposed cost allowable under the relevant program?
  2. Is the proposed cost consistent with an approved program plan and budget?
  3. Is the proposed cost consistent with program specific fiscal rules? For example, the school entity may be required to use federal funds only to supplement the amount of funds available from nonfederal (and possibly other federal) sources, or only as a match for funds from nonfederal sources.
  4. Is the proposed cost consistent with EDGAR?
  5. Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?
  6. Is the proposed cost consistent with the underlying needs of the program? For example, program funds must benefit the appropriate population of students for which they are allocated. This means that, for instance, funds allocated under Title III of the Elementary and Secondary Education Act (ESEA) governing language instruction programs for Limited English Proficient (LEP) students must only be spent on LEP students and cannot be used to benefit non-LEP students.
  7. Will the cost be targeted at addressing specific areas of weakness that are the focus of the program, as indicated by available data?

Any questions related to specific costs should be forwarded to Directorwho shall consult with the board’s legal counsel for clarification as appropriate.

**Cash Management – Federal Programs**

Generally, the school district receives payment of federal funds from the Kansas State Department of Education (KSDE) on a reimbursement basis. In some circumstances, the district may receive an advance of federal grant funds. This procedure addresses responsibilities of the district and district staff under those alternative payment methods. In either case, the district shall maintain accounting methods and internal controls and procedures that assure those responsibilities are met when dealing with federal funding.

**Payment Methods**

**Reimbursements -**

The school district will initially charge federal grant expenditures to nonfederal funds.

The Director will request reimbursement for actual expenditures incurred under the federal grants monthly.

Such requests shall be submitted with appropriate documentation and signed by the requestor.

Requests for reimbursements will be approved by the Director.

Reimbursement will be submitted on the appropriate form to the KSDE portal. All reimbursements are based on actual disbursements, not on obligations. KSDE will process reimbursement requests within the timeframes required for disbursement.

Consistent with state and federal requirements, the school district will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for KSDE to review upon request.

Reimbursements of actual expenditures do not involve interest calculations.

**Advances -**

When the district receives advance payments of federal grant funds, it must minimize the time elapsing between the transfer of funds to the district and the expenditure of those funds on allowable costs of the applicable federal program. (2 CFR Sec. 200.305(b)) The district shall attempt to expend all advances of federal funds within seventy-two (72) hours of receipt.

When applicable, the district shall use existing resources available within a program before requesting additional advances. Such resources include program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds. (2 CFR Sec. 305(b)(5))

The district shall hold federal advance payments in insured, interest-bearing accounts.

The school district is permitted to retain for administrative expense up to $500 per year of interest earned on federal grant cash balances. Regardless of the federal awarding agency, interest earnings exceeding $500 per year shall be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. (2 CFR Sec. 200.305(b)(9))

Pursuant to federal guidelines, interest earnings shall be calculated from the date that the federal funds are drawn down from the G5 system until the date on which those funds are disbursed by the district. Consistent with state guidelines, interest accruing on total federal grant cash balances shall be calculated on cash balances per grant and applying the actual or average interest rate earned.

Remittance of interest shall be responsibility of the Business Manager*.*

**Procurement – Federal Programs**

This document is intended to integrate standard district purchasing procedures with additional requirements applicable to procurements that are subject to the federal Uniform Grant Guidance regulations concerning the use of federal funds and/or U.S. Department of Agriculture (USDA) regulations governing school food service programs. The district maintains the following purchasing procedures, in accordance with federal and state laws, regulations, and board policy to aid in making purchases with federal funds. (2 CFR 200.318-200.325; 7 CFR 210.16, 210.19, 210.21, 215.14a, 220.16; K.S.A. 72-6760; board policies DFAB, DFAC, DJE, DJEB, DJED, DJEE, DJEF, DJEG, DJEJ, DJFA, and DJFAB)

|  |  |  |
| --- | --- | --- |
| 2017 Procurement Thresholds |  |  |
| Kansas Bid Threshold | $20,000 | For construction, reconstruction or remodeling or for the purchase of materials, goods or wares |
| Federal Micro-Purchase Threshold | $10,000 | Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1) |
| Federal Simplified Acquisition Threshold | $250,000 | Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1) |

\*Please review this Procurement attachment annually and update amounts accordingly

**Responsibility for Purchasing**

The board has outlined standard district purchasing responsibility, methods of purchasing, price quotations and bid, requirements in the following board policies and their accompanying administrative regulations and/or procedures:

DFAB: Standard of Conduct for Federally Funded Contracts

DFAC: Federal Fiscal Compliance

DJE: Purchasing

DJEB: Quality Control

DJED: Bids and Quotations Requirements

DJEE: Local Purchasing

DJEF: Requisitions

DJEG: Purchase Orders and Contracts

DJEJ: Payment Procedures

DJFA: Purchasing Authority

DJFAB: Administrative Leeway

**Purchase Methods**

When a request for expenses for construction, reconstruction, or remodeling or for the purchase of materials, goods, or wares has been submitted and approved as outlined below, the procurement method to be used will be determined based on the type of purchase and thetotal cost of the purchase as further outlined below. This procedure outlines how the cost thresholds for determining when the quote or formal bidding procedures that are required by state law as reflected in Policy DJED must be modified when making purchases for federally funded purposes to which the Uniform Grant Guidance or USDA regulations apply to comply with both state and federal requirements. At each point where requirements for food service-related procurement under USDA regulations differ, a note will refer to the Food Service Program Notes at the end of this procedure. Final determination of which purchasing procedures are to be applied is delegated to the *{ } Purchasing Agent { } Superintendent { } Business Manager*

under the authority of the Board.

**Standard Procurement Documents and Purchase Request Process**

The district shall use *{ } purchase orders { } requisitions* for purchase requests in accordance with the applicable purchase method.

The district shall use *{ } paper { } electronic* purchasing records, which are pre-numbered and are accessible to designated purchasing staff in *{ } the district office { } the business office*

*{ } Purchasing Agent’s office { } Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*.

Purchase requests by an employee must be submitted to the building administrator or immediate supervisor. Purchase of all budgeted items or items approved by an administrator or supervisor must be initiated by use of a purchase order or requisition submitted to the purchasing agent.

Purchase orders and requisitions shall contain information including, but not necessarily limited to:

1. Description of the services to be performed or goods to be purchased;
2. Location of where services will be performed or goods will be delivered;
3. Appropriate dates of service or delivery;
4. { } Other (describe) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Documentation on purchase orders and requisitions shall be maintained in accordance with the district’s Public Records policy (CN) and Federal Fiscal Compliance policy (DFAC).

Contracts shall be reviewed by the *{ } Board Clerk { } Business Manager*

*{ } Superintendent { } Board’s Attorney* prior to submission to the board for approval.

Contracts to which the Uniform Grant Guidance apply shall contain the clauses specified in Appendix II to 2 CFR Part 200 (Contract Provisions for Non-Federal Entity Contracts Under Federal Awards), when applicable.

**[See Food Service Program Notes below for specific clauses required by USDA regulations to be included in cost reimbursable procurement contracts.]**

**Micro-Purchases Not Requiring Quotes or Bidding**

For purposes of this procedure**, micro-purchase** means a purchase of supplies or services for use in federally funded programs using simplified acquisition procedures, the aggregate amount of which does not exceed a base amount of $10,000. The micro-purchase dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than $10,000.(48 CFR Subpart 2.1)

**Note: The micro-purchase maximum for federal purposes is lower than the amount below which the Policy DJED allows purchase for nonfederal purposes to be made without using formal competitive bidding.**

The micro-purchase method is used to expedite the completion of its lowest dollar small purchase transactions and minimize the associated administrative burden and cost. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

To the extent practicable, the district distributes micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices, and other terms. The *{ } Superintendent { } Business Manager { } Purchasing Agent { } Board Clerk { } Board Treasurer* will be responsible to determine the equitable distribution of micro-purchases.

Micro-purchases may be awarded without soliciting competitive quotations if the district considers the price to be reasonable. The district will maintain evidence of this reasonableness in the records of all micro-purchases. **Reasonable** means that sound business practices were followed, and the purchase is comparable to market prices for the geographic area. Such determinations of reasonableness may include comparison of the price to previous purchases of the same item or comparison of the price of items similar to the item being purchased.

Even if the cost of a purchase qualifies it as a micro-purchase, bidding or small purchase procedures may be used optionally when those procedures may result in cost savings.

**Small Purchase Procedures**

For purposes of this procedure, **small purchase procedures** are those relatively simple and informal procurement methods for securing materials, goods, or wares or for completing construction, reconstruction, or remodeling that cost more than the amount qualifying as a micro-purchase and do not cost $20,000 or more, or in the case of services other than construction, reconstruction or remodeling, where the total cost does not exceed the $250,000 federal Simplified Acquisition Threshold at which formal competitive bidding or competitive proposals are required. Small purchase procedures cannot be used for construction, reconstruction or remodeling costing $20,000 or more or for the purchase of materials, goods or wares costing $20,000 or more because the board policy and Kansas law requires formal competitive bidding at that level of cost.

The base amount at which bidding is required under state law for construction, reconstruction or remodeling or for the purchase of materials, goods or wares is $20,000. (K.S.A. 72-6760)

**The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than $250,000. (48 CFR Subpart 2.1)**

Because state law does not require **competitive** bidding for the purchase of services other than for construction, reconstruction or remodeling with a cost in excess of $20.000, small purchase procedures, including a request for proposal (RFP) procedure, may be used for procurement of such other services except when the estimated total cost will be at or over the federal threshold at which formal competitive bidding or competitive proposals are required ($150,000).

**[See Food Service Program Notes below for exemption from bidding for purchases of perishable food items costing less than $250,000.]**

**Formal Competitive Bidding**

**Publicly Solicited Sealed Competitive Bids:**

For construction, reconstruction, or remodeling or for the purchase of materials, goods or

wares, sealed competitive bids are publicly solicited and awarded to the lowest responsible bidder as provided in Policy DJED when the total cost is estimated to be $20,000 or more.

**Note: The amount at which formal competitive bidding or competitive proposals are required by federal regulations is much higher than the base amount at which the policy and state law requires competitive bidding. Therefore, the lower base amount specified by Policy DJED will be used for purchases of equipment or supplies, or for obtaining services for construction, reconstruction or remodeling costing $20,000 or more.**

State law does not require bidding for the purchase of services other than for construction, reconstruction or remodeling regardless of total cost. For procurement of such other services for federally funded purposes to which the Uniform Grant Guidance applies, formal competitive bidding or competitive proposals will be used when the estimated total cost will be at or over the federal threshold of $150,000.

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than $150,000. (48 CFR Subpart 2.1)

For procurement of services costing at or over the $150,000 federal threshold other than for construction, reconstruction or remodeling, the use of competitive sealed bidding is considered feasible and appropriate when:

1. A complete, adequate, and realistic specification or purchase description is available;
2. Two (2) or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

**[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]**

**Competitive Proposals**

State law does not require public school entities to solicit competitive bids for services other than for construction, reconstruction or remodeling, for which competitive bidding is required if the cost will be a base amount of $20,000 or more.

Federal regulations allow the use of competitive proposals as an alternative to formal competitive bidding when conditions are not appropriate for the use of sealed bids.

In the case of services other than for construction, reconstruction or remodeling costing less than that threshold, the district may use small purchase procedures or micro-purchase procedures as applicable based on total cost. A request for proposal (RFP) process can also meet or exceed the small purchase competition requirements under state law and Policy DJED for the acquisition of services other than for construction, reconstruction or remodeling, and can be used if the total cost will be less than $250,000.

When permitted, the technique of competitive proposals is normally conducted with more than one (1) source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The district shall comply with other applicable state and federal law and regulations, board policy and administrative regulations or procedures regarding purchasing; the district may consult with the school solicitor or other qualified counsel in determining the required process for purchasing through competitive proposals when necessary.

If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
2. Proposals must be solicited from an adequate number of qualified sources.
3. There must be a written method for conducting technical evaluations of the proposals received and for selecting recipients.
4. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
5. Competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors’ qualifications are evaluated and the most qualified is selected, subject to negotiation of fair and reasonable compensation, are allowed. The method where price is not used as a selection factor can only be used in procurement of A/E professional services and cannot be used to purchase other services through A/E firms.

Competitive proposals shall be evaluated by the *{ } Superintendent { } Business Manager*

*{ } Federal Programs Coordinator* based on factors including but not limited to:

1. Cost.

*{ } Experience of contractor.*

*{ } Availability.*

*{ } Personnel qualifications.*

*{ } Financial stability.*

*{ } Minority business, women’s business enterprise, or labor surplus area firm status.*

*{ } Project management expertise.*

*{ } Understanding of district needs.*

*{ } Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.*

Evaluations shall be completed in a timely manner, documented and shall be reviewed by the

*{ } Board { } Superintendent { } Business Manager { } Federal Programs Coordinator*

*{ } school solicitor*.

**Contract/Price Analysis**

The district performs a cost or price analysis in connection with every procurement action in excess of $250,000, including contract modifications. (2 CFR Sec. 200.323(a)).

A **cost analysis** generally means evaluating the separate cost elements that make up the total price, while a **price analysis** means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the *{ } Superintendent { } Business Manager { } Federal Programs Coordinator* must come to an independent estimate prior to receiving bids or proposals. (2 CFR Sec. 200.323(a)). As part of the analysis, the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ will enact established business practices which may include evaluation of similar prior procurements and a review process.

**Negotiated Profit**

**In any procurement in which there has been no price competition, or in which a cost-analysis is performed, profit must be negotiated separately as an element of price. Accordingly, solicitations of bids, proposals or quotes shall require that bids, proposals or quotes be limited to costs other than profit, and exclude profit.**

To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor’s investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. (2 CFR Sec. 200.323(b)).

**When profit must be negotiated as a separate element of the total price, it shall be negotiated by the *{ } Superintendent { } Business Manager { } Federal Programs Coordinator.***

**Noncompetitive Proposals (Sole Sourcing)**

**Procurement by noncompetitive proposals** means procurement through solicitation of a proposal from only one (1) source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source.
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An **emergency** exists whenever the time required for the board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes.
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the district.
4. After solicitation of a number of sources, the district determines the competition is inadequate.

In addition to standard procurement policy and procedures, the district will document the grounds for using the noncompetitive method in lieu of an otherwise required competitive method of procurement, which may include written confirmation from the contractor as the sole source of the item. Documentation must be submitted to and maintained by the district office.

All noncompetitive proposals will ultimately be approved by the board. The district may utilize legal advice regarding noncompetitive proposals.

Profit must be negotiated separately for noncompetitive proposals, and a cost or price analysis will also be performed for noncompetitive proposals when the price exceeds $250,000.

**Purchase Cards**

The district approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline contractor payment.

Procurement cards may be used for purchases under federal programs.

**Full and Open Competition**

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 CFR Sec. 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business.
2. Requiring unnecessary experience and excessive bonding.
3. Noncompetitive pricing practices between firms or between affiliated companies.
4. Noncompetitive contracts to consultants that are on retainer contracts.
5. Organizational conflicts of interest.
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement.
7. Any arbitrary action in the procurement process.

**Minority Businesses, Women’s Business Enterprises, Labor Surplus Area Firms**

The district must take necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include: (2 CFR Sec. 200.321)

1. Placing qualified small and minority business and women’s business enterprises on solicitation lists.
2. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources.
3. Dividing total purchasing requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business and women’s business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women’s business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
6. Requiring the prime contractor, if subcontracts are let, to take the affirmative steps listed above.

**Geographical Preferences Prohibited**

The district must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals for purchases made with federal funds, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

**[See Food Service Program Notes below for permissibility of geographic preferences and “Buy American” practices in purchasing certain food products]**

**Prequalified Lists**

The district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

[**See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]**

**Solicitation Language**

The district must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

**Avoiding Acquisition of Unnecessary or Duplicative Items**

The district must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration must be given to consolidating or breaking out procurements to obtain a more economical purchase; and, where appropriate, an analysis must be made of leases versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds. Such considerations are accessible in the procedure to Policy DFAC: Allowability of Costs – Federal Programs.

**Use of Intergovernmental Agreements and Cooperative Purchasing**

To foster greater economy and efficiency, the district enters into state and local intergovernmental agreements where appropriate for cooperative purchasing or use of common or shared goods and services, as permitted by the Intergovernmental Cooperation Act**.**

When procuring supplies or services for federally funded purposes to which the Uniform Grant Guidance applies, the district shall verify that the organization conducting the procurement pursuant to such agreements complies with the applicable procurement methods,requirements, and standards of the Uniform Grant Guidance as outlined in this procedure.

**Use of Federal Excess and Surplus Property**

The district considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

**Debarment and Suspension**

The district awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

**[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]**

The district may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over $25,000 the district verifies that the contractor with whom the district intends to do business is not excluded or disqualified. (2 CFR Part 200, Appendix II, and 2 CFR Sec. 180.220 and 180.300).

All successful contractors must provide written certification that they have not been suspended or debarred from federal projects. The *{ } Business Manager { } Federal Programs Coordinator* will be responsible for verification. Such verification may include accessing the online federal System for Award Management (SAM) to determine whether any relevant party is subject to any suspension or debarment restrictions.

**Maintenance of Procurement Records**

The district must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

Maintenance of records of procurement will be governed by board Policies CN and DFAC.

**Time and Materials Contracts**

The district may use a time and materials type contract only: (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. **Time and materials type contract** means a contract whose cost to the district is the sum of: the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the district must assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

**Settlements of Issues Arising Out of Procurements**

The district alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the district of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

**Protest Procedures to Resolve Dispute**

The district maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Protest procedures will be acted on in accordance with current state law and regulations, board policy and administrative regulations and procedures, and the advice of the board’s legal counsel.

**Food Service Program Notes:**

*Exemption from Bidding for Perishable Food Items -*

Kansas law exempts purchases of food and foodstuffs necessary for the implementation or operation of any child nutrition program from bidding requirements. Bidding for such items is required only if the cost would be at or over the federal threshold at which formal competitive bidding is required ($250,000). Small purchase procedures may be used for purchases below $250,000, or micro-purchase procedures for purchases below $10,000. Use of bidding should be considered as an option if it is feasible and likely to result in cost savings.

*Geographic Preferences -*

The district is permitted to apply a geographic preference when procuring unprocessed, locally grown or locally raised agricultural products. When a geographic preference is applied, the district has discretion to determine the local area to which the geographic preference option will be applied.

**Unprocessed locally grown or locally raised agricultural products** means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers; drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two (2) or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk. (7 CFR Sec. 210.21, 215.14a, 220.16)

*Buy American -*

The district shall purchase, to the maximum extent practicable, domestic commodities or products for food service purposes. The term **domestic commodity or product** means: (7 CFR Sec. 210.21, 220.16)

1. An agricultural commodity that is produced in the United States; and
2. A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States.

*Mandatory Contract Clauses -*

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;
2. (a) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or   
     
   (b) The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;
3. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;
4. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually.
5. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and
6. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

*Contracts with Food Service Management Companies -*

Procedures for selecting and contracting with a food service management company (FSMC) shall comply with guidance provided by the Kansas State Department of Education, Division of Child Nutrition and Wellness, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 215.14a, 220.16)

*Pre-Plated Meals -*

Procedures for selecting and contracting with contractors of pre-plated meals shall comply with guidance provided by the Kansas State Department of Education, Division of Child Nutrition and Wellness, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 220.16)

**TRAVEL REIMBURSEMENT – FEDERAL PROGRAMS**

The board shall reimburse employees and school board for travel costs incurred in the course of performing services related to official business as a federal grant recipient. School board members must have prior written approval from the federal awarding agency or pass-through entity to get reimbursement for expenses specifically related to a federal award.

For purposes of this procedure, travel costs shall mean the expenses for transportation, lodging, subsistence, and related items incurred by employees and/or board members who are in travel status on official business as a federal grant recipient.

Board members and district employees shall comply with applicable board policies established for reimbursement of travel and other expenses.

The validity of payments for travel costs for all district employees shall be determined by the superintendent or designee.

Travel costs shall be reimbursed on a mileage basis for travel using an employee’s or board member’s personal vehicle and on an actual cost basis for meals, lodging and other allowable expenses, consistent with those normally allowed in like circumstances in the district’s non federally funded activities, and in accordance with the district’s travel expenses policy GAN.

Mileage reimbursements shall be at the rate approved by the board for other district travel reimbursements. Actual costs for meals, lodging, and other allowable expenses shall be reimbursed only to the extent they are reasonable and do not exceed the per diem limits established by the **{board/the federal General Services Administration for federal employees for locale where incurred.}**

All travel costs must be presented with an itemized, verified statement prior to reimbursement.

In addition, if these costs are charged directly to the federal award, documentation must be maintained that justifies that:

Participation of the individual is necessary to the federal award, and

The costs are reasonable and consistent with the district’s established policy.

Approved by BOE: 07/21

**DFE Investment of Funds DFE**

The investment of school district monies shall be the responsibility of the superintendent, business manager, and/or the district treasurer.

Any monies not immediately required for the purposes for which the monies were collected or received may be invested as provided by current statute.

Posting Securities

All investments of district monies shall be secured to 100% of the amount of district monies by F.D.I.C. coverage, a pledge of direct federal obligations, or direct guaranteed federal agency deposits in accordance with requirements of state law. Exceptions to the required posting of securities shall be only as provided by law and with approval of the board.

All offerings of monies for investment shall state the amount to be invested and the maturity date of each investment.

All banks and savings and loan associations (hereafter “financial institution(s)”) with main or branch offices located within the district and county or counties in which part of the district is located shall be given an opportunity to respond to requests for proposals on monies offered for investment. All responses shall be directed to the superintendent and shall be specified on the basis of simple interest.

Distribution of monies for investment shall be as follows:

The treasurer or other person designated by the board shall inform each eligible financial institution of the total amount of money to be invested on a specified date and the maturity date of the investment. Each financial institution responding shall submit a single proposal of the rate of interest it would pay on all or part of the funds to be invested.

Monies shall be invested with the financial institution offering the highest interest rate in such amount as the financial institution will accept, and any remaining amounts shall be invested with the financial institution(s) offering the next highest interest rates in such amounts as it will accept until all funds offered for investment are invested. No financial institution shall be eligible to receive any funds in the same offering at a rate lower than its proposal rate.

No proposal less than the most recently determined investment rate as defined in K.S.A. 12-1675a shall be accepted unless otherwise authorized by K.S.A. 12-1675. No funds will be invested for maturities of more than two years.

**DFE Investment of Funds DFE-2**

Any monies not otherwise invested in eligible financial institutions located in the district due to their inability, for whatever reason, to accept the funds, shall be invested in secured deposits in financial institutions which have offices located in counties in which a part of the school district is located.

Any monies not invested in financial institutions in the district or located in counties in which a part of the school district is located may be invested as authorized by Kansas law.

Monies available for reinvestment as a result of maturities may be reinvested with the financial institution holding such monies provided the financial institution agrees to pay the same or higher rate as that offered by the highest proposal at the time the requests for proposals were accepted.

In the event of identical high proposals, the allocation of monies to be invested between the financial institutions offering the high proposals shall be at the discretion of the superintendent.

The treasurer shall record the following information: the date of each request for proposal; the name of each financial institution notified; the name of

the officer notified; the proposal; the amount of monies the financial institution is willing to accept at the rate proposed.

To be eligible to receive invested funds or deposits from the district, any otherwise eligible financial institution shall have on file in the office of the district treasurer a letter requesting its inclusion in any request for proposal and providing proper assurance of compliance with requirements of applicable laws and board policy relating to maintenance of proper security and assurance of its membership in good standing consistent with current federal regulations. The superintendent shall report monthly to the board on the district's investments.

Approved: BOE Approved: 07/18; 01/20; 07/21

**DH Bonded Employees DH**

The board shall purchase a blanket fidelity bond for interlocal employees. The amount of the bond shall be determined by the board.

A position bond in the amount of $100,000 {recommended 100,000 per incident} is required for the treasurer, clerk and bookkeeper. A position bond may be purchased by the board for interlocal employees as follows:

* Building administrators,
* Building secretary(s), and/or
* Other employees as the board may direct.

Approved: KASB recommendation-9/04; 4/07; 4/13; 7/13

**DIC Inventories DIC**

An accounting will be made annually for all district-owned personal property.

An inventory record system shall be developed by the superintendent. All inventory records shall be annually updated showing deletions and additions, the estimated value, original cost (where available), date of purchase, serial numbers (where available) and location and condition of each piece of district-owned personal property.

Each building principal shall take an annual inventory of district-owned personal property under the direction of the superintendent. Inventory forms shall be developed by the superintendent. One copy of each inventory taken in an attendance center shall be filed in that building, and one copy shall be filed in the central office with the clerk.

Approved: BOE Approved 07/18

**DJE Purchasing DJE**

The purchasing, receiving, storing and distribution of supplies, equipment, and services for use in the district shall be managed efficiently and economically. School employees are not allowed to purchase personal items from vendors using district accounts.

Purchasing Authority

The board shall appoint a purchasing agent for the district.

Approved: BOE Approved 1/22

**DJEB Quality Control DJEB**

The board reserves the right to establish the specifications for and quality of goods or services purchased by the district.

Specifications

It is the responsibility of the originator of a purchase request to see that all specifications requested are complete.

Standardization

Whenever possible, standard lists of supplies and equipment shall be developed in all budget areas.

Quantity Purchasing

Quantity purchasing is encouraged.

Approved: BOE Approved 07/18

**DJED Bids and Quotations Requirements DJED**

All purchases requiring competitive bids shall be made in accordance with current statutes.

The purchasing agent shall develop and maintain lists of potential suppliers. Bid lists shall be used to notify potential bidders.

Any supplier may be included in the list upon request. All bid lists shall be reviewed annually by the purchasing agent.

A copy of this policy shall be given to all bidders upon request.

All bids and supporting documentation shall be retained in the district office with the clerk for a period of three years after bids have been opened.

Bid Specifications

All bid specifications shall be written by the district’s purchasing agent and shall include required characteristics and quality standards. Specifications shall include, when necessary: required performance, surety, bid, and statutory bond information; compliance with preferential bid law; financial statements; the board’s right to reject any or all bids; compliance with all federal, state, and local laws, ordinances, and regulations; the date, time, and place for the opening of bids; and other items as the board directs.

The board shall avoid negotiation of bid specifications after bids have been accepted and shall correct specifications if they are inadequately written and request new bids. If an error is discovered in the bid specifications, all bids shall be returned unopened, and the project shall be rebid using corrected and/or amended specifications.

Procedure

All bids must be submitted to the clerk in sealed envelopes with the name of the bidder and the date of the bid opening plainly marked in the lower left-hand corner of the envelope. All bids shall be opened publicly on the stated date and time. All bidders and other interested persons may be present when the bids are opened.

Bids may be opened by the purchasing agent or other person designated by the board, and such opening shall be witnessed by one other district employee. The bids shall then be arranged in order from low to high before they are presented to the board for action.

Responsible Bidder

**DJED Bids and Quotations Requirements DJED-2**

All bids shall be awarded to the lowest responsible bidder. The board remains the sole judge of whether a bidder is “responsible.” Criteria that may be used to judge whether the

bidder is responsible by way of illustration and not limitation, are: financial standing, reputation, experience, prior working relationship with the district, resources, facilities, judgment, and efficiency.

The board may investigate whether the bidder is responsible by using information at hand to form an intelligent judgment, such as, but not necessarily limited to, the district’s architect, previous clients of the bidder, their own investigation, or an outside investigation agency.

Withdrawal of Bids

Any bid may be withdrawn and/or corrected prior to the scheduled time for opening of bids and no later than two days after the bids have been opened if a non-judgmental error has been made.

Any bid received after the publicized date and time shall not be considered by the board.

Rejection of Bids

The board reserves the right to reject any and all bids and to ask for new bids. This reservation shall be specified in the publication or notification of bid letting.

The board reserves the right to waive any informalities in or reject any parts of a bid.

Multi-State Purchasing Pools

The board may participate in multi-state purchasing pools.

Approved: BOE Approved 11/13;07/18

**DJEF Requisitions DJEF**

The purchasing agent shall develop a requisition form to be used by staff members requesting that certain goods be purchased for the district.

All requisitions shall be submitted to the purchasing agent by the designated deadline. After a purchase order has been issued, the number of the purchase order shall be recorded on the requisition, and the number of the requisition shall be recorded on the purchase order. After processing, the original copy of the requisition shall be filed in the office of the purchasing agent in numerical sequence.

The school or district entity shall not be used to order or purchase supplies, goods, or wares for the personal use of employees. Use of the “school entity” in this manner would include, but may not be limited to, the use of the school or district’s name, letterhead, purchase order, fund, credit card, and/or check.

Approved: BOE Approved 07/18

**DJEJ Payment Procedures DJEJ**

The director shall recommend payment to vendors and suppliers for goods and services upon satisfactory receipt of all goods or completion of all services and for which there is an interlocal purchase order number issued as provided for in board policy. (See DJEG)

The board shall consider payment of bills recommended for payment at regular board meetings except as provided for in policy. (See DJFAB)

The board may delegate one or more employees to pay bills in advance of any board meeting in order to avoid a penalty for late payment or to take advantage of any early payment discount.

All expenditures shall be paid by check with each check bearing the signatures of

* Board President,
* Sumner County Educational Services Interlocal Bookkeeper.

Approved: KASB Recommendation-4/13; 7/13

**DJFAB Administrative Leeway ( See CMA, DJEG, and DJEJ) DJFAB**

In an emergency, the director shall have the authority to make expenditures necessary to prevent additional damage to interlocal property, to keep the facilities open, or to reopen facilities or attendance centers. Emergency purchases shall be ratified by the board at the next regular or special board meeting.

Approved: BOE Approved 11/13

**EBB Safety (See JBH) EBB**

The interlocal shall make reasonable efforts to provide a safe environment for students and employees.

Safety Rules

The director and staff shall develop necessary rules and regulations for student safety in interlocal facilities used for student attendance purposes.

Safety Unit

Any interlocal teachers who instruct in hazardous curriculum areas will teach a unit each year or semester dedicated to safety rules inherent in the particular subject matter.

Appropriate safety signs, slogans or other safety items shall be posted on or in the near vicinity of potentially dangerous devices or machinery.

No student will be permitted to participate in the class until satisfactory knowledge of the safety rules are demonstrated to the teacher. Teachers will conduct periodic reviews of safety rules during the school year.

Warning System

The board will seek to cooperate with local government officials, emergency preparedness authorities, and other related state agencies to maintain adequate disaster warning systems.

Safety Inspections

The director, interlocal administrators, and maintenance personnel will regularly inspect each interlocal owned facility used as a student attendance center, boilers, and other appropriate areas to see that they are adequately maintained. Written records of these inspections shall be maintained.

If repairs are necessary, the individual conducting the investigation shall immediately

Inform the administrator overseeing such area, the director, or the employee’s immediate supervisor in writing. Necessary steps either to repair or to remove the defect will be taken as soon as possible. Defects requiring expenditure money {in excess of $5000} will be reported to the board. Any defects not immediately removed, repaired, or otherwise eliminated shall be blocked of with fences or other restraining devices.

**EBB Safety EBB-2**

Heating and Lighting

All furnace and lighting fixtures may be inspected annually to ensure safety for students, interlocal employees, and patrons. These devices shall meet minimum state and federal standards.

The use of space heaters in district buildings is permitted so long as all heaters are: UL listed and approved; plugged directly into the wall outlet and not used with an extension cord; and have a 3 foot clearance from any combustible items that may catch fire. Combustible items include, but are not limited to, paper products, clothing, and blankets. Staff members who wish to bring their own space heater shall first get the approval of their immediate supervisor.

Approved: BOE Approved 11/13; 07/14

**EBBD Evacuations and Emergencies EBBD**

If an emergency interferes with the normal conduct of interlocal affairs, students may be dismissed from school only by the director (or assistant director). A plan for emergency dismissal of students during the school day shall be developed by the director and approved by the board. A copy shall be filed with the clerk, and procedures for dismissal shall be given to parents and students at the beginning of each school year.

School will not be dismissed early because of an emergency when the safety of students and teachers is better served by remaining at the interlocal facility.

During an emergency period when there is insufficient warning time, the interlocal will keep all students under interlocal jurisdiction and supervision. The staff shall remain on duty to supervise students during this time. Parents may come to the facility and pick up their children. Students shall be released according to board policy for release of students during the school day. (See JBH)

Attendance Center Closing Announcements

When the director believes the safety of students is threatened by severe weather, health or safety concerns, or other circumstances, parents and students shall be notified of attendance center closings or cancellations by announcements made over radio/TV stations(s), (One-call).

Bomb Threats

If there is a bomb threat or similar emergency, the building administrator shall see that students are escorted to a safe place. The administrator shall notify law enforcement agencies of the threat and request a thorough inspection of the building and grounds. Other contingencies as noted in the crisis plan shall be followed.

If it is determined that no danger exists to the students’ safety and if there is time remaining in the school day, school shall be resumed.

Planning for emergencies

Each building administrator shall develop appropriate emergency procedures which shall be included in the interlocal’s crisis plans. (See EBBF) As appropriate, portions of the crisis

**EBBD Evacuations and Emergencies EBBD-2**

plans. (See EBBF) As appropriate, portions of the crisis plan developed shall be held in strict confidence by staff members having direct responsibility for implementing the plan.

Approved: BOE Approved 11/13, 01/21

**EBBE Emergency Drills EBBE**

Building principals shall be responsible for scheduling and conducting emergency and safety drills as required by law and for ensuring students are instructed in the procedures to follow during the drills and in an actual emergency.

Each building principal shall develop a written plan for specific emergency drills required by law. The plan shall include specific arrangements for the evacuation of mobility impaired and other individuals who may need assistance from staff members to safely exit the building. Although plans for evacuation are essential, the state fire marshal may grant exemptions to the number or manner of drills required by law with regard to students receiving special education or related services, upon request.

Each principal shall conduct briefings with the staff concerning the emergency plan.

Each teacher shall explain relevant portions of the plan to students under their jurisdiction prior to a date established by the principal. Within one week thereafter, the building principal shall conduct a surprise drill. Other drills shall be held at times determined by the building principal.

The four fire drills and three crisis drills required by law may be scheduled at any time during the school year. However, the two tornado drills required shall be conducted in September and March. All these drills must be conducted by each school during school hours and cannot be made part of regular dismissal at the close of the school day.

Each emergency and safety drill plan shall be reviewed by the superintendent and filed with the clerk.

Approved: BOE Approved 11/13;12/18; 07/19

**EBBF Crisis Planning (See EBBD) EBBF**

The director, in cooperation with each building administrator (and assistant director0, shall develop a plan to deal with crisis in an attendance center. Each plan shall be approved by the board before it is implemented.

A copy of the plan shall be on file in each building used as an attendance center for the interlocal and with the clerk.

Building administrators shall train staff to implement the building plan. As necessary, students and parents will be informed about details of the plan.

Crisis plans shall be subject to regular review by the administration. If a plan is implemented, the board shall receive a report on how well the plan worked. If necessary, the report shall include recommended changes.

Approved: BOE Approved 11/13

**EBC Security and Safety EBC**

Security devices may be installed at interlocal attendance centers. Other measures may be taken to prevent intrusions or disturbances from occurring in interlocal buildings or trespassing on interlocal grounds. The interlocal will work together with law enforcement in security matters and shall, as required by law, report felonies and misdemeanors committed at the interlocal attendance centers, on interlocal property, or at interlocal-sponsored activities.

Reporting Crimes at School to Law Enforcement

Any interlocal employee who knows or has reason to believe any of the following has occurred at the interlocal attendance centers, on interlocal property, or at interlocal-sponsored activities shall immediately report this information to local law enforcement: an act which constitutes the commission of a felony or a misdemeanor; or an act which involves the possession, use or disposal of explosives, firearms or other weapons as defined in current law.

It is recommended the building administrator also be notified.

Reporting Certain Students to Administrators and Staff

Administrative, professional or paraprofessional employees who have information that a pupil has engaged in the following shall report the information and the identity of the pupil to the school’s superintendent or, in the case of students attending school at a interlocal location, the director. The notified administrator shall investigate the matter and, if it is determined

the student has been involved in the following, shall provide information, and the identity of the student to all employees who are involved or likely to be directly involved in teaching or providing related services to the pupil:

Any pupil who has been expelled for conduct which endangers the safety of others.

Any student who has been expelled for commission of felony type offenses;

Any student who has been expelled for possession of a weapon;

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;

**EBC Security and Safety EBC-2**

Any student who has been tried and convicted as an adult of any felony, ex­cept theft involving no direct threat to human life.

Annual Reports

The building administrator shall prepare all reports required by law and present them to the board of directors and the state board of education annually. Re­ports shall not include any personally identifiable information about students. These reports and this policy may be made available upon request to parents, patrons, students, and employees and others who request the information.

Staff Immunity

No interlocal board, individual board member, director, or interlocal employee shall be liable for damages in a civil action resulting from a person's good faith acts or omission in complying with the requirements or provisions of the Kansas school safety and security act.

Approved: BOE Approved 11/13

**EBC SAFETY AND SECURITY**

**Report to Local Law Enforcement**

**Interlocal 619**

Pursuant to K.S.A. 72-6143, 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. 72-6311 to protect the privacy rights of students under the age of 18.

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Administrator or other school employee.

cc: Superintendent of Schools, Int 619 Students file

Approved: BOE Approved 07/18

**EBC SAFETY AND SECURITY**

**Report to Staff Member INT 619**

Pursuant to K.S.A. 72-6143, 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. 72-6311 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 Int. 619 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

Approved: BOE Approved 07/18

**ECH Printing and Duplicating Services ECH**

The copyright laws of the United States make it illegal for anyone to duplicate copyrighted materials without permission. Severe penalties are provided for unauthorized copying of all materials covered by the act unless the copying falls within the bounds of the "fair use" doctrine.

Any duplication of copyrighted materials by interlocal employees must be done with permission of the copyright holder or within the bounds of "fair use."

The legal or insurance protection of the interlocal shall not be extended to school employees who violate any provisions of the copyright laws.

Approved: BOE Approved 11/13

**GA Personnel Policy Organization GA**

These policies are arranged in the following manner:

GA policies apply to all employees.

GB policies apply to teachers and other certified staff covered by the negotiated agreement.

GC policies apply to classified/non-certified staff.

Approved: BOE Approved 11/13

**GAA Goals and Objectives (See BDA, CM, CMA and JA) GAA**

The goal of the personnel policies set forth in this policy section is to create the best possible educational climate for the students of the school district. To this end, these personnel policies are designed to prevent misunderstanding by the district’s personnel of their duties, responsibilities, and privileges.

All employees shall follow all applicable board policies, rules, regulations, and supervisory directives.

All personnel handbooks shall be approved by the board and adopted, by reference, as a part of these policies and rules.

Approved: BOE Approved 11/13; 07/19

**GAAA Equal Employment Opportunity and Nondiscrimination GAAA**

The board shall hire all employees on the basis of ability and the district’s needs.

The district is an equal opportunity employer and shall not discriminate in its employment practices and policies with respect to hiring, compensation, terms, conditions, or privileges of employment because of an individual’s race, color, national origin, religion, sex, age, disability, or genetic information. Discrimination on any of these characteristics will not be tolerated. The district will make reasonable accommodations to applicants and employees who need them for medical or religious reasons, as required by law.

Inquiries regarding compliance may be directed to (position, address, phone number of the district compliance coordinator) or to:

Equal Employment Opportunity Commission

Gateway Tower II

400 State Ave., Suite 905

Kansas City, KS 66101

(913) 551-5655

kansascityintake@eeoc.gov

or

Kansas Human Rights Commission

900 SW Jackson, Suite 568-S

Topeka, KS 66612-1258

(785) 296-3206

khrc@ks.gov

or

United States Department of Education

Office for Civil Rights

One Petticoat Lane

1010 Walnut Street, Suite 320

Kansas City, Missouri 64106

(816) 268-0550

[OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

Approved: BOE Approved 11/13; 07/19

**GAAB Complaints of Discrimination GAAB**

**(See GAAC, GAACA,JDDC,JGEC,JGECA,KN and KNA)**

The district is committed to maintaining a working and learning environment free from discrimination, insult, intimidation, or harassment due to race, color, national origin, religion, sex, age, genetic information, or disability. Except as otherwise provided in this policy and board policies GAAC, JGEC, and KNA. any incident of discrimination in any form shall promptly be reported to an employee’s immediate supervisor, the building principal or the district compliance coordinator for investigation and corrective action by the building or district compliance officer. Any employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including termination.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, genetic information, or religion in the admission to, access to, treatment, or employment in the district’s programs and activities is prohibited. (Assistant Director of Interlocal 619, 201 N. B St. Wellington, KS 67152, 620-326-8935) has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI and Title VII of the Civil Rights Act of 1964 Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990, the Age of Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended.

Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state laws regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policies GAAC and JGEC and shall be directed to the Title IX Coordinator at (Assistant Director of Interlocal 619, 201 N. B St. Wellington, KS 67152, 620-326-8935). More information may be obtained on discrimination on the basis of sex by contacting the Title IX Coordinator.

Complaints alleging discrimination in child nutrition programs offered by the district shall be handled in accordance with the procedures outlined in board policy KNA, and more information may be obtained on procedures for such complaint by contacting the district compliance coordinator.

Complaints of discrimination should be addressed to an employee’s supervisor or to the building principal or the compliance coordinator. Complaints against the superintendent should be addressed to the board of education.

Unless otherwise provided herein, complaints of discrimination will be resolved using the district’s discrimination complaint procedures in policy KN.

**GAAB Complaints of Discrimination GAAB-2**

The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the

complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Approved: BOE Approved 11/13; 07/15; 07/19; 7/20

**GAAC Sexual Harassment (See GAF and JGEC) GAAC**

The board is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. The district does not discriminate on the basis of sex in admissions, employment, or the educational programs or activities it operates and is prohibited by Title IX from engaging in such discrimination. Discrimination on the basis of sex, including sexual harassment, will not be tolerated in the interlocal. Discrimination on the basis of sex of employees or students of the district in any district education program or activity 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 the interlocal locations, on interlocal property, and at all interlocal-sponsored activities, programs or events within the United States.

It shall be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action, up to and including termination.

Sexual harassment shall include conduct on the basis of sex involving one or more of the following: (1) A district employee conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s educational program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking.

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 of a sexual nature; 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 an employee’s job status.

The interlocal encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment

will be promptly investigated and resolved. Any person may make a verbal or written report of sex discrimination by any means and at any time.

(Assistant Director, 201 N. B St, Wellington, KS 67152, 620-326-8935) has been designated to coordinate compliance with nondiscrimination requirements contained in Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1967, and the Kansas Act Against Discrimination. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the Title IX Coordinator.

Inquiries about the application of Title IX to the district may be referred to the Title IX Coordinator; to the Assistant Secretary for Civil Rights at the U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington D.C. 20202-1100, (800)421-3481, or at [OCR@ed.gov](mailto:OCR@ed.gov); or both.

Response to Harassment Complaints

The district takes all reports of sexual harassment seriously and will respond meaningfully to every report of discrimination based on sex, including sexual harassment, of which the district has actual knowledge. Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee’s immediate supervisor is the alleged harasser, the employee should discuss the problem with the building administrator or the interlocal Title IX Coordinator.

Definitions

The following definitions apply to the district in responding to complaints of sexual discrimination including sexual harassment as defined by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination.

The “complainant” means an individual who is alleged to be a victim of conduct that could constitute sexual harassment.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

The “decision-maker” reviews all the evidence and prepares an impartial written responsibility determination as to whether the alleged conduct occurred and provides an opportunity for the parties and their representatives to prepare written questions to be

“Domestic violence” includes crimes of violence committed by a person who is a current or former spouse, partner, person with whom the victim shares a child, or who is or has cohabited with the victim as a spouse or a partner, by a person similarly situated to a spouse of the victim under Kansas or applicable federal law, or by any other person against an adult or youth victim having protection from such person’s acts by Kansas or applicable federal law.

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment.

The “investigator” is the person who carries out the investigation after the formal complaint is filed and conducts interviews of the witnesses, collects and documents evidence, and drafts and investigative report.

A “respondent” is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

“Stalking “means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress.

The “Title IX Coordinator” is the individual designated at the district level who has responsibility to coordinate compliance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. The Title IX Coordinator’s responsibilities include, but are not limited to: developing material and ensuring professional development occurs for staff involved in Title IX compliance, creating systems to centralize records, gathering relevant data, contracting the complainant (and/or parent or guardians, if applicable) once the district has actual knowledge of alleged sexual harassment, coordinating the implementation of supportive measures, signing a formal complaint to initiate a grievance process, and ensuring any remedied are implemented.

The Title IX Coordinator, any investigator, decision-maker or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve

impartially, including appeals and informal resolution processes; and how to serve impartially, including avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence.

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action. District officials who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

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 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 also result in employee discipline.

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence.

The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge as follows:

* Contact the complainant within 10 business days and discuss the availabitlyt of supportive measures, with or without the filing of a formal complaint, and consider the complainant’s wishes as to supportive measures; and
* Inform the complainant of the right to a formal complaint investigation consistent with Title IX and the informal resolution process.

Supportive Measures

The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or the respondent. Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. “Supportive Measures” shall include, but not limited to, measures designed to protect the safety of all parties, to protect the district’s educational environment, or to deter sexual harassment. These measures may include counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Formal Complaint

No investigation of alleged sexual harassment may occur until after a formal complaint has been filed.

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting an investigation. The procedures for filing a formal complaint are as follows:

* At the time of filling a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district concerning which the formal complaint is filed.
* 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. Filing of the complaint with the Title IX Coordinator may be done in person, by mail, or by email. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office.
* A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
* 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 a qualified individual designated

by the Title IX Coordinator or another individual appointed by the board. The investigation shall be thorough. All interested persons, including the complaint and the respondent, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

Formal Complaint Notice Requirements

Upon filing of a formal complaint, the district shall provide written notice to the known parties including:

* Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including:
  + The identities of the parties involved, if known;
  + The conduct allegedly constituting sexual harassment; and
  + The date and location of the alleged incident, if known.
* The district’s investigation procedures, including any informal resolution process;
* A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
* Notice to the parties they may have an advisor of their choice and may inspect and review any evidence; and
* Notice to the partied of any provision in the district’s code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice initially provided, notice of the additional allegations shall be provided to known parties.

Formal Complaint Investigation Procedures

To ensure a complete and thorough investigation and to protect the parties, the investigator shall:

* Ensure that the preponderance of the evidence burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the district and not the parties;
* Provide an equal opportunity for the parties to present witnesses and evidence;
* Not restrict either party’s ability to discuss the allegations under investigation or to gather and present relevant evidence;
* Allow the parties to be accompanied with an advisor of the party’s choice;
* Provide written notice of the date, time, location, participants, and purpose of any interview, meeting, or hearing at which a party is expected to participate;
* Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint, including the report, and the opportunity to respond to that evidence before a determination is made;
* Be impartial and objectively evaluate all relevant evidence without relying on sex stereotypes;
* Not have conflicts of interest or bias for or against complainants or respondent;
* Not make credibility determinations based on the individual’s status as complainant, respondent, or witness.

Formal Complaint Investigation Report

The investigator shall prepare an investigative report that fairly summarizes relevant evidence and share the report with the parties and their advisors for review and response.

Before completing the investigative report, the investigator must send each party and their advisors the investigative report for review and allow the parties 10 days to submit a written response for the investigator’s consideration.

Decision-Maker’s Determination

Upon receiving the investigator’s report, the decision-maker must make a determination regarding responsibility and afford each party the opportunity to submit written, relevant questions that the parties want asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence. The decision-maker’s written determination shall:

* Identify the allegations potentially constituting sexual harassment;
* Describe the procedural steps taken. Including any notifications to the parties, site visits, methods used to gather evidence, and interviews;
* Include the findings of fact supporting the determination;
* Address any district policies and/or conduct rules which apply to the facts;
* A statement of, and rational for, the result as to each allegation, including a determination regarding responsibility; and
* The procedures and permissible bases for the complainant and/or respondent to appeal the determination.

The written determination may, but is not required to, recommend disciplinary sanctions and any remedies designed to preserve access to the educational program or activity that may be provided by the district to the complainant. A copy of the written determination shall be provided to both parties simultaneously.

The range of disciplinary sanctions and remedies may include, nut may not be

limited to, supportive measures, short term suspension, long term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. 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 with or without pay or terminated, procedures outlined in board policy, the negotiated agreement (as applicable), and/or state law will be followed.

Records relating to complaints filed and their resolution shall be maintained by the title IX Coordinator for seven years.

The decision becomes final on the date the parties receive the results of an appeal, if any appeal is filed, or on the date the opportunity for an appeal expires.

Appeals

The complainant or respondent may appeal the decision-maker’s determination regarding responsibility or a dismissal of a formal complaint, on the following base:

* Procedural irregularity that affected the outcomes;
* New evidence that was not reasonably available at the time that could affect the outcome; and/or
* The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome.

The request to appeal shall be made in writing to the Title IX Coordinator within 10 days after the date of the written determination. Appeals shall be the record by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator, or the decision-maker from the original determination.

The appeal decision-maker will issue a written decision within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result.

The appeal decision-maker shall:

* Review the evidence gathered by the investigator, the investigator’s report, and the original decision-maker’s determination;
* Notify both parties in writing of the filing of an appeal and give them an opportunity to submit further evidence in writing;
* Not have a conflict of interest or bias for or against complainant or respondent and receive the required training;
* Issue a written decision and the rationale for the result in the decision; and
* Provide the written decision simultaneously to both parties and to the Title IX Coordinator.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

* The parties are provided a written notice disclosure the allegations, the requirements of the informal resolution process, information on when it may preclude the parties from resuming a formal complaint arising from the same allegations;
* At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the investigation of the formal

complaint and be informed of any consequences resulting from participating in the informal resolution process;

* The parties voluntarily and in writing consent to the informal resolution process; and
* The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the proposed resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within 20 days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved, or if the individual does not believe the resolution remains acceptable within 20 days after the informal resolution document is executed, the individual of the Title IX Coordinator may proceed with the formal complaint process.

If discrimination of harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or appeal.

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.

Initiation of a complaint of sexual harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving discrimination including sexual harassment is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment.

To the extent possible while still following the above procedures, confidentiality will be maintained throughout the investigation and resolution of a complaint. The desire for confidentiality must be balanced with the interlocal’s obligation to conduct a thorough investigation, to provide supportive measures to both parties, to take appropriate corrective action, and to provide due process to the complainant and the respondent.

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

A summary of this policy and the complaint procedures including how to report or file a formal complaint of sex discrimination or sexual harassment shall be posted in each interlocal facility, shall be published in employee handbooks, and on the district’s website as directed by the Title IX Coordinator. Notification of the policy may include posting information notices, publishing in local newspapers, publishing in newspapers and magazines operated by the school, or distributing memoranda or other written communications to students and employees. In addition, the district is required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants, or employees.

Approved: BOE Approved 08/13; 07/15; 12/18; 06/20; 07/21

**GAACA Racial and Disability Harassment: Employees GAACA**

**(See GAF, JGECA and KN)**

The board is committed to providing a positive and productive working and learning environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Racial and disability harassment will not be tolerated in the interlocal. Racial or disability harassment of employees or students of the interlocal in any district or education program or activity by board members, administrators, certified and support personnel, students, vendors, and any others having business or other contact with the interlocal is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. Disability harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of racial and disability harassment are prohibited in interlocal facilities, on interlocal property, and at all interlocal-sponsored activities, programs or events.

It shall be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy.

Violations of this policy by any employee shall result in disciplinary action, up to and including termination.

Harassment prohibited by this policy includes racially or disability-motivated conduct which:

Affords an employee different treatment, solely on the basis of race,

color, national origin, or disability, in a manner which interferes

with or limits the ability of the employee to participate in or benefit

from the services, activities or programs of the interlocal;

Is sufficiently severe, pervasive or persistent so as to have the

purpose or effect of creating a hostile working environment;

Is sufficiently severe, pervasive or persistent so as to have the

purpose or effect of interfering with an individual’s work perfor-

mance or employment opportunities.

Racial or disability harassment may result from verbal or physical conduct or written or graphic material.

The interlocal encourages all victims of racial or disability harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of racial or disability harassment will be promptly investigated and resolved.

Employees who believe they have been subjected to racial or disability harassment should discuss the problem with their immediate supervisor. If an employee’s immediate supervisor is the alleged harasser, the employee should discuss the problem with the building administrator or the interlocal compliance coordinator. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the interlocal’s discrimination complaint procedure. (See KN)

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes racial or disability harassment under the definition outlined above. Unacceptable conduct may or may not constitute racial or disability harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

Any employee who witnesses an act of racial or disability harassment or receives a complaint of harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building administrator. Employees who fail to report complaints or incidents of racial or disability harassment to appropriate interlocal officials may face disciplinary action. Interlocal administrators who fail to investigate and take appropriate corrective action in response to complaints of racial or disability harassment may also face disciplinary action.

Initiation of a complaint of racial or disability harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a racial or disability harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to termination of employment.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the interlocal’s obligation to conduct a thorough investigation, to take appropriate corrective action, or to provide due process to the accused.

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

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

Approved: BOE Approved 08/13; 07/15; 12/18; 07/21

**GAAD Child Abuse (See JCAC and JGEC) GAAD**

Any interlocal employee who has reason to know or suspect a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, shall promptly report the matter to the local Kansas Department for Children and Families (DCF) office or to the local law enforcement agency if the DCF office is not open. Employees may file a report of suspected abuse anonymously to either DCF by phoning 1-800-922-5330 or to local law enforcement officials. The Code for Care of Children also provides civil immunity from prosecution if the report is made in good faith.

The employee making the report will not contact the child’s family or any other persons to determine the cause of the suspected abuse or neglect.

DCF or Law Enforcement Access to Students at Interlocal

The building administrator shall allow a student to be interviewed by DCF or law enforcement representatives on interlocal premises to investigate suspected child abuse and shall act as appropriate to facilitate the agency’s access to the child and to protect the student’s interests during the process. State law grants the investigating agency the authority to determine whether an interlocal employee may be present while the interview is being conducted, taking into account the child’s best interests. If asked to sit in on the interview by the agency representative conducting it, the building administrator or designee thereof shall oblige such request in order to provide comfort to the child throughout the process and to facilitate the investigation.

Cooperation Between Interlocal and Agencies

Principals shall work with DCF and law enforcement agencies to develop a plan of cooperation for investigating reports of suspected child abuse or neglect. To the extent that safety is not compromised, law enforcement officers investigating complaints of suspected child abuse or neglect on interlocal property shall not be in uniform.

Reporting Procedure

The employee shall promptly report to the local DCF office or law enforcement if DCF is closed. It is recommended the building administrator also be notified after the report is made.

If the building administrator has been notified, the administrator shall immediately notify the director that the initial report to DCF has been made. If appropriate, the administrator may confer with the interlocal's social worker, guidance counselor or psychologist. At no time shall the administrator or any other staff member prevent or interfere with the making of a suspected child abuse report.

If available, the following information shall be given by the person making the initial report: name, address and age of the student; name and address of the parents or guardians; nature and extent of injuries or description of neglect or abuse; and any other information that might help establish the cause of the child’s condition.

**GAAD Child Abuse GAAD-2**

Any personal interview or physical inspection of the child by any interlocal employee shall be conducted in an appropriate manner with an adult witness present.

State law provides that anyone making a report in good faith and without malice shall be immune from any civil liability that might otherwise be incurred or imposed.

Mobile Crisis Helpline

Crisis support for Kanses families and children to resolve an emotional, psychiatric, or behavioral health crisis is available through the Department of Children and Families Mobile Crisis Helpline. 1-833-441-2240, including:

* Problem solving to resolve behavioral health crisis;
* Referral to community resources or recommendation to engage in stabilization services;
* In-person support via mobile crisis response; and
* Contacting mobile crisis response unit to assist in emergency situations.

Services are available to all Kansans 20 years or younger including anyone in foster care or formerly in foster care.

Annual Training

Annual training for all school employees on child abuse and neglect reporting requirements shall be provided, and documentation of the training shall be maintained.

Approved: BOE Approved: 08/13; 06/20; 1/22

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

The board of education prohibits bullying in any form by any student, staff member, or parent towards a student or 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: BOE Approved 11/13; 08/16

**GAAE BULLYING BY ADULTS**

**Report to Local Law Enforcement**

**INT. 619**

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 | Person/s Involved | Brief Description of bullying incident/s. |
| 1. |  |  |  |
| 2. |  |  |  |

School Districts are required by Federal Law and K.S.A. 72-6311 to protect the privacy rights of students under the age of 18.

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Administrator or other school employee

c/o Director, INT. 619; c/employee’s file

Approved: BOE Approved 07/18

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

The board of education is committed to limiting the use of Emergency Safety Intervention (“ESI”), such as seclusion and restraint, with all students. Seclusion and restraint shall be used only when a student's conduct necessitates the use of an emergency safety intervention as defined below. 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. Notice of the online availability of this policy shall be provided to parents during enrollment each year.

Definitions

“Campus police officer” means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-6146, and amendments thereto.

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

“Emergency Safety Intervention” is the use of seclusion or physical restraint, but does not include physical escort or the use of time-out.

“Incident” means each occurrence of the use of an emergency safety intervention.

“Law enforcement officer” and “police officer” mean a full-time or part-time salaried officer or employee of the state, a county, or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

“Legitimate law enforcement purpose” means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer’s appointing authority.

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

“Parent” means: (1) a natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-3122(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

**GAAF Emergency Safety Interventions GAAF-2**

“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.

“Physical Restraint” means bodily force used to substantially limit a student’s movement, except that consensual, solicited, or unintentional contact and contact to provide comfort, assistance, or instruction shall not be deemed to be physical restraint.

“School resource officer” means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

“School security officer” means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.

“Seclusion” means placement of a student in a location where all of the following conditions are 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 he or she will be prevented from leaving the enclosed area.

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

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;

**GAAF Emergency Safety Interventions GAAF-3**

Using chemical restraint, except as prescribed treatments for a student’s medical or psychiatric condition by a person appropriately licensed to issue such treatments; and

Use of mechanical restraint, *except*:

Protective or stabilizing devices required by law or used in accordance with an order from a person appropriately licensed to issue the order for the device;

Any device used by a certified law enforcement officer to carry out law enforcement duties; or

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

Use of Emergency Safety Interventions

ESI shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to affect such physical harm. Less restrictive alternatives to ESI, such as positive behavior interventions support, shall be deemed inappropriate or

ineffective under the circumstances by the school employee witnessing the student’s behavior prior to the use of any ESI. The use of ESI shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an ESI. Use of an ESI for purposes of discipline, punishment, or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

ESI Restrictions

A student shall not be subjected to ESI if the student is known to have a medical condition that could put the student in mental or physical danger as a result of ESI. The existence of such medical condition must be indicated in a written statement from the student’s licensed health care provider, a copy of which has been provided to the school and placed in the student’s file.

Such written statement shall include an explanation of the student’s diagnosis, a list of any reasons why ESI would put the student in mental or

physical danger, and any suggested alternatives to ESI. Notwithstanding the provisions of this subsection, a student may be subjected to ESI, if not subjecting the student to ESI would result in significant physical harm to the student or others.

Use of Seclusion

When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

G**AAF Emergency Safety Interventions GAAF-4**

All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in case of emergency, such as fire or severe weather.

A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student, well-ventilated, and sufficiently lighted.

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 ESI. 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 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 written or electronic documentation regarding the training that was provided and a list of participants, which shall be made available for inspection by the state board of education upon request.

Notification and Documentation

The principal or designee shall notify the parent the same day as an incident. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contacting the parent. A parent may designate a preferred method of contact to receive the same-day notification. Also, a parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day.

Documentation of the ESI used shall be completed and provided to the student’s parents no later than the school day following the day of the incident. Such written documentation shall include: (A) The events leading up to the incident; (B) student behaviors that necessitated the ESI; (C) steps taken to

**GAAF Emergency Safety Interventions GAAF-5**

transition the student back into the educational setting; (D) the date and time the incident occurred, the type of ESI used, the duration of the ESI, and the school personnel who used or supervised the ESI; (E) space or an additional form for parents to provide feedback or comments to the school regarding the incident; (F) a statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future incidents; and (G) email and phone information for the parent to contact the school to schedule the ESI meeting. Schools may group incidents together when documenting the items in subparagraphs (A), (B) and (C) if the triggering issue necessitating the ESIs is the same.

The parent shall be provided the following information after the first and each subsequent incident during each school year: (1) a copy of this policy which indicates when ESI can be used; (2) a flyer on the parent’s rights; (3) information on the parent’s right to file a complaint through the local dispute resolution process (which is set forth in this policy) and the complaint process of the state board of education; and (4) information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas. Upon the first occurrence of an incident of ESI, the foregoing information shall be provided in printed form or, upon the parent’s written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

Law Enforcement, School Resource, and Campus Security Officers

Campus police officers and school resource officers shall be exempt from the requirements of this policy when engaged in an activity that has a legitimate law enforcement purpose. School security officers shall not be exempt from the requirements of this policy.

If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint, or mechanical restraint on a student, the school shall notify the parent the same day using the parent’s preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth above, regarding law enforcement use of an emergency safety intervention, or report to the state department of education any law enforcement use of an emergency safety intervention. For purposes of this subsection, mechanical restraint includes, but is not limited to, the use of handcuffs.

Documentation of ESI Incidents

Except as specified above with regard to law enforcement or school resource officer use of emergency safety interventions, each building shall maintain documentation any time ESI is used with a student. Such documentation must include all of the following:

**GAAF Emergency Safety Interventions GAAF-6**

Date and time of the ESI,

Type of ESI,

Length of time the ESI was used,

School personnel who participated in or supervised the ESI,

Whether the student had an individualized education program at the time of the incident,

Whether the student had a section 504 plan at the time of the incident, and whether the student had a behavior intervention plan at the time of the incident.

All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the superintendent or the superintendent’s designee 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.

Parent Right to Meeting on ESI Use

After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing, or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent’s request. The focus of any such meeting shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

For a student with an IEP or a Section 504 plan, such student’s IEP team or Section 504 plan team shall discuss the incident and consider the need to conduct a functional behavioral assessment, develop a behavior intervention plan, or amend the behavior intervention plan if already in existence.

**GAAF Emergency Safety Interventions GAAF-7**

For a student with a section 504 plan, such student’s section 504 plan team shall discuss and consider the need for a special education evaluation. For students who have an individualized education program and are placed in a private school by a parent, a meeting called under this subsection shall include the parent and the private school, who shall consider whether the parent should request an individualized education program team meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such meeting.

For a student without an IEP or Section 504 plan, the school staff and the parent shall discuss the incident and consider the appropriateness of a referral for a special education evaluation, the need for a functional behavioral assessment, or the need for a behavior intervention plan. Any such meeting shall include the student’s parent, a school administrator for the school the student attends, one of the student’s teachers, a school employee involved in the incident, and any other school employees designated by the school administrator as appropriate for such meeting.

The student who is the subject of such meetings shall be invited to attend the meeting at the discretion of the parent. The time for calling such a meeting may be extended beyond the 10-day limit if the parent of the student is unable to attend within that time period. Nothing in this section shall be construed to prohibit the development and implementation of a functional behavior assessment or a behavior intervention plan for any student if such student would benefit from such measures.

Local Dispute Resolution Process

If a parent believes that an emergency safety intervention has been used on the parent’s child in violation of state law or board policy, the parent may file a complaint as specified below.

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. Once an informal complaint is received, the administrator handling such complaint shall investigate such matter, as deemed appropriate by the administrator. 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

**GAAF Emergency Safety Interventions GAAF-8**

by providing a copy of the complaint to the clerk of the board and the superintendent within thirty (30) days after the parent is informed of the incident.

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 of fact and recommended corrective action, if any, 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 written findings of fact and, if necessary, appropriate corrective action. A copy of the written findings of fact and any corrective action adopted by the board shall only be provided to the parents, the school, and the state department of education and shall be mailed to the parents and the state department within 30 days of the board’s receipt of the formal complaint.

If desired, a parent may file a complaint under the state board of education administrative review process within thirty (30) days from the date a final decision is issued pursuant to the local dispute resolution process.

Approved: BOE Approved 07/15; 07/18;12/18

GAAF ESI DOCUMENTATION FORM

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.S.A. 72-6152 provides that emergency safety intervention (hereafter “ESI”) is defined to include the use of seclusion or physical restraint but not the use of time-out or physical escort. Whenever an ESI is used, the parent(s)/guardian(s) must be informed of the use the day it happens. This notice requirement is deemed satisfied if the school attempts at least two methods of contact to reach the parent or guardian. By the day following the ESI use, written notification of the following shall be provided to the parent or guardian.***

Type of ESI used: Seclusion \_\_\_\_\_\_ Restraint\_\_\_\_\_\_\_

Duration of seclusion/restraint: \_\_\_\_\_\_\_\_ (minutes)

Location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of staff member(s) who participated in or supervised the ESI: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the student have an Individualized Education Program (“IEP”), Section 504 Plan, or a Behavior Intervention Plan at the time of the incident? \_\_\_\_\_\_\_\_\_\_\_ If so, specify which: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Description of events leading up to the incident:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Student behaviors necessitating the ESI:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Steps taken to transition the student back into the educational setting:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parents or guardians of the above-named student are invited and strongly encouraged to schedule a meeting to discuss the ESI and how to prevent future ESI use. Please contact the following staff member at the email address and/or phone number listed below to schedule such a meeting or if you have any questions regarding this use of ESI.

(Staff Member Name)

(Staff Member Email Address)

(Staff Member Phone Number)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of person completing report) (Date)

\*Parent(s)/guardian(s) notified of this incident on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Please feel free to provide feedback or comments concerning this ESI use below and email or deliver them to the staff member specified above.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*Original provided to Building Principal

\*Copy provided to (Parents/Guardians, Administrative Office)

Approved: BOE Approved 12/18

**GACA Positions (See CD and GACB) GACA**

New employment positions shall be authorized by the board. The superintendent shall prepare for board approval a comprehensive list of all new positions, together with their qualifications, duties, and responsibilities, for board consideration.

Approved: BOE Approved 12/18

**GACB Job Descriptions (See CD and GACA) GACB**

The superintendent shall develop a job description for each category of employee. After board approval of any new or revised job descriptions, they will be deemed in effect, shall be filed with the clerk, and may be published in handbooks.

Approved: BOE Approved 07/19

**GACC Recruitment and Hiring GACC**

Recruitment

The board of directors delegates recruiting authority to the director. In carrying out this responsibility, the director may involve administrators and other employees.

Hiring

The board of directors shall approve the hiring of all employees. No staff member’s employment is official until the contract or other document is signed by the candidate and approved by the board of directors.

Hiring Sequence

* Conditional offer of employment is extended to the candidate subject to revocation or, if provisional employment has already begun; termination or employment based upon satisfactory results of any reference and/or background checks performed;
* Acceptance by the candidate is received;
* Contract or other appropriate document sent to the candidate and candidate’s acceptance signified by a signed document returned to the director; and
* Approval of the contact or other documents by the board of directors.

Approved: BOE Approved 11/13;07/14

**GACD Employment Eligibility Verification (Form I-9) (See GAK) GACD**

All interlocal employees, at the time of employment, shall provide verification of identity and employment status to the director.

The director shall maintain a file on all interlocal’s employees hired after November 6, 1986, proving that each employee has verified their identity, employment status, U.S. citizenship, or legal alien status.

Approved: BOE Approved 11/13

**GACE Assignment and Transfer GACE**

The board reserves the right to assign, reassign, or transfer all employees, unless otherwise provided in the negotiated agreement.

The board may delegate its authority to assign, reassign, or transfer any or all employees to the superintendent.

Approved: BOE Approved 11/13; 07/19

**GAD Employee Development Opportunities GAD**

-Except as may be specified in the negotiated agreement concerning staff members covered thereby, all plans for self-improvement involving expenditure of district funds or which require time away from the employee’s assigned responsibilities shall be approved in advance by the board.

Approved: BOE Approved 07/18

**GAE Complaints GAE**

Any employee may file a complaint with their supervisor concerning a school rule, regulation, policy or decision that affects the employee. The complaint shall be in writing, filed within ten (10) days following the event complained of, and shall specify the basis of the complaint. The supervisor shall meet with the employee and provide a written response within ten (10) days. If the employee disagrees with the decision, the employee may appeal to the superintendent. The superintendent’s decision shall be final. Employees covered by the negotiated agreement shall follow procedures outlined in that document.

Approved: BOE Approved 7/19

**GAF Staff-Student Relations GAF**

(See GAAC, GAACA, JGEC, JGECA and KN)

Staff members shall maintain professional relationships with students which are conducive to an effective educational environment. Staff members shall not have any interaction of a romantic and/or sexual nature with any student at any time regardless of the student’s age or consent.

Approved: BOE Approved 11/13; 08/16; 07/21

**GAG Conflict of Interest GAG**

District employees are prohibited from engaging in any activity which may conflict with or detract from the effective performance of their duties. No employee will attempt, during the school day or on school property, to sell or endeavor to influence any student or school employee to buy any product, article, instrument, service, or other items which may directly or indirectly benefit the school employee. No school employee will enter into a contract for remuneration with the district other than a contract for employment unless the contract is awarded on the basis of competitive bidding.

Approved: BOE Approved 07/19

**GAHB Political Activities GAHB**

Holding Public Office

Staff members elected or appointed to a public office which restricts the employee’s ability to complete contractual obligations may be required to take unpaid leave for a period of time determined by the board or may be terminated.

Staff members holding a public office, which in the judgment of the board is less than full-time, shall request unpaid leave from the superintendent at least one week in advance.

An employee who must be absent from school to carry out the duties of a public office must take a leave of absence without pay for the duration of the public office.

Political Activity in the Schools

Staff members shall not use school time, school property, or school equipment for the purpose of furthering the interests of any political party, the campaign of any political candidate, or the advocacy of any political issue.

For the purposes of this policy, “advocacy of any political issue” shall not be deemed to include providing information on educational matters to elected officials.

Approved: BOE Approved 7/19

**GAK Personnel Records** (See CEI, CGI, GACD, GBI and GCI) **GAK**

Personnel files required by the district shall be confidential and in the custody of the records custodian and/or the superintendent. Employees have the right to inspect their files upon proper notice under the supervision of an appropriate supervisor. All records and files maintained by the district should be screened periodically by the custodian of records.

All personnel files and evaluation documents, including those stored by electronic means, shall be adequately secured.

Requests for References

Unless otherwise provided by law, a request by a third party for release of any personnel record shall require the written consent of the employee, and shall be submitted to the records custodian who shall respond to the request as the law allows.

Upon receipt of a written request district officials may provide information regarding past and present employees to prospective employers in compliance with current law. Information that may be provided will include:

* employment date(s);
* job description and duties while in the district’s employ;
* last salary or wage;
* wage history;
* whether the employee was voluntarily or involuntarily released from service and the reasons for the separation;
* written employee evaluations which were conducted prior to the employee's separation from the employer and to which an employee shall be given a copy upon request.

Immunity Provided

Unless otherwise provided by law, an employer who responds in writing to a written request concerning a current or former employee from a prospective employer of that employee shall be absolutely immune from civil liability for disclosure of the information noted earlier in this policy to which an employee may have access.

Prohibition on Aiding and Abetting Sexual Abuse

Pursuant to the federal Every Student Succeeds Act, the board prohibits the board, individual board members, and any individual or entity who is a district employee, contractor, or agent from assisting a district employee, contractor, or agent in obtaining a new job if the board, individual, or entity knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law. For the purposes of

**GAK Personnel Records GAK-2**

this policy, it shall not be deemed assisting in obtaining a new job if the aforementioned individuals or entities participate in the routine transmission of administrative and personnel files in accordance with law and this policy,

Approved: BOE Approved 11/13; 01/17

**GAL Salary Deductions GAL**

Salary deductions shall be made if required by law, permitted by board policy or, if not in violation of current law, as agreed to in the negotiated agreement.

The interlocal shall comply with the salary basis requirements of the Fair Standards Act (FLSA). The board prohibits all managers from making any improper deductions from the salaries of exempt employees. Employees shall be made aware of this policy.

The director or designated representative will develop appropriate forms that will supply the necessary information needed by the bookkeeper to make approved salary deductions. All requests for salary deductions must be submitted to the director or designee during the enrollment periods established by the board.

Approved: BOE Approved 11/13; 08/13

**GAN Travel Expenses (See BBBF and GBRC) GAN**

The board of directors shall provide reimbursement for expenses incurred in travel related to the duties of the interlocal’s employees when approved in advance by the director. Mode of travel will be based on, but not limited to, the availability of transportation, distance and number of persons traveling together. A first call airfare will be reimbursed only when coach space is not available.

Requests for reimbursement shall have the following attached: receipts for transportation, parking, hotels or motels, meals and other expenses for which receipts are ordinarily available. For the authorized use of a personal car, including approved travel between buildings, staff members shall be reimbursed at a mileage rate established by the board of directors.

Approved: BOE Approved 11/13

**GANA Expense Reimbursement and Credit Cards (See CEF and GAN) GANA**

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.

All rewards points or cash back payments earned using district credit cards are district property and shall be wither applied to future district credit card purchases or remitted to the district treasurer for accounting and deposit.

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: BOE Approved 11/13; 07/15

**GAOA Drug and Alcohol Free Workplace GAOA**

Maintaining a drug free work place is important in establishing an appropriate learning environment for the students of the interlocal. The unlawful manufacture, distribution, sale, dispensing, possession or use of a controlled substance is prohibited in the interlocal.

Alternative I

As a condition of employment in the interlocal, employees shall abide by the terms of this policy.

Employees shall not unlawfully manufacture, distribute, dispense, possess or use controlled substances in the workplace.

Any employee who is convicted under a criminal drug statue for a violation occurring at the workplace must notify the director of the conviction within five days after the conviction.

Within 30 days after the notice of conviction is received, the interlocal will take appropriate action with the employee. Such action may include: suspension, placement on probationary status, or other disciplinary action including termination. Alternatively, or in addition to any action short of termination, the employee may be required to participate satisfactorily in and approved drug abuse assistance or rehabilitation program as a condition of continued employment. The employee shall bear the cost of participation in such program. Each employee in the interlocal shall be given a copy of this policy.

This policy is intended to implement the requirements of the federal regulations promulgated under the Drug Free Workplace Act of 1988. It is not intended to supplant or otherwise diminish disciplinary actions which may be taken under board policies or the negotiated agreement.

Maintaining a drug free workplace is important in establishing an appropriate learning environment for the students in our member districts. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the interlocal as well as in any member district.

Approved: BOE Approved 11/13

**GAOB Drug Free Schools(see JDDA and LDD) GAOB**

The unlawful possession, use, sale or distribution of controlled substances and the possession, use, sale or distribution of alcohol by interlocal employees at school or interlocal facilities used for student attendance purposes, on or while utilizing school or interlocal property, or a school or interlocal sponsored activities or events is prohibited.

Employee Conduct

As a condition of continued employment in the interlocal, all employees shall abide by the terms of this policy. Employees shall not manufacture, distribute, dispense, possess or use illicit drugs, controlled substances, or alcoholic beverages at school or interlocal facilities used for student attendance purposes, on or while utilizing school or interlocal property, or at school or interlocal sponsored activities or events. Compliance with the terms of this policy is mandatory. Employees who are found violating the terms of this policy will be reported to the appropriate law enforcement officers. Additionally, an employee who violates the terms of this policy may be subject to any or all of the following sanctions:

1. Short term suspension with pay:
2. Shor term suspension without pay:
3. Long term suspension without pay:
4. Required participation in a drug and alcohol education, treatment, counseling, or rehabilitation program.
5. Termination or nonrenewal of employment relationship.

Prior to applying sanctions under this policy, employees will be afforded due process rights to which they are entitled under their contracts, if any, or the provision of Kansas law. Nothing in this policy is intended to diminish the right of the interlocal to take any other disciplinary action. This policy is not intended to change any right, duty, or responsibilities in the current negotiated agreement.

If it is agreed that an employee shall enter into and complete a drug education or rehabilitation program, the cost of such program will be borne to the employee. A list of area drug and alcohol counseling and rehabilitation programs along with names and addressed of contact persons for the programs is on file with the board clerk.

Employees are responsible for contacting the directors of the programs to determine the cost and length of the program, and for enrolling in the programs. If participation in such a program is required as a condition of continued employment, copies o any documentation related to enrollment in and attendance in such program shall be made available to the board and/or administration upon request.

A copy of this policy shall be provided to all employees.

Approved: BOE Approved 11/13

**GAOC Tobacco-Free School Grounds for Staff GAOC**

**(See JCDAA and KMA)**

The use, possession, or promotion of any tobacco products by staff members is prohibited at all times in any district facility; in school vehicles; at school-sponsored activities, programs, or events; and on school owned or operated property.

The following definitions apply to this policy.

“Tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, electronic nicotine delivery system (hereafter “ENDS”), cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or snus.

“Tobacco product” also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, charging devices, cartridges, and any substance used in ENDS, whether or not they contain nicotine. This definition does not include FDA-approved nicotine replacement therapies including transdermal nicotine patches, nicotine gum, and nicotine lozenges prescribed to the employee by a medical practitioner or obtained over the counter and used in accordance with label requirements.

“Electronic nicotine deliver system” or “(ENDS)” means any device that delivers a vaporized solution (including nicotine, THC, or any other substance) by means of cartridges or other chemical delivery systems. Such definition shall include, but may not be limited to, any electronic cigarette, vape pen, hookah pen, cigar, cigarillo, pipe, or personal vaporizer. ENDS are not FDA-approved nicotine replacement therapy devices.

“Promotion” includes, but is not limited to, product advertising via branded gear, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other materials.

Approved: BOE Adopted 11/13; 08/16; 12/18; 6/12

**GAOD Drug and Alcohol Testing GAOD**

All interlocal employees performing job functions which require the employee to maintain a commercial driver’s license shall be tested for alcohol and drugs as required by current federal law. Board approved rules and regulations necessary to implement the test program shall be on file with the clerk.

Each new employee who is required to undergo alcohol and drug testing shall be given a copy of the appropriate policy and or/regulations.

Each new employee shall be informed that compliance with the required elements of the testing program is a condition of employment as a driver in the interlocal. All employees shall be informed of this policy on an annual basis.

Approved: BOE Approved 11/13

**GAOE Workers Compensation (See KFD) GAOE**

The district will participate in workers compensation as required by current statute. The combined workers compensation benefits and salary received under allowed paid leave shall not exceed one full day's pay.

All employees of the district shall be covered by workers compensation. Workers compensation coverage is provided for all employees regardless of assignment, length of assignment, and/or hours worked per day. Benefits are for personal injury from accident or industrial diseases arising out of and in the course of employment in the district.

An injured employee must notify the designated employer’s workers compensation coordinator or, if the coordinator is unavailable, his or her supervisor within 20 days of the injury or within 20 days of repetitive trauma in order to be eligible for benefits.

The workers compensation plan will provide coverage for medical expenses and wages to the extent required by statute to those employees who qualify; however, the amount of workers compensation benefits and paid leave benefits shall not exceed a regular daily rate of pay. An employee using paid leave in combination with workers compensation will be charged for one full or partial day of paid leave, as provided for in the applicable leave policy or the negotiated agreement, for each day of absence until the employee’s paid leave is exhausted.

Any employee who is off work and receiving workers compensation benefits shall be required to provide the designated workers compensation coordinator with a written doctor’s release before the employee is allowed to return to work. In addition, should the employee be released to return to work by a doctor and fail to do so, all benefits under paid leave shall terminate, and those benefits under workers compensation shall be restricted as provided by current statute.

Whenever an employee is absent from work and is receiving workers compensation benefits due to a work-related injury or is receiving district paid disability insurance, the employee may use available paid leave to supplement the workers compensation or district paid disability insurance payments. Workers compensation benefits and FMLA benefits provided in a board approved plan shall run concurrently if both are applicable.

In no event shall the employee be entitled to a combination of workers compensation benefits, district paid disability insurance, and salary in excess of his/her full salary. Available paid leave may be used for this purpose until 1) available paid leave benefits are exhausted; 2) the employee returns to work; 3) the employee is released by the medical provider and a position is offered by the employer, but the employee declines to return to work; or 4) employment is terminated. Paid leave shall be calculated on a prorata amount equal to the percentage of salary paid by the district.

**GAOE Workers Compensation (See KFD) GAOE-2**

Testing

The board, through its designated workers compensation coordinator, may require employees who claim or are involved in an accident in the course of employment to submit to a post-injury chemical test. This includes instances where the district administration or workers compensation coordinator has actual knowledge of an accident whether the employee has or has not requested medical treatment. If an employee refuses to submit to an employer requested post-injury chemical test, the employee forfeits all related workers compensation benefits as provided in K.S.A. 44-501(b)(1)(E). Chemical test collection, labeling, and performance shall meet the requirements found in K.S.A. 44-501(b)(3).

Choice of Physician

The board shall have the right to choose a designated health care provider to provide medical assistance to any employee who suffers an injury

while performing their job. However, if the injured employee chooses to go to a medical provider other than the designated provider, the recovery for such expenses shall be limited to $500.00.

Approved: BOE Approved 11/13; 07/15 7/19

**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 interlocal shall comply with the salary basis requirements of the Fair Labor Standards Act (FLSA).

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

Approved: BOE Approved 11/13

**GAR Communicable Diseases GAR**

Whenever an employee has been diagnosed by a physician as having a communicable disease as defined in current regulation, the employee shall report the diagnosis and nature of the disease to the director or the directors’ designee so that a proper reporting may be made to the county or joint board of health as required by current law.

An employee afflicted with a communicable disease dangerous to the public health may be excluded from district owned or operated property for the duration of the contagiousness in order to give maximum health protection to other school and/or interlocal employees and to students.

The employee shall be allowed to return to duty upon recovery from the illness, ~~or~~ when the employee is no longer contagious as authorized by the employee’s physician or local health officer, or after the expiration of any period of isolation or quarantine.

The board reserves the right to require a written statement from the employee’s physician or local health officer indicating that the employee is free from all symptoms of the communicable disease.

If an interlocal employee has been diagnosed as having a communicable disease, and the director has been notified by the employee, the director or the director’s designee shall determine whether a release shall be obtained from the employee’s physician or local health officer before the employee returns to duty.

Decisions regarding the type of employment setting for an employee with communicable disease shall be made by the director or the director’s designee based upon consideration of the physical condition of the employee and the following factors:

* The nature of the risk
* The duration of the risk
* The severity of the risk
* The probability that the disease will be transmitted or cause harm to the employee or to others who will share the same setting.

No information regarding employees with communicable diseases shall be released by interlocal personnel without the employee’s consent except as allowed by state or federal law.

Additional Certifications of Health

If at any time the board has reason to believe that an employee is suffering from an illness detrimental to the health of pupils, the board reserves the right to require such employee to provide the board with a new certificate of health in order to protect the health, safety, and welfare of the students served by the interlocal.

Approved: BOE Approved 11/13, 1/21

**GARA Bloodborne Pathogen Exposure Control Plan GARA**

The board shall adopt an exposure control plan. The plan shall be accessible to all employees and shall be reviewed and updated at least annually. All staff shall receive the training and equipment necessary to implement the plan.

Approved: BOE Approved 03/15

**GARI Family and Medical Leave GARI**

Interlocal employees shall be provided family and medical leave as provided by a plan approved by the board. The plan for providing leave under this policy shall be filed with the clerk of the board and made available to all staff at the beginning of each school year.

Approved: BOE Approved 11/13; 08/16

**GARID Military Leave GARID**

Employees are entitled to military leave under the Uniformed Services Employment and Reemployment Rights Act of 1994. The Act applies to military service that began on or after December 12, 1994 or military service that began before December 12, 1994 if the employee was a reservist or National Guard member who provided notice to the employer before leaving work.

Reemployment rights extend to persons who have been absent from work because of “service in the uniformed services.” The uniformed services consist of the following military branches:

Army, Navy, Marine Corps, Air Force or Coast Guard.

Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve or Coast Guard Reserve.

Army National Guard or Air National Guard.

Commissioned corps of the Public Health Service.

Any other category of persons designated by the President in time of war or emergency.

“Service” in the uniformed services means duty on a voluntary or involuntary basis in a uniformed service, including:

Active duty.

Active duty for training.

Initial active duty for training.

Inactive duty training.

Full-time National Guard duty.

Absence from work for an examination to determine a person’s fitness for any

of the above types of duty.

The employee may be absent for up to five (5) years for military duty to retain reemployment rights. There are, however, exceptions which can exceed the five (5) year limit. Reemployment protection does not depend on the timing, frequency, duration or nature of an individual’s service. The law enhances protections for disabled veterans including a requirement to provide reasonable accommodations and up to two (2) years to return to work if convalescing from injuries received during service or training.

The returning employee is entitled to be reemployed in the job that he/she would have attained had he/she not been absent for military service, with the same

**GARID Military Leave GARID-2**

seniority, status and pay, as well as other rights and benefits determined by law. If necessary, the employer must provide training or retraining that enables the employee to refresh or upgrade his/her skills or qualify for reemployment. While the individual is performing military service, he or she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights accorded other individuals on non-military leaves of absence. Individuals performing military duty of more than 30 days may elect to continue employer sponsored health care for up to 18 months at a cost of up to 102 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if the individual had never left. All pensions which are a reward for length of service are protected.

Individuals must provide advance written or verbal notice to their employers for all military duty. Notice may be provided by the employee or by the branch of the military in which the individual will be serving.

Notice is not required if military necessity prevents the giving of notice; or if the giving of notice is otherwise impossible or unreasonable. Accrued vacation or annual leave may be used (but is not required) while performing military duty. The individual’s timeframe for returning to work is based upon the time spent on military duty.

TIME SPENT ON MILITARY DUTY RETURN TO WORK OR APPLICATION FOR REEMPLOYMENT

Less than 31 days: Must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight (8) hour rest period.

More than 30 but less than 181 Must submit an application for reemployment within 14

Days: days of release from service.

More than 180 days: Must submit an application for reemployment within 90 days of release from service.

The individual’s separation from service must be under honorable conditions in order

for the person to be entitled to reemployment rights. Documentation showing eligibility for reemployment can be required. The employer has the right to request that an individual who is absent for a period of service of 31 days or more provide documentation showing:

the application for reemployment is timely;

the five-year service limitation has not been exceeded: and

**GARID Military Leave GARID-3**

separation from service was under honorable conditions.

If documentation is not readily available or does not exist, the individual must be reemployed. However, if after reemploying the individual, documentation becomes available that shows one or more reemployment requirements were not met, the employer may terminate the individual, effective immediately. The termination does not operate retroactively.

Questions should be directed to Veterans’ Employment and Training Service, U.S. Department of Labor.

Kansas law also requires reemployment if an individual is called to active duty by the state.

Approved: BOE Approved 11/13

**GAT Staff Use of Communication Devices (See IIBG and IIBGC) GAT**

The board encourages district employees to use technology, including communication devices, to improve efficiency and safety. The district expects all employees to use communication devices in a responsible manner that does not interfere with the employee’s job duties. Employees who violate district policies and procedures governing the use of communication devices may be disciplined, up to and including termination, and my be prohibited from possessing or using communication devices while at work. Communication devices may not be used in any manner that would violate the district’s policy on student-staff relations.

Definitions

“Communication device” is defined to include all portable devices that send or receive calls or text messages, allow the retrieval of email, or provide access to the Internet. Communication devices shall include, but may not be limited to cell phones, smart phones, iPads, and tablets.

“Use/Using” for the purposed of this policy mean answering or talking on the phone; sending or responding to a text, e-mail, or other communication; opening and viewing pictures or digital recordings; opening and listening to music or audio communications; accessing social media websites; playing games on such device; continuously checking a communication device; or any activity with a communication device that interferes with the employee’s job duties or appropriate supervision of students.

General Use

The district prohibits employees from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee’s supervisor. This prohibition applies regardless of whether the communication device used is owned by the employee or provided by the district. Employees are responsible for keeping communication devices secure and, if possible, password protected.

Supervision of students and the provision of academic instruction are priorities in the district, and employees who are responsible for supervising and/or providing academic instruction to students must concentrate on these tasks at all times. Employees shall not use communication devices when they are responsible for supervising students or when their doing so interrupts or interferes with classroom instruction unless any of the following conditions occurs:

* The device is being used to instruct the students being supervised at the time:
* The use is necessary to the performance of an employment-related duty;
* The employee has received specific and direct permission from a supervisor to do so; or

**GAT Staff Use of Communication Devices GAT-2**

* There is an emergency.

Even when these conditions exist, the employee is responsible for obtaining assistance in adequately supervising students during the approved use so that students are supervised at all times.

Use in Vehicles

Regardless of other provisions of this policy, unless there is an emergency, employees shall not use communication devices when:

* Driving district-provided vehicles;
* Operating a vehicle in which a student is being transported when the transportation is provided as part of the employee’s job; or
* Supervising students who are entering or exiting a vehicle, crossing thoroughfares, or are otherwise attempting to safely reach their destinations.

Even in emergency situations, employees should first take all possible safety precautions before using communication devices. Employees are subject to local, state, and federal laws governing use of cell phones while driving and will be solely responsible for all traffic violation liabilities resulting from their use of a phone while driving.

Use of District-Provided Communication Devices

The district may provide communication devices and service to some employees to assist them in carrying out their employment-related duties on and off district property. Use of a district-provided communication device is a privilege. The superintendent or designee has sole discretion as to which employees will be provided communication device. Employees do not have any expectation of privacy in district-provided communication devices or any information stored on them, and such devices may be confiscated and searched at any time.

Employees are expected to exercise reasonable care to protect district provided communication devices from damage or theft and must report any such incidents immediately. The district may require employees to reimburse the district for any damage or theft what was the result of the employee’s negligence. Users of district- provided communication devices must abide by any use limitations included in the district’s service contract.

Personal Use of District-Provided Communication Devices

Personal use of district-provided communication devices is permissible as long as the use does not exceed the limits of the applicable plan. An employee whole use

**GAT Staff Use of Communication Devices GAT-3**

exceeds plan limitations will be required to reimburse the district for all expenses beyond those covered by the plan and may have privileges suspended or revoked unless the employee can show that all use was for employment-related duties and the device was not used for personal reasons. The amount of personal use of a communication device or service paid for under E-Rate can be no greater than the cost allocation submitted in the request for the E-Rate discount.

Staff Bring Your Own Device Policy

Use of employee’s personal communication devices during work hours shall be restricted to classroom or work-related activities. Such personal communication devices may only be used by the staff member and are not for student use. The security of personal computing devices is solely the responsibility of the staff member. Any loss resulting from damage or theft of personal communication devices in the school setting is not the responsibility of the district.

Approved: BOE Approved 07/14

**GBH Supervision GBH**

The superintendent and other administrators designated by the superintendent have the right to supervise licensed staff. The responsibility for the immediate supervision of licensed staff rests with each building principal.

Approved: BOE Approved 07/19

**GBK Suspension GBK**

The director shall have the authority to suspend licensed employees with pay pending further board action.

The director may suspend licensed employees with pay for any reason, including, but not limited to, one or more of the following: alleged violation of board policy, rule or regulations: refusal or failure to follow a reasonable directive of an administrator; the filing of a complaint against the employee with any civil or criminal authority; the alleged commission of an offense involving moral turpitude; or other good cause. See also the negotiated agreement.

If a suspension without pay is imposed on an employee, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond.

Approved: BOE Approved 11/13

**GBN Nonrenewal and Termination GBN**

Nonrenewal or termination shall be in accordance with Kansas law and the negotiated agreement, as applicable.

Approved: BOE Approved 07/19

**GBO Resignation GBO**

Option 1:

The board shall consider any licensed employee’s resignation which is submitted to the board in writing. The board may accept resignations from employees under contract when the resignation will be in the best interests of the district. Also see the negotiated agreement.

A licensed employee who has signed a contract and accepted a teaching position in the district for the coming year or who has not resigned by the continuing contract notice deadline shall not be released from that contract to accept another position until a suitable replacement has been employed.

If the licensed employee terminates employment in the district without complying with board policy, the board may petition the State Board of Education to have the teacher’s license suspended.

Option 2:

The board shall consider any licensed employee’s resignation which is submitted to the board in writing. The board may accept resignations from employees under contract when the resignation will be in the best interests of the district and when such resignations are accompanied by full payment for any applicable liquidated damages due to the board for release from contract pursuant to the negotiated agreement.

If the licensed employee terminates employment in the district without complying with board policy and the negotiated agreement on liquidated damages, the board may petition the State Board of Education to have the teacher’s license suspended.

Exit Interviews

Exit interviews may be conducted after an employee resigns.

Approved: BOE Approved 7/18

**GBR Work Schedule GBR**

Certified personnel must be at their assigned area(s) during each duty day. Any teacher who finds it necessary to leave while supervising students shall first secure approval from the building administrator. Building and playground assignments, when applicable, shall be made by the building administrator.

Attendance Required

Regular attendance is required of all employees, subject to leave provisions in interlocal policy or the negotiated agreement, as appropriate. Excessive absences or tardiness, unauthorized leave use, or unexcused absences may result in disciplinary action including termination of employment.

Approved:BOE Approved 11/13

**GBRD Staff Meetings GBRD**

Staff meetings for licensed personnel shall be called by the administration.

Approved: BOE Approved 07/19

**GBRH Leaves and Absences (See GBRC) GBRH**

Licensed employees will be provided with paid and unpaid leave in accordance with applicable law and the negotiated agreement. The board reserves the right to grant additional leave.

Approved: BOE Approved 07/19

**GCA Compensation and Work Assignments (See GAN) GCA**

Classified employees shall be paid according to pay rates established by the board. Payment shall be made at the established pay date following the end of each pay period.

Work Assignments

Subject to board approval, the director shall develop time schedules for all classified employees. Work assignments for classified employees shall be made by the director.

Attendance Required

Regular attendance is required for all employees subject to leave provisions in interlocal policy, employee handbooks, or other documents approved by the board. Excessive absences or tardiness, unauthorized leave, or unexcused absences may result in disciplinary action including termination of employment.

Workweek

For the purposes of Fair Labor Standards Act (FLSA) compliance, he workweek will be 12:00 a.m. Sunday until 11:59 p.m. Saturday.

Classification of Employees

For purposes of compliance with the Fair Labor Standards Act (FLSA), the director shall ensure that all job positions are classified as exempt or nonexempt and that employees are made aware of such classifications.

Overtime

No non-exempt employee shall work more than 40 hours per week without the prior written permission of the appropriate supervisor. Building administrators and supervisors shall monitor employee’s work to ensure that the overtime provisions of this policy and the Fair Labor Standards Act are followed. All employees shall be compensated for overtime worked at a rate of one and a half times their normal rate of pay for any hours worked over 40 in a workweek.

Nonexempt employees whose workweek is less that 40 hours will be paid at the regular rate of pay for time worked up to 40 hours. Overtime pay will be provided only if an employee works more than 40 hours in a workweek.

Compensation for Out-of Town/Overnight Trips

When classified personnel are required to be out of town on interlocal business, they shall be compensated in the following manner:

**GCA Compensation and Work Assignments GCA-2**

Regular or overtime pay (or compensatory time) as appropriate for time away from (name of town) MINUS:

1. Eight hours for sleep when overnight;
2. (Reasonable time for meals normally one hour per meal); and
3. Time used exclusively for pleasure or personal business.

Approved: BOE approved 11/13

**GCK Suspension GCK**

The director shall have the authority to suspend classified employees with or without pay. Is a suspension without pay is imposed on a classified employee, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond.

Approved: BOE Approved 08/13

**IDACA Special Education Services IDACA**

In accordance with the provisions of Federal and state law, it is the policy of this district to provide free appropriate public education for every exceptional child (as defined by K.S.A. 72-3404) who is a resident of this district or attends a private or parochial school located in this district. Special education services are provided for such children, including individual educational programs offered in the least restrictive environment.

Child Find, Identification and Eligibility

The district shall coordinate and maintain a system which schedules and structures available services for pupils who are referred to determine eligibility for special education services in accordance with procedural processes established in Federal and state law.

Actions and Due Process for Students

Parental involvement and cooperation is important to the success of these educational programs. In order to encourage the involvement and cooperation of parents in special education services and to safeguard the rights of exceptional children to a free appropriate public education, the board utilizes and refers parents to the “Procedural Safeguards in Parent Rights in Special Education” published by the Kansas State Department of Education.

In the provision of special education and related services, the district will implement all Federal and Kansas statues, rules and regulations.

Approved: BOE Approved 07/14; 7/18

**IDACB Section 504 Accommodations for Students IDACB**

In accordance with the provisions of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, the district is committed to providing students with disabilities the opportunity to participate in and benefit from its programs and activities. Accordingly, the district will make reasonable modifications to its programs and activities to accommodate otherwise qualified students with disabilities, unless such modifications would impose an undue burden on the operation of the particular program or activity or would fundamentally alter the nature or purpose of the program or activity. No district board member, employee, or contractor shall retaliate against any person because of his or her exercise of rights under section 504.

Approved: BOE Approved 07/14

**IDAE Student Privacy Policy IDAE**

The superintendent, the board and staff shall protect the right of privacy of students and their families in connection with any surveys or physical examinations conducted, assisted, or authorized by the board or administration. The district shall annually provide parents notice of their rights under the Protection of Pupil Rights Amendment and the Student Data Privacy Act, at the beginning of each school year, and at any other time the school district policies in the area are substantially changed.

Student Data Restrictions

Any student data submitted to and maintained by a statewide longitudinal student data system shall only be disclosed in accordance with the Student Data and Privacy Act. Disclosure of all other student data or student record information maintained is governed by the Family Educational Rights and Privacy Act (“FERPA”).

Annual written notice presented to parents and legal guardians of district students shall: 1) require parent or guardian’s signature: and 2) shall state student data submitted to and maintained by a statewide longitudinal data system only be disclosed as follows.

Student data may be disclosed to:

* The authorized personnel of an educational agency or the state board of regents who require disclosures to perform assigned duties; and
* The student and the parent or legal guardian of the student provided the data pertains solely to the student.

Student data may be disclosed to authorized personnel of any state agency, or to a service provider of a state agency, educational agency, or school performing instruction, assessment, or longitudinal reporting, provided a data sharing agreement between the educational agency and other state agency or service provider provides the following:

* Purpose, scope, and duration of the data-sharing agreement;
* Recipient of student data use such information solely for the purposes specified in agreement;
* Recipient shall comply with data access, use, and security restrictions specifically described in agreement; and
* Student data shall be destroyed when no longer necessary for purposes of the data-sharing agreement or upon expiration of the agreement, whichever occurs first.

\*A service provider engaged to perform a function of instruction may be allowed to retain student transcripts as required by applicable laws and rules and

**IDAE Student Privacy Policy IDAE-2**

regulations. Destruction shall comply with the NISTSP800-88 standards of data destruction.

Unless and adult student or parent or guardian of a minor student provides written consent to disclose personally identifiable student data, student data may only be disclosed to a governmental entity not specified above or any public or private audit and evaluation or research organization if the data is aggregate data. “Aggregate data” means data collected or reported at the group, cohort, or instructional level and which contains no personally identifiable student data.

The district may disclose:

* Student directory information when necessary and the student’s parent or legal guardian has consented in writing;
* Directory information to an enhancement vendor providing photography services, class ring services, yearbook publishing services, memorabilia services, or similar services;
* Any information requiring disclosure pursuant to state statues;
* Student data pursuant to any lawful subpoena or court order directing such disclosure; and
* Student data to a public or private postsecondary educational institution for purposes of application or admission of a student to such postsecondary educational institution with the student’s written consent.

Student Data Security Breach

If there is a security breach or unauthorized disclosure of student data or personally identifiable information of any student submitted to or maintained on a statewide student longitudinal data system, each affected student or the parent or legal guardian of the student, if a minor, shall be immediately notified, and an investigation into the causes and consequences of the breach or unauthorize disclosure will be conducted.

Biometric Data

The district shall not collect biometric data from a student or use any device or mechanism to assess a student’s physiological or emotional state, unless the adult student or the parent or legal guardian of the minor student consents in writing. “Biometric data” includes measurable biological or behavioral characteristics that can be used for automated recognition of an individual, such as fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting.

**IDAE Student Privacy Policy IDAE-3**

Nothing in this policy shall prohibit the collection of audio voice recordings, facial expression information, and student handwriting for:

* Provision of counseling or psychological services,
* Conducting student threat assessments,
* Completing student disciplinary investigations or hearings or
* Conducting child abuse investigations.

Select Student Surveys

No test, questionnaire, survey, or examination containing any

questions about student’s or the student’s parents’ or guardians’ personal beliefs or practices on issues such as sex, family life, morality, or religion shall be administered to any student unless:

* The parent or guardian is notified in writing; and
* The parent or guardian of the student gives written permission for the student to participate.

Nothing shall prohibit school counselors from providing counseling services, including the administration of tests and forms as part of student counseling services. Any information obtained through such tests or counseling services shall not be sored on any personal mobile electronic device which is not owned by the school district. Storage of such information on personal laptops, tablets, phones, flash drives, external hard drives, or virtual servers not owned by the district is prohibited.

Students may be questioned:

* In the provision of psychological services,
* Conducting of student threat assessments,
* Completing student disciplinary investigations or hearings, or
* Conducting child abuse investigations.

Collection of such information in these limited circumstances is permitted without prior written consent of the parent, guardian, or adult student.

Approved: BOE Approved: 07/14

Annual Notice of Authorized Student Data Disclosures

In accordance with the Student Data Privacy Act and board policy IDEA, student data submitted to or maintained in a statewide longitudinal data system may only be disclosed as follows. Such data may be disclosed to:

* The authorized personnel of an educational agency or the state board of regents who require disclosures to perform assigned duties; and
* The student and the parent or legal guardian of the student, provided the data pertains solely to the student.

Student data may be disclosed to authorized personnel of any state agency, or to a service provider of a state agency, educational agency, or school performing instruction, assessment, or longitudinal reporting, provided a data sharing agreement between the educational agency and other state agency or service provider provides the following:

* Purpose, scope and duration of the data-sharing agreement;
* Recipient of student data use such information solely for the purposes specified in agreement;
* Recipient shall comply with data access, use, and security restrictions specifically described in agreements; and
* Student data shall be destroyed when no longer necessary for purposes of the data-sharing agreement or upon expiration of the agreement, whichever occurs first.

\*A service provider engaged to perform a function of instruction may be allowed to retain student transcripts as required by applicable laws and rules and regulations.

Unless an adult student or parent or guardian of a minor student provides written consent to disclose personally identifiable student data, student data may only be disclosed to a governmental entity not specified above or any public or private audit and evaluation or research organization if the data is aggregate data. “Aggregate data” means data collected or reported at the group, cohort, or institutional level and which contains no personally identifiable student data.

The district may disclose:

* Student directory information when necessary and the student’s parent or legal guardian has consented in writing;
* Directory information to an enhancement vendor providing photography services, class ring services, yearbook publishing services, memorabilia services, or similar services:
* any information requiring disclosure pursuant to state statues;
* student data pursuant to any lawful subpoena or court order directing such disclosure; and
* student data to a public or private postsecondary educational institution for purposes of application or admission of a student to such postsecondary educational institution with the student’s written consent.

**As the parent or legal guardian of [name of student(s)], I acknowledge that I have been provided with notice of authorized student data disclosures under the Student Data Privacy Act.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Parent Signature Date**

Approved: BOE Approved 07/14

**IFC Community Resources (See KFD) IFC**

The use of community resources is encouraged where legitimate educational objectives may be advanced.

The licensed staff shall maintain a list of suitable community resources which may be used for field trips and other excursions.

Approved: BOE Approved 07/19

**IIBG Computer and Device Use** (See ECH, JCDA and KBA) **IIBG**

Use of Interlocal Computers and Devices/Privacy Rights

Interlocal issued computer systems and electronic devices (including, but not limited to, Smartboards, iPads, iTouches, iPhones, eReaders, and eBooks) are for educational and professional use only. All information created by staff or stored thereon shall be considered interlocal property and shall be subject to unannounced monitoring by interlocal administrators. The interlocal 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.

Copyright

Software acquired by staff, using either interlocal or personal funds, and installed on interlocal computers or electronic devices must comply with copyright laws. Proof of purchase (copy or original) for software must be filed in the interlocal office.

Installation

No software, including freeware and shareware, or other applications may be installed on any interlocal computer or electronic device until cleared by the network administrator. The administrator will verify the compatibility of the software or application with existing software, hardware, and applications and prescribe installation and de-installation procedures. Program files must have the director’s approval to be installed on any interlocal server or computer.

Hardware

Staff shall not install unapproved hardware on interlocal computers

or make changes to software settings that support interlocal hardware.

Approved: BOE Approved 08/13

**IIBGA Children’s Internet Protection Act IIBGA**

The interlocal 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 director 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 director 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 interlocal students, regardless of their age.

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

Approved: BOE Approved 08/13

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

Employees are encouraged to use interlocal electronic mail and other interlocal 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.

Interlocal employees, including, but not limited to, classroom teachers and extracurricular activity coaches and sponsors, may set up blogs and other social networking accounts using interlocal technological resources and following interlocal 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 interlocal 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:

1. They shall request prior permission from the director or the director’s designee.
2. If permission is granted, staff members will set up the site following any interlocal guidelines developed by the director and approved by the board. If the expenditure of interlocal 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 director. {Board/Director} approval shall be required prior to the expenditure of interlocal funds for such purpose.
3. Guidelines shall specify whether access to the site must be given to building/interlocal administrators and technology staff.
4. If written parental consent is not otherwise granted through acceptable use policy forms provided by the interlocal, 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:
   1. Monitoring and managing the site to promote safe and acceptable use and compliance with interlocal policies; and

**IIBGC Staff Online Activities IIBGC-2**

* 1. 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. Interlocal 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: BOE Approved 08/13

**IJ Evaluation of Instructional Program IJ**

(See IC, ICAA, ID, and II)

The superintendent may develop guidelines to evaluate the instructional program. This evaluation may be part of the district's school improvement efforts.

The superintendent may establish special curriculum committees to study the district's instructional program on a regular schedule. The superintendent may require reports from these committees which shall include the committee's recommendations for improvement, modification, or elimination of any part of the instructional program. The superintendent may submit a comprehensive report from the committees to the board.

Approved: BOE Approved 07/19; 6/20

Complements ING

**Guidelines for Service Animals in School Facilities**

*For use by Superintendents and Building Principal only*

These guidelines are not intended for use as an agreement between the District and its students and their parents/guardians as a condition of the student using a service animal. They are intended for use by the Building Principals to:

1. Ensure that the legitimate safety interests of staff and students are met,
2. Inform their individual building staff of these guidelines when service animals are present in their individual buildings, and
3. Request that staff members inform the Building Principal if they observe a service animal that is not meeting any of the listed guidelines.

Each guideline includes am explanation based upon State and/or federal law with legal citations and resources that provide further information.

* **The animal is *individually trained* to perform tasks for the benefit of a student with a disability.**

|  |  |
| --- | --- |
| **Explanation** | **Legal Citation(s) and Resources** |
| A service animal must perform work or an individualized task(s) for the benefit of a student with a disability. When it is not obvious what service animal provides, only the following questions may be asked:   1. Is the dog a service animal required because of a disability? 2. What work or task has the dog been trained to perform? | Federal law requires the service animal to be *individually trained* to perform tasks for the benefit of a student with a disability.  28 C.F.R.§§35.104 and 35.136 require that the work or tasks performed by a service animal be directly related to the student’s disability. Section 36.104 defines work or tasks, which include but are not limited to assisting a student who is blind or has low vision with navigation and other tasks; alerting a student to the presence of people or sounds; providing non-violent protection rescue work; pulling a wheelchair; assisting a student during a seizure; alerting a student to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to a student with mobility disabilities; and helping a student with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. **Note**: Providing emotional support, well-being, comfort, companionship or being present to deter criminal behaviors does not satisfy the requirement to “perform work or tasks.” |

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1 Managing service animals in the school setting presents many unsettled and complex legal issues. Consult the board attorney for advice before using this exhibit. Recently amended federal rules now clarify and strengthen the rights of disabled individuals to use service animals in public places (28 C.F.R. Pars 35 ad 35.136).

* **The handler(s) may lawfully: 1. Be on school property, and**

**2.Have contact with children**

|  |  |
| --- | --- |
| **Explanation** | **Legal Citation(s) and Resources** |
| The animal handler must not be a person who is not allowed on school district property under law or district policy. | The Dept. of Justice opines that a service animal’s handler should be treated the same as the District treats all other resource persons and volunteers. **Note**: Some school boards forbid the use of convicted felons/child sex offenders as volunteers. |

* **The animal is under the control of the handler and housebroken.**

|  |  |
| --- | --- |
| **Explanation** | **Legal Citation(s) and Resources** |
| A service animal must be under the control of its handler.  A service animal must be housebroken. | Federal law allows exclusion of a service animal from the school environment when its handler is not able to take effective action to control it or it is not housebroken. The Dept. of Justice opines that one accident, however, will not be sufficient for exclusion of a service animal (28 C.F.R. §35.136).  For more examples and explanation regarding effective action to control a service animal and whether an animal is housebroken, see Americans with Disabilities Act, Title II Regulations, Nondiscrimination on the Basis of Disability in State and Local Government Services, Section 3, Guidance and Section by Section Analysis, pg. 87 at:  www.ada.gov/regs2010/titleII\_2010\_regulations.pdf. |

**GUIDELINES FOR ANIMALS ON DISTRICT PROPERTY**

Animals are not allowed on district property, including transportation, except in accordance with law and policy.

**Definitions**

The following definitions shall be used for the purpose of applying this policy.

*Animal=*Any nonhuman creature.

*Handler=*The individual responsible for the care and control of an animal. The handler for a service animal will generally be the individual with a disability served by the animal; however, under some circumstances, the handler may be someone other than the individual with the disability.

*Service Animal=*Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical or sensory disability or a psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the disability of the individual being served. Examples of work or tasks include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks; alerting individuals who or deaf or hard of hearing to the presence of people or sounds; providing nonviolent protection or rescue work; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items such as medicine or a telephone; providing physical support and assistance with balance with stability to individuals with mobility disabilities; and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

For the purpose of this policy and subject to the limitations herein, a miniature horse will be considered a service animal.

*Tether*= A harness, leash or other similar restraint.

*Therapy Animal*= Any animal that is not a service animal and whose primary purpose is to provide emotional support, well-being, comfort or companionship.

**Service Animals**

Service animals are permitted on district property, including district transportation, in accordance with law. The district will make modifications as necessary to allow for the presence of service animals; however, if the service animal is a miniature horse, the district will first determine if such modifications are reasonable by considering the size and weight of the miniature horse and whether the horse’s presence in the facility compromise legitimate safety requirements.

All service animals must be under the control of their handlers. Service animals must have a tether unless the handler is unable to use one or unless the use of a tether would interfere with the service animal’s safe, effective performance. Animals that are not tethered must be under the control of the handler through some other means, such as voice commands or hand signals.

The district will not allow service animals to remain on district property if they are not housebroken or are out of control. If a service animal is properly excluded from district property, the individual with a disability served by the animal will be given the opportunity to participate in the program, service or activity without having the service animal on district property.

District officials may verify that an animal qualifies as a service animal by asking whether the animal is required because of a disability and what work or tasks the animal has been trained to perform, if it is not readily apparent. Except as otherwise specified in this policy, district officials will not inquire about the nature or extent of the individual’s disability or require the individual to provide documentation that the animal is a service animal.

**Animals as Accommodations for Employees and Students**

Employees and students may use service animals pursuant to the “Service Animals” section of this policy; however, the district may make additional inquiries about the nature and extent of the employee’s or student’s disability as permitted by law.

Employee requests for use of an animal other than a service animal as an accommodation must be made in accordance with Board policy. If the employee’s request for an animal other than a service animal is granted, the rules for use of the animal will be specified at the time the accommodation is granted.

A student with a disability will only be allowed to have an animal other than a service animal as an accommodation in accordance with the student’s individualized education program (IEP) or Section 504 plan. If a student’s IEP or Section 504 plan allows the use of an animal other than a service animal, the special education director, compliance office or designee will work with the student and the parents/guardians of the student to create a plan for the animal’s care. The student will be primarily responsible for the care and control of any animal used as an accommodation unless otherwise provided in the IEP or Section 504 plan.

**Animals Used in Instruction**

*General*

1. Animals with venom that is harmful to humans will not be allowed on district property.
2. An animal will not be allowed on district property without proof of current vaccinations to prevent the spread of diseases, such as rabies, to humans unless vaccinations are not required in the opinion of a veterinarian.
3. Animals are prohibited from being on district property if anyone has been ticketed or charged for the behavior of the animal.

1. Animals will never be maintained in or near an area where outside air is brought into district buildings.
2. Live animals may not be transported on district transportation and, unless specific permission from the building administrator is given otherwise, must be kept in a pen, cage or tank while on district property.
3. If students will be handling live animals, the employee responsible for the animal must instruct the students in proper handling techniques designed to minimize the danger of injury to the students and the animal. Protective clothing or equipment must be used when warranted.

***Therapy Animals***

Staff members may use therapy animals in the course of their regular duties only after receiving permission from the administrator of the building where the animal will be used. Before permission to use therapy animals is granted, staff members must provide:

1. Proof that the animal is certified to be a therapy animal.
2. An explanation of how the animal will be used, including research supporting the use of therapy animals.
3. A plan for how the staff member will provide for the care and control of the animal.
4. A plan for how the staff member will accommodate students with allergies to the animal.

***Animals Used as Part of the Curriculum***

Staff members who wish to use live animals to implement the curriculum must obtain permission from the administrator of the building where the animal will be used prior to introducing an animal into the curriculum. Before permission to use live animals to implement the curriculum must obtain permission from the administrator of the building where the animal will be used prior to introducing an animal into the curriculum. Before permission to use live animals to implement the curriculum is granted, staff members must provide their building administrator with:

1. A statement that the animal does not present a danger to students or staff members.
2. A statement of the instructional purpose, tied to the district’s curriculum, that the animal will serve.
3. A plan for how the staff member will provide for the care and control of the animal.
4. A plan for how the staff member will accommodate students with allergies to the animal.

The requirements of this subsection will be waived for courses that routinely use live animals, such as courses in the district’s agriculture instruction program, when the course curriculum has been approved by a supervisor.

***Animal Habitats***

As part of the instructional program, students and staff members may be granted permission to develop habitats that attract various forms of wildlife. Any plan to develop a habitat must be presented to the appropriate building administrator in advance of the project. The building administrator will consult with the central office administrator responsible for facilities and grounds prior to giving approval for the project.

**Animals Used by Law Enforcement**

The district allows the use of animals by law enforcement personnel in conjunction with the performance of their official duties. The district will work with law enforcement to avoid frightening students or unduly disrupting instruction when using animals.

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Legal Refs: 28 C.F.R. Part 35

Approved: BOE Approved 07/14

**JAA Equal Educational Opportunities (See GAAA) JAA**

The board shall offer an educational program which attempts to meet the needs of all children of the interlocal to the fullest possible extent. All administrators and teachers, in developing interlocal curriculum and activity program recommendations for the consideration of the board, shall give a high priority to the meeting of individual needs.

Approved: BOE Approved 08/13

**JBCA Homeless Students** (See EDAA and JBC) **JBCA**

The district, in accordance with state and federal law and the Kansas state plan will ensure that homeless children in the school district have access to a free and appropriate public education. Homeless students are individuals who lack a fixed, regular, and adequate nighttime residence. For the purposes of this policy, a student awaiting foster care placement shall not be considered homeless.

Coordinator

The board shall designate a homeless coordinator for the district.

Approved: BOE Approved: 01/17

**Note: The reader is encouraged to review regulations and forms for related information.**

**JBCA HOMELESS STUDENTS**

**Homeless Student Regulations**

**Required by Federal and State Law**

NOTE: This document MUST be approved by board action to become policy. File with clerk, distribute to building administrators, and duplicate as necessary in district newsletters and other documents.

**Homeless students shall, by definition, include the following:**

1. Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals.
2. Children and youth who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.
3. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
4. Migratory children who meet one of the above-described circumstances.

Enrollment/Placement (See JBC)

The district, according to the child’s or youth’s best interest, shall either continue the child’s or youth’s education in the school of origin for the duration of homelessness in any case in which: 1) a family becomes homeless between academic years or during an academic year; and 2) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

School Stability

In determining the best interest of the child or youth, the district homeless student liaison shall:

**JBCA HOMELESS STUDENTS**

1. Presume that keeping the child or youth in the school of origin is in the child’s or youth’s best interest, except when doing so is contrary to the request of the child’s or youth’s parent or guardian, or (in the case of an unaccompanied youth) the youth;
2. Consider student-centered factors related to the child’s or youth’s best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian or (in the case of an unaccompanied youth) the youth;
3. If, after conducing the best interest determination based on consideration of the presumption in clause (1) and the student centered factors in clause (2), it is determined that it is not in the child’s or youth’s best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provide the child’s or youth’s parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal such determination; and
4. In the care of an unaccompanied youth, ensure that the district homeless student liaison assists in placement or enrollment decisions under the subparagraph, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

Immediate Enrollment

The school selected shall immediately enroll the homeless child or youth, even if the child or youth:

1. Is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or
2. has missed application or enrollment deadlines during any period of homelessness.

Relevant Health Records

The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

**JBCA HOMELESS STUDENTS**

Relevant Academic Records

The enrolling school immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

Relevant Health Records

If the child or youth needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent or guardian of the child or youth, or (in the case of an unaccompanied youth) the youth, to the district homeless student liaison, who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records.

Records

Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained so that the records involved are available, in a timely fashion, when a child or youth enters a new school or district an in a manner consistent with the Family Educational Rights and Privacy Act. See policies JR through JRD.

Enrollment Disputes

If a dispute arises over eligibility, school selection, or enrollment in school:

1. the child or youth shall be immediately enrolled in the school in which enrollment is sought (Whether sought by the parent, guardian, or unaccompanied youth), pending final resolution of the dispute, including all available appeals;
2. the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local education agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions; and
3. the parent, guardian, or unaccompanied youth shall be referred to the district homeless student liaison, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute.

**JBCA HOMELESS STUDENTS**

Placement Choice

The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

Privacy

Information about a homeless child’s or youth’s living situation shall be treated as a student education record, and shall not be deemed to be directory information, under policy JRB.

Contact Information

Nothing shall prohibit the district the district from requiring a parent or guardian of a homeless child or youth to submit contact information.

Definition

The term “school of origin” means the school that a child or youth attended when permanently housed or the school in which the child or youth attended when permanently housed or the school in which the child or youth was last enrolled , including preschool.

When the child or youth completes the final grade level served by the school of

origin, the term “school of origin” shall include the designated receiving school

at the next grade level for all feeder schools.

Comparable Services

Each homeless child or youth shall be provided services comparable to services

offered to other students in the school selected, including:

1. Transportation services;
2. Educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for English learners;
3. Programs in career and technical education;
4. Programs for gifted and talented students; and

**JBCA HOMELESS STUDENTS**

1. School nutrition programs.

Coordination

The district shall coordinate the provision of services under these regulations with the Department for Children and Families and other agencies or entities providing services to homeless children and youth and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), and transportation, transfer of school records, and other interdistrict activities, with other local educational agencies.

Housing Assistance

If applicable, the district shall coordinate with state and local housing agencies responsible for developing the comprehensive housing affordability strategy to minimize educational disruption for children and youths who become homeless.

The coordination required shall be designed to:

1. ensure that all homeless children and youths are promptly identified;
2. ensure that all homeless children and youths have access to, and are in reasonable proximity to, available education and related support services; and
3. raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

Homeless Children and Youths With Disabilities

For children and youths who are both homeless and eligible for services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seg.), the district shall coordinate the provision of services under these regulations with the provision of programs for children with disabilities served by the district and other involved local educational agencies.

District Homeless Student Liaison

The board designates the following individual to act as the district’s homeless student liaison: (Name of Office) (Business Address) (Phone-Fax). The district shall inform school personnel, services providers, and advocates working with homeless families of the duties of this liaison.

**JBCA HOMELESS STUDENTS**

Homeless Children and Youths With Disabilities

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The district homeless student liaison shall ensure:

1. homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;
2. homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, district schools;
3. homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;
4. homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;
5. the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the educational of their children;
6. public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;
7. enrollment disputes are mediated in accordance with these regulations;

**JBCA HOMELESS STUDENTS**

1. the parent or guardian of a homeless child or youth, and any accompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school that is selected;
2. school personnel providing services under these regulations receive professional development and other support; and
3. unaccompanied youths:
   1. are enrolled in school;
   2. have opportunities to meet the same challenging state academic standards as Kansas establishes for other children and youth; and
   3. are informed of their status as independent students under federal law regarding student financial assistance for higher education acquisition and that the youths may obtain assistance from the district homeless student liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid.

The liaison shall also work with the state coordinator for education of homeless children and youth to request and receive needed technical assistance and monitoring to ensure the district complies with federal and state law regarding homeless students. Similarly, the liaison will coordinate with the state coordinator in order to provide professional development opportunities for district personnel to aid them in identifying and meeting the needs of homeless children and youths and will respond to inquires from parents, guardians, and homeless children and youths and will respond to inquires from parents, guardians, and homeless children and youths to ensure they are provided with the full protection of the law and services they are due.

Notice

The district shall inform school personnel, service providers, advocates working with families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the district homeless student liaison, and publish annually updated contact information for the liaison on the district’s website.

Local and State Coordination

The district homeless student liaison, as a part of assigned duties, shall coordinate and collaborate with state coordinators, the community, and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordinator shall include collecting and providing to the state coordinator the reliable, valid, and comprehensive data.

Homeless Status

The district homeless student liaison may affirm, without further agency action by the Department of Housing and Urban Development, that a child or youth who is eligible for and participating in a program provided by the district, or the immediate family of such a child or youth, who meets the eligibility requirements, is eligible for such program or service.

**JBCA HOMELESS STUDENTS**

Dispute Resolution Process

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 student liaison. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the homeless student liaison. The written complaint must include the following information: date of filing, description of concerns, the name of the person or persons involved, and a recapitulation 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.

Transportation (See EDAA, JBC and JGG)

If it is in the best interest of the homeless child or youth to attend the school of origin, transportation to and from that school will be provided at the request of the parent or guardian or in the case of an unaccompanied youth, the homeless coordinator. If the student’s temporary housing is outside the attendance area of the school of origin, then the district will work with the school of origin, then the district will work with the school of origin to agree on a method to apportion the responsibility and costs for transporting the child. If an agreement cannot be reached, the costs will be shared equally.

Approved: BOE Approved 01/17

**Complaint Form**

**PROGRAMS FOR HOMELESS STUDENTS**

***(Assignment to a School Other than School of Origin/School Requested by the Parent)***

After reviewing the situation, it would be in the best interest of your child or youth to be educated at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Explanation of decision:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If you so choose, you may appeal this decision in the following manner:

You may verbally and informally state your complaint to the district's homeless coordinator. If the complaint is not promptly resolved, you may complain in writing to the homeless student liaison. You must include the following information: date of filing, description of the complaint, the name of the person or persons involved and an explanation of the action taken during the informal charge stage. Within five (5) working days after receiving the complaint, the liaison will provide you a written decision, with supporting evidence and reasons. In addition, the liaison will inform the director of the formal complaint and the result.

Approved: BOE Approved 01/17

**JBCB Foster Care Students** (See EDAA, JBC, and JBCA) **JBCB**

The district, in accordance with state and federal law and the Kansas state plan, will ensure students placed in foster care within the school district have access to a public education in a stable educational environment. For the purposes of this policy and its applicable regulations, “foster care” means 24-hour substitute care for children placed away from their parents and for whom a child welfare agency has placement and care duties.

Point of Contact

The board shall designate an employee to serve as a point of contact for child welfare agencies on behalf of the district.

Mobile Crisis Helpline

Crisis support for Kansas families and children to resolve an emotional, psychiatric, or behavioral health crisis is available through the Department of Children and Families Mobile Crisis Helpline, 1-833-441-2240, including:

* Problem solving to resolve behavioral health crisis;
* Referral to community resources or recommendation to engage in stabilization services;
* In-person support via mobile crisis response; and
* Contacting mobile crisis response unit to assist in emergency situations.

Services are available to all Kansans 20 years or younger including anyone in foster care or formerly in foster care.

Approved: BOE Approved: 01/17; 1/22

**Foster Care Student Regulations**

**To Aid In Implementation of Federal Law**

NOTE: This document MUST be approved by board action to become policy. File with clerk, distribute to principals, and duplicate as necessary in district newsletters and other documents.

The Every Student Succeeds Act (“ESSA”) addresses additional protections for students in foster care and establishes a system of joint responsibility for school districts, the Kansas State Department of Education (“KSDE”), and the Kansas Department for Children and Families (“DCF”) to ensure the educational stability of students in foster care.

For the purposes of these regulations, “foster care” means 24-hour substitute care for children placed away from their parents and for whom a child welfare agency has placement and care duties. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child-care institutions, and pre-adoptive homes.

Transportation of Students in Foster Care

ESSA requires each Kansas school district to collaborate with child welfare agencies, such as DCF and tribal child welfare agencies, to develop and implement clear, written procedures for how transportation to maintain a student in foster care in his or her school of origin (when in the student’s best interest) will be provided, arranged, and funded. The procedures must ensure that the transportation will be provided promptly, in a cost-effective manner, and in accordance with federal law. Also, they must address how additional costs will be absorbed. Therefore, if there are any additional costs incurred to maintain a foster care student in his or her school of origin, the district will provide the transportation if:

1. DCF agrees to reimburse the district for the additional costs;

2. The district agrees to pay the additional costs; or

3. DCF and the district split the additional costs.

Upon request, the district will provide an assurance to KSDE that the district has transportation procedures meeting the above requirements.

**JBCB FOSTER CARE STUDENT REGULATIONS**

Additional Costs

“Additional costs” reflect the difference between what the district would spend to transport a student to the assigned school and the cost of transporting a student in foster care to his or her school of origin. Title I, Part A funds may be used to pay for additional transportation costs in Title I districts.

School of Origin

The “school of origin” is the school in which a student is enrolled at the time of placement in foster care or of a change in placement. A student in foster care is entitled to remain enrolled in his or her school of origin unless it is determined not to be in the student’s best interest to stay at that school.

Best-Interest Determination

DCF will make the final decision regarding whether it is in a student’s best interest to remain in the school of origin. District staff may be asked to provide information on the “educational best interest” of the student to support educational decision-making based on what is best for the student academically. For students receiving special education and related services under the Individual with Disabilities Education Act or for students on Section 504 accommodation plans, it is recommended that relevant team members should be consulted in the best interest determination process, as the district will still be required to ensure compliance with Least Restrictive Environment requirements.

The United States Department of Education has provided a list of factors that may be considered in determining the student’s educational best interest, which include appropriateness of the current setting, proximity of placement to school attendance centers, the child’s preference, the parents’ preference, the child’s attachment to the school of origin, where siblings will be placed, and the availability of needed services. The “best-interest determination” may not be made based on transportation costs or funding.

District Foster Care Liaison

The “district foster care liaison” is a district employee who facilitates the enrollment in or transfer to a public school of a student in the district who is a ward of the state. The district’s foster care liaison is considered the designated point of contact for collaboration with DCF on transportation procedures.

**JBCB FOSTER CARE STUDENT REGULATIONS**

The District has designated the following staff person as the District foster care liaison:

Name:

Position:

E-mail:

Address:

Telephone:

Child Welfare Agency

In Kansas, DCF is the regular child welfare agency for collaboration on transportation procedures. The Child Protective Services (“CPS”) division of DCF will typically be the division that works with the district on issues related to students in foster care, however, tribal child welfare agencies may also be involved with this process. Therefore, whenever DCF is used in these regulations, it may be deemed to apply to any child welfare agency based on the circumstances.

Child Welfare Contact

The district, if receiving Title I, Part A funds, must collaborate on transportation procedures with the DCF-designated contact if DCF notifies the district in writing that DCF has designated an employee to serve as a point of contact for the district.

Approved: BOE Approved: 01/17

**JBCB FOSTER CARE STUDENT REGULATIONS**

***General Transportation Procedures (OPTIONAL)***

*To ensure that transportation is provided promptly when it is determined to be in the best interest of a student in foster care to remain in the school of origin, the district has developed the following transportation procedures. These procedures will guide the development of an individual transportation plan for a student needing transportation to his or her school of origin.*

*Funding Strategies*

*The district and DCF have identified the following funding options that may be implemented if additional costs to transport a student in foster care to the school of origin are determined:*

*(Adjust the items below to include those agreed upon by the district and DCF. Consider any cost-sharing strategies that the district has used successfully with neighboring districts in transporting students who are homeless to and from their school of origin or any other programs where transportation costs are shared.)*

*Cost sharing between the district and DCF through use of a specific transportation strategy in which each party is responsible for a segment of the transportation;*

*Offset of costs by DCF, such as using Title IV-E funds paid to a foster parent or caregiver for transportation;*

*Cost sharing between the school district of attendance and the school district where the student is living;*

*Use of the district’s Title I funds;*

*Use of Medicaid reimbursements if the IEP for a student receiving special education services will include transportation as a related service;*

*Use of any available grant funds; and*

*[Other].*

*Transportation Strategies*

*The following transportation strategies may be considered in achieving transportation to a student’s school of origin:*

**JBCB FOSTER CARE STUDENT REGUALTIONS**

*(Adjust the items below to include those agreed upon by the district and DCF. Consider any strategies that have been used successfully to transport students who are homeless to and from their school of origin and effective practices currently used to share transportation costs with neighboring districts, community partners, or others.)*

*Arranging transportation by the foster parent or caregiver to the school of origin or to a bus stop on a route to the school of origin, such as when the foster parent lives within a certain distance from the school of origin;*

*Arranging transportation by a relative or another adult approved by DCF with whom the student has a relationship and whose existing commute aligns with the student’s transportation need to the school of origin or a bus stop on a route to the school of origin;*

*Maximizing the existing district transportation system by exploring ways the student can be transported to an existing bus stop that serves the school of origin (options to transport the student to an existing bus stop could occur through use of public transportation with a bus pass or transportation voucher, or transportation by the foster parent or caregiver, a relative, or another adult with whom the student has a relationship);*

*Using existing intradistrict transportation options that allow students to be transported within the district, such as routes for students who are homeless, students attending magnet programs, or students receiving special education services (this option may require the addition of a bus stop on an existing route or that an existing route be rerouted to accommodate the transportation needs);*

*Coordinating with the district in which the student is living to provide transportation to the district boundaries or an existing bus stop within the district;*

*Evaluating whether an IEP for a student receiving special education services will include transportation to the student’s special education program at the school of origin as a related service;*

**JBCB FOSTER CARE STUDENTS REGULATIONS**

*Contracting with a private transportation company, such as a taxi service, for the student’s transportation needs;*

*Using public transportation with a bus pass or transportation voucher;*

*Adding a district transportation route; or*

*[Other].*

*Individual Transportation Plan*

*When DCF determines that the best interest of a student in foster care is to remain in the school of origin, the district foster care liaison will take steps to promptly collaborate with relevant DCF staff on how transportation to the school of origin will be provided, arranged, and funded.*

*When possible, and to allow for adequate consideration of the student’s needs, individual transportation planning will begin in advance of placement changes and will occur in coordination with the consultation on the student’s educational best interest.*

*The district foster care liaison will convene a meeting to establish an individualized transportation plan for the student. The liaison will attempt to include the student’s DCF education decision-maker and others who may be involved in education decision-making for the student, such as the student’s caseworker, foster parent or caregiver, and the court-appointed special advocate (CASA) liaison. The District foster care liaison may also involve other district staff, as appropriate. The liaison will involve the district transportation director if the individual transportation plan will involve adjustments to existing bus routes.*

*If necessary, the district foster care liaison will identify a short-term transportation strategy that may be used until the final transportation plan is completed so that the student can remain at the school of origin without interruption.*

*In evaluating transportation options to the school of origin, participants will prioritize student safety, cost effectiveness, reliability, and time and distance of the commute.*

*Determining Additional Costs*

**JBCB FOSTER CARE STUDENT REGULATIONS**

*To identify whether additional costs will be incurred in an individual transportation plan to transport the student to the school of origin, the foster care liaison will consult with the district transportation director to calculate the cost of transporting the student to the school that the student would otherwise attend, which will be used as a comparison. In accordance with the federal Non-Regulatory Guidance, if the district is able to provide transportation through an established bus route, there are no additional costs. If the district will reroute buses or provide transportation through a private vehicle or transportation company, the district may consider as additional costs the cost of rerouting buses or the difference between the special transportation costs and the usual transportation costs.*

*Administrative costs, such as additional staff time to coordinate transportation, will also be considered in determining whether there are additional costs to transport the student in foster care to the school of origin.*

*Plan Elements*

*The individual transportation plan may include:*

*A daily transportation strategy;*

*One or more backup transportation strategies;*

*Transportation strategies to allow participation in after-school and extracurricular activities;*

*A description of the funding strategy that will be used if additional costs to transport the student to the school of origin are identified;*

*Identification of who is responsible for each aspect of the transportation strategy;*

*Designation of an adult to accompany younger students, if necessary, such as when public transportation is used;*

*For transportation strategies with multiple segments, sign off procedures to ensure that the student safely and successfully completes each segment;*

**JBCB FOSTER CARE STUDENT REGULATIONS**

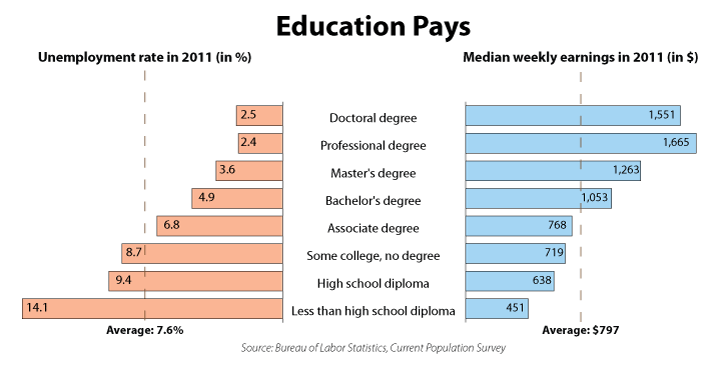
*A communication protocol between the District and DCF when transportation for a student is no longer needed; and*

*A regular review process for adjusting transportation strategies when circumstances change.*

*The final individual transportation plan will require a signature by the foster care liaison and a district official who has authority to approve any additional expenditure. The DCF education decision-maker and the foster parent or caregiver, if different from the education decision-maker, will also be asked to sign the plan.*

Approved: BOE Approved 01/17

**JBE Truency JBE**



**PARENT CONSENT AND WAIVER FOR CHILD 16 OR OLDER TO BE EXEMPT**

**FROM COMPULSORY ATTENDANCE REQUIREMENTS.**

I, (Name of Parent(s) or Person Acting As Parent) , understand that pursuant to Kansas law, (Name of Student) is required to attend school until he/she receives a high school diploma or general educational development (GED) credential or reaches the age of 18, whichever occurs first.

Pursuant to K.S.A. 72-3120, as amended, Unified School District No. \_\_\_ encourages \_\_\_ (Name of Student) to remain in school or to pursue an education alternative.

The academic skills listed below have not been achieved by \_\_\_\_ (Name of Student)\_\_:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Based on (Source of Information) the difference in future earning power between a high school graduate and a high school drop out is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Name of Student) is encouraged to attend one of the following area alternative education programs in order to aid Name of Student in obtaining a high school diploma, a general education development credential, or other certification of completion, such as a career technical education industry certification:

*(List any programs that may be available. Contact information for accredited private schools, virtual schools, and virtual programs can be found at* [*http://www.ksde.org/Agency/Division-of-Learning-Services/Career-Standards-and-Assessment-Services/CSAS-Home/Graduation-and-Schools-of-Choice/Adult-Diploma-Completion/Information-For-Alternative-and-Adult-Learners*](http://www.ksde.org/Agency/Division-of-Learning-Services/Career-Standards-and-Assessment-Services/CSAS-Home/Graduation-and-Schools-of-Choice/Adult-Diploma-Completion/Information-For-Alternative-and-Adult-Learners)*. The statutory language suggests an "alternative learning plan" could also include extended learning opportunities such as independent study, private instruction, performing groups, internships, community service, apprenticeships, and online coursework.)* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I (we), the undersigned, hereby give written consent to allow Name of Student , who is [16] [17] years of age, to be exempt from the Kansas compulsory attendance requirement and state we have attended the final counseling session conducted by USD No. \_\_\_ in which the above information was presented to us.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Student Signature of Parent(s) or Person

Acting as Parent

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Date

Approved: BOE Approved 07/19

**JCAA Due Process JCAA**

Students shall be afforded due process as required by current law.

Approved: BOE Approved 08/13

**JCAC Interrogation and Investigations JCAC**

**(See EBC, GAAD, JCABB, JCEC and JHCAA)**

Building administrators, school security officers, and/or others designated by the superintendent may conduct investigations and question students about violation of school rules, the student conduct code, and/or law. Unless otherwise provided herein, such investigators shall not be required to contact the student’s parent, guardian, or representative prior to questioning and may request law enforcement, school resource officer(s), and/or school security officer(s) for assistance in conducting the investigations.

If there is reason to believe a violation of a criminal law has been committed, the building administrator, the superintendent’s designee, and/or school security officer with authorization of the or the superintendent’s designee shall notify the appropriate law enforcement agency of criminal conduct as provided in law and/or board policy and may request further investigation of the alleged violation.

When a school resource officer or campus police officer initiates an investigation of a potential violation of criminal law by a student on the officer’s own initiative and not at the behest of a building administrator or the designee of the superintendent, such officer will notify the building administrator and will make a reasonable attempt to contact the student’s parent, guardian, or representative prior to initiating questioning.

Coordination with Law Enforcement

School administrators and/or school security officers shall/may meet periodically with local law enforcement officials to discuss the district’s policies and rules regarding law enforcement contacts with the district

Notification of Investigations Conducted by Law Enforcement Officers

When law enforcement officers initiate an investigation involving questioning of a student on a topic unrelated to a report of child abuse or neglect or to the identity of the student during school hours, the building administrator shall make a reasonable attempt to contact a parent, guardian, or representative of the student(s) prior to such questioning. Notification or attempted notification of a parent, guardian, or representative shall be documented by the administrator involved. If a student’s parent, guardian, or representative is not present during such questioning of a student, the principal may be present unless otherwise specified in law or board policy.

Child Abuse and Identity Investigations Conducted by Law Enforcement Officers

The administration shall cooperate with law enforcement officers who are conducting investigations of suspected child abuse or neglect or concerning the student’s identity. For any

**JCAC Interrogation and Investigations JCAC-2**

investigations concerning known or suspected child abuse or neglect, school staff shall follow the procedures outlined in board policy GAAD instead of the requirements of this policy.

Law Enforcement Initiated Investigations at School

In cases not involving the investigation of known or suspected child abuse or neglect or involving the student’s identity, law enforcement officers shall not be permitted to initiate and conduct investigations involving the questioning of students during school hours unless the student’s parent or guardian has given the school permission to allow the questioning, a valid warrant has been presented to the building administrator for such purpose, or in

demonstrated emergency situations. If a demonstrated emergency is found, the building administrator shall require identification of law enforcement officials and reasons for the interrogation or investigation of a student. If the building administrator is not satisfied with either the identification or the reason, the request shall not be granted. The building administrator shall attempt to notify the superintendent and the officer’s superiors of the reasons for the refusal.

Taking Students Into Custody

Students shall not be voluntarily released by school officials to law enforcement authorities unless the student has been placed under arrest or taken into custody by law enforcement, school resource officers, campus police officers, or Department for Children and Families (“DCF”) authorities pursuant to a child abuse investigation. Except as otherwise specified in this policy, a reasonable effort shall be made to notify the student’s parent, guardian, or representative when students are removed from

school for any reason. Parents shall not be notified by school officials when their child is taken into custody by DCF, school resource officers, campus police officers, and/or law enforcement as a result of allegations of abuse or neglect. Except as provided above and/or as specified in a court order or arrest warrant, if a student is taken into custody by a law enforcement officer, school resource officer, or campus police officer, building administrators shall make a good-faith effort to contact the student’s parent or guardian. Notification efforts shall be documented.

When a student has been taken into custody or arrested on school premises without prior notification to the building administrator, the school staff present shall ask the law enforcement officer to notify the building administrator of the circumstances as quickly as possible and shall themselves contact the building administrator with any information they have regarding the child being taken into custody. School resource officers and campus police officers are expected to contact the building administrator as soon as practicable after taking a student into custody.

**JCAC Interrogation and Investigations JCAC-3**

Disturbance of School Environment

Law enforcement officers may be requested to assist in controlling disturbances at school and, if necessary, to take students or other persons into custody.

Definition

For the purposes of this policy, “campus police officer” is a school security officer employed by and designated by the board to aid and supplement law enforcement agencies of the state, city, and county in which the school district is located.

For the purposes of this policy, students will not be deemed to be “taken into custody” when they are being questioned by a school resource officer, school security officer, and/or campus police officer about a violation of state law, county resolutions, city ordinances, board policy or regulation, and/or school rules on property owned, occupied, or operated by the school district or at the site of a function sponsored by the school district.

Approved: BOE Approved 12/18

**JCDAA Tobacco -Free School Grounds for Students (See GAOC and KMA) JCDAA**

The use, possession, or promotion of any tobacco product by any student is prohibited at all time in any district facility; in school vehicles; at school-sponsored, activities, programs, or events; and on school owned or operated property.

Student violations will result in disciplinary actions as outlined by board policy and/or student handbooks. Disciplinary actions may include parent/guardian notification, participation in a tobacco and electronic nicotine delivery systems education program, referral to a cessation program, an/or community service. Student violations may be reported to law enforcement if use or possession is deemed to be illegal.

The following definitions apply to this policy.

“Tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, electronic nicotine delivery system (hereafter “ENDS”), cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or snus.

“Tobacco product” also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, charging devices, cartridges, and any substances used in ENDS, whether or not they contain nicotine. This definition does not include FDA-approved nicotine replacement therapies including transdermal nicotine patches, nicotine gum, and nicotine lozenges prescribed to the student by a medical practitioner or obtained over the counter and used in accordance with label requirements.

“Electronic nicotine delivery system” or “(ENDS)” means any device that delivers a vaporized solution (including nicotine, THC, or any other substance) by means of cartridge or other chemical delivery systems. Such definition shall include, but may not be limited to, any electronic cigarette, vape pen, hookah pen, cigar, cigarillo, pipe, or personal vaporizer. ENDS are not FDA-approved nicotine replacement therapy devices.

“Promotion” includes, but is not limited to, product advertising via branded gear, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other materials.

Approved: BOE Approved 12/18; 6/20

**JCDBB Weapons** (See EBC, JDC, JDD, JHCAA and KGD) **JCDBB**

A student shall not knowingly possess, handle, or transmit any object that can reasonably be considered a weapon at school, on school property, or at a school-sponsored event. This shall include any weapon, any item being used as a weapon or destructive service, or any facsimile of a weapon.

Weapons and Destructive Devices

As used in this policy, the term “weapon and/or destructive device” shall include, but shall not be limited to:

* any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
* the frame or receiver of any weapon described in this preceding example;
* any firearm muffler or firearm silencer;
* Any explosive, incendiary, or poison gas bomb grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or similar device;
* any weapon which will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant and which has any barrel with a bore of more than ½ inch in diameter;
* any combination of parts either designed or intended for use in converting any device into a destructive device described in the two immediately preceding examples and from which a destructive device may be readily assembled;
* any bludgeon, sand clubs, metal knuckles, or throwing star;
* any knife, commonly referred to as a switchblade, which has a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife or any knife having a blade that opens, falls, or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
* any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun.

Penalties for Weapon Violations

Possession of a weapon and/or destructive device listed under the “Weapons and Destructive Devices” heading of this policy shall result in expulsion from school for a period of one calendar year, except the superintendent may recommend this expulsion be modified on a case-by case basis.

**JCDBB Weapons** (See EBC, JDC, JDD, JHCAA and KGD) **JCDBB-2**

Possession of, handling of, and/or transmitting a weapon of a type other than described under the “Weapons and Destructive Devices” heading above, an item being used as a weapon or destructive device, or a facsimile of a weapon may result in disciplinary action up to and including suspension and/or expulsion. Expulsion hearings for weapons violations shall be conducted by the superintendent or the superintendent’s designee.

Students violating this policy shall be reported to the appropriate law enforcement agency(ies) and, if a juvenile, to the Secretary for DCF or the Secretary of KDOC as appropriate.

Possession of an air gun at school, on school property, or at a school supervised activity will not be prohibited for students participating in an air-gun related activity sponsored by an organization held at school or when in transit to or from such activities held off district property.

Approved: BOE Approved 07/15; 08/16

**JCE Complaints (See JDDC and KN) JCE**

Complaints About Discrimination

The district is committed to maintaining a working and learning environment free from discrimination, insult, intimidation, or harassment due to race, color, religion, sex, age, national origin, or disability.

Any incident of discrimination including acts of harassment shall promptly be reported for investigation and corrective action by the building principal or district compliance coordinator. Any student or employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including termination from employment or expulsion from school.

Discrimination against any student on the basis of race, color, national origin, sex, disability, or religion in the admission or access to, or treatment in the district’s programs and activities is prohibited. (Position, address, 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 IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Any students who believes that he or she has been discriminated against may file a complaint with 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 report shall be made to the district compliance coordinator. Any student complaint of discrimination shall be resolved under the district’s discrimination complaint procedures in policy KN.

The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Complaints About School Rules

Any student may file a complaint with the principal concerning a school rule or regulation as it applies to the student. The complaint shall be in writing, filed within 20 days following the application of the rule or regulation, and must specify the basis for the complaint. The principal shall investigate the complaint and inform the student of the resolution within 10 days after the complaint is filed.

BOE Approved: 07/15

**JDD REPORT TO STAFF OF EXPULSIN OR CONVICTION**

**Report to Staff Member INT 619**

Pursuant to K.S.A. 72-6143, 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 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. 72-6311 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 INT 619 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 the report

Approved: BOE Approved 07/18

**JDD Suspension and Expulsion Procedures JDD**

(See AEB, EBC, IHEA, JBD, JCDBB, JDC, JCDA, JDDB, JDDC, and JHCAA)

Except as limited by Section 504 or the Individuals with Disabilities Education Act , a student may be suspended or expelled, for reasons set forth in Kansas law. Any student who is suspended for a period of more than 10 days or expelled shall receive a copy of the current suspension and expulsion law and this policy. Suspension/expulsion hearings shall be conducted by the superintendent/designee or other certificated employee, or committee of certificated employees of the school I which the pupil is enrolled, or by any other hearing officer appointed by the board.

Reasons for Suspension or Expulsion

Students may be suspended or expelled for one or more of the following reasons:

* Willful violation of any published, adopted student conduct regulation.
* Conduct which substantially disrupts, impedes, or interferes with school operation;
* Conduct which endangers the safety or substantially impinges on or invades the rights of others;
* Conduct which constitutes the commission of a felony;
* Conduct at school, on school property, or at a school supervised activity which constitutes the commission of a misdemeanor;
* Disobedience of an order of a school authority if the disobedience results in disorder, disruption or interference with school operation; and
* Possession of a weapon at school, on school property or at a school sponsored event.

Short-term Suspension

Except in an emergency, a short-term suspension (not exceeding ten school days) must be preceded by oral or written notice of the chargers to the student and an informal hearing. If a hearing is not held prior to the suspension, an informal hearing shall be provided no later than 72 hours after imposition of a short-term suspension.

Written notice of any short-term suspension shall be delivered to the student’s parent or guardian within 24 hours after the suspension has been imposed. Short-term suspension hearings may be conducted by any person designated in policy as having the authority to suspend.

**JDD Suspension and Expulsion Procedures JDD-2**

At the informal suspension hearing, the student shall have the right to be present and to be notified of the charges and the basis for the accusation. The student

shall have the right to make statements in his/her defense after receiving notice of the charges.

Long-Term Suspension or Expulsion

Before a student is subject to long-term suspension (not to exceed 90 school days) or expulsion (not to exceed 186 school days or one calendar year for certain weapon and/or destructive device violations), a hearing shall be conducted by a hearing officer who has been authorized by the board. Formal hearings shall be conducted according to procedures outlined in current Kansas law and:

* The student and parents or guardians shall be given written notice of the time, date and place of the hearing.
* The notice shall include copies of the suspension/expulsion law, and appropriate board policies, regulations and handbooks.
* The hearing may be conducted by either a certified employee or committee of certified employees authorized by the board, the chief administrative officer, or other certified employee of the district in which the student is enrolled, or by an officer appointed by board.
* Expulsion hearings for weapons violations shall be conducted in compliance with Kansas law by persons appointed by the board.
* Findings required by law shall be prepared by the person or committee conducting the hearing.
* A record of the hearing shall be available to students and parents or guardians according to Kansas law.
* Written notice of the result of the hearing shall be given to the pupil and to parents and guardians within 24 hours after determination of such result.

Rules Which Apply in all Cases When a Student May be Suspended or Expelled

* Refusal or failure of the student and/or the student’s parents to attend the hearing shall result in a waiver of the student’s opportunity for the hearing.
* A student suspended for more than 10 school days or expelled from school shall be provided with information concerning services or programs offered by public and private agencies which provide services to improve the student’s attitude and behavior.

**JDD Suspension and Expulsion Procedures JDD-3**

* A student who has been suspended or expelled shall be notified of the day the student can return to school.
* If the suspension or expulsion is not related to a weapons violation, the principal may establish appropriate requirements relating to the student’s future behavior at school and may place the student on probation. (See JDC)
* If the expulsion is related to a weapons violation the superintendent may establish appropriate requirements relating to the student’s future behavior at school and may place the student on probation if the student is allowed to return. (See EBC, JCDBB and JDC)
* The days a student is suspended or expelled are not subject to the compulsory attendance law.
* During the time a student is suspended or expelled from school, the student may not:
  + Be on school property or in any school building without the permission of the principal.
  + Attend any school activity as a spectator, participant or observer.

A student over the age of 18 or the parents or guardian of a student who is suspended for more than 10 days or expelled from school may appeal to the board within 10 calendar days of receiving written notice of the hearing results.

When a suspension is imposed during the school day, the student shall not be removed from school until a parent has been notified. If a parent cannot be notified during regular school hours, the student shall remain at school until the regular dismissal time.

Student Rights During a Long-Term Suspension/ Expulsion Hearing

The student shall have the right:

* to counsel of his/her own choice;
* to have a parent or guardian present;
* to hear or read a full report of testimony of witnesses;
* to confront and cross-examine witnesses who appear in person at the hearing; to present his or her own witnesses;
* to testify in his or her own behalf and to give reasons for his or her conduct;
* to an orderly hearing; and
* to a fair and impartial decision based on substantial evidence.

**JDD Suspension and Expulsion Procedures JDD-4**

Appeal to the Board

The following conditions shall apply if a student who is age 18 or older or the student’s parent or guardian files a written appeal of a suspension or expulsion:

* Written notice of the appeal shall be filed with the clerk within 10 calendar days of receiving the results of the hearing.
* The board shall schedule an appeal with the board or a hearing officer appointed by the board within 20 calendar days.
* The student and the student’s parent shall be notified in writing of the time and place of the appeal at least 5 calendar days before the hearing.
* The hearing shall be conducted as a formal hearing using rules similar to those noted earlier for expulsion hearings.
* The board shall record the hearing.
* The board shall render a final decision no later than the next regularly scheduled board meeting after the conclusion of the appeal hearing.

Approved: BOE Approved 02/16; 07/21

**JDDA Drug-Free Schools (See GAOB,JGFGB, JGFGCA, and LDD) JDDA**

Maintaining drug-free schools is important in establishing an appropriate learning environment for the district's students. Unless otherwise specified in this policy, the possession, use, sale, distribution, and/or being under the influence of illicit drugs, controlled substances, and/or alcohol by students at school, on or in school property, or at school sponsored activities or events is prohibited.

Possession, use, and/or being under the influence of a controlled substance by a student for the purposes of this policy shall only be permitted if such substance was:

1. Obtained directly from, or pursuant to a valid prescription or order, issued to such student from a person licensed by the state to dispense, prescribe, or administer controlled substances;
2. In the case of use or possession, approved and administered, if administered at all, in accordance with board policy JGFGB and/or board policy JGFGBA; and
3. Used, if at all, in accordance with label directions.

Student Conduct

As a condition of continued enrollment in the district, students shall abide by the terms of this policy.

Students shall not manufacture, sell, distribute, dispense, possess, use, and/or be under the influence of illicit drugs, controlled substances, or alcoholic beverages at school, on or in school district property, or at any school activity, program, or event. Any student violating the terms of this policy will be reported to the appropriate law enforcement officials, and will be subject to:

**[Insert local sanctions here: Possible sanctions for noncompliance must include expulsion as a consequence for violation of JDDA.]**

Students who are suspended or expelled under the terms of this policy will be afforded the due process rights contained in board policies and Kansas statutes, K.S.A. 72-6114, et seq. Nothing in this policy is intended to diminish the ability of the district to take other disciplinary action against the student in accordance with other policies governing student discipline. If a student agrees to enter and complete a drug education or rehabilitation program, the cost of such program will be borne by the student and his or her parents.

**JDDA Drug-Free Schools (See GAOB,JGFGB, JGFGCA, and LDD) JDDA-2**

A list of area drug and alcohol counseling and rehabilitation programs, along with names and addresses of contact persons for the programs, is on file with the board clerk. Parents or students should contact the directors of the programs to determine the cost and length of the program.

A copy of this policy will be provided to all students and the parents of all students. Parents of all students will be notified that compliance with this policy is mandatory.

Approved: BOE Approved: 07/18

**JDDB REPORTING CRIMES TO LAW ENFORCEMENT**

**– 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**

**INT 619**

Pursuant to K.S.A. 72-6143, 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. 72-6311 to protect the privacy rights of students under the age of 18.

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Administrator or other school employee.

cc: Superintendent of Schools, INT. 619 Student/s file

Approved: BOE Approved 07/18

**JDDB Reporting to Law Enforcement (See EBC and JDD) JDDB**

Unless reporting would violate the terms of any memorandum of understanding between the district and local law enforcement, whenever a student engages in conduct which constitutes the commission of any misdemeanor or felony at school, on school property, or at a school supervised activity and/or has been found 1) in possession of a weapon, 2) in possession of a controlled substance or illegal drug, or 3) to have engaged in behavior at school which has resulted in or was substantially likely to have resulted in serious bodily injury to others, the {principal/superintendent} shall report such act to the appropriate law enforcement agency.

Approved: BOE Approved 02/16; 08/16

**JDDC SHORT MODEL BULLYING PLAN**

**INTERLOCAL 619 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. 72-6147 or subsection (e) of K.S.A. 72-1138, and amendments thereto. Interlocal 619 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.

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}.

INTERLOCAL 619 focuses on bullying prevention by:

1. Developing a bullying prevention program based on the KSDE Bullying Prevention Resource toolkit including addressing bullying, building adult capacity to change climate and culture, curriculum and instructional resources, and measuring social-emotional learning;
2. Using the Kansas State Department of Education’s Social-Emotional and Character Development Standards to address school bullying and student mental health;
3. Implementing a social-emotional learning curriculum that includes an anti-bullying family engagement component;
4. Providing students and families with information and resources annually on bullying family engagement component;
5. Providing students and families with information and resources annually on bullying, cyberbullying, digital citizenship and how to make smart choices on-line;
6. Tracking incidences of bullying including physical, cyber, verbal, and relational bullying and reporting this information to the Kansas State Board of Education;
7. Collecting data on bullying incidences from social emotional data sources and annually reviewing this information with the board of education;
8. Developing cultural awareness and understanding that certain demographic groups are disproportionately bullied at a higher rate than peers based upon sex, disability, socio-economic status, religious beliefs, gender identity and expression, sexual-orientation, and race/ethnicity (including migrant populations);
9. Requiring all school employees to complete the following bullying prevention, identification, reporting and training module (describe district’s annual training program).

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 consider 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 nature , frequency, and 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)

Approved: BOE Approved 07/18; 07/21

**JDDC SHORT MODEL BULLYING PLAN (BULLYING)**

**– 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**

**Interlocal 619**

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. 72-6311 to protect the privacy rights of students under the age of 18.

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Administrator or other school employee

c/superintendent, INT 619; c/student’s file/employee’s file as allowed by applicable negotiated language

Approved: BOE Approved 07/18

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

The board of education prohibits bullying in any form by any student, staff member, or parent towards a student or 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: BOE Approved 02/16

**JGCC Communicable Diseases JGCC**

Any student noted by a physician or the school nurse, or local health officer as having a communicable disease may be excluded from school for the duration of the illness. The student will be readmitted to regular classes upon termination of the illness, as authorized by the student’s physician the local health officer or after the expiration of any period of isolation or quarantine.

The board reserves the right to require a written statement from the student’s physician or local health officer indicating that the student is free from all symptoms of the disease.

If a student is absent from regular classes for more than three consecutive days or the principal has been notified that a student has or is suspected of having a communicable disease, the principal shall determine whether a release shall be obtained from the student’s physician or local health department before the student reenters school.

Decisions regarding the type of education and the setting for provision of educational services for a student with a communicable disease shall be based on the child’s medical condition, the child’s educational needs and the expected type of interaction with others in the educational setting. Final decisions will be made by school administration after receiving input from the student’s physician, public health personnel, the student’s parent or guardian, and personnel associated with the proposed care of educational setting.

Approved: BOE Approved 02/16, 01/21

**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. The interlocal does not discriminate on the basis of sex in admissions, employment, or the educational programs or activities it operates and is prohibited by Title IX from engaging in such discrimination. Discrimination on the bases of sex, including sexual harassment, will not be tolerated in the school district. Discrimination on the basis of sex of employees or students of the 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 Act Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events within the United States.

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 shall include conduct on the basis of sex involving one or more of the following: (1) A district employee conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that effectively denies a person equal access to the district’s educational program or activity; or (3) sexual assault, dating violence, domestic violence, or staking.

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 of a sexual nature; 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 Complaints of sexual harassment will be promptly investigated and resolved. Any person may make a verbal or written report of sex discrimination by any means and at any time.

(Assistant Director) 201 N. B St, Wellington, KS 67152, 620-326-8935, Title IX Coordinator, has been designated to coordinate compliance with nondiscrimination requirements contained in Title IX of the Education Amendments of 1972. Title VII of the Civil Rights Act of 1967, and the Kansas Act Against Discrimination. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the Title IX Coordinator. Inquiries about the application of Title IX to the district may be referred to the Title IX Coordinator; to the Assistant Secretary for Civil Rights at the U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington D.C. 20202-1100, (800)421-3481, or at [OCR@ed.gov](mailto:OCR@ed.gov); or both.

Response to Harassment Complaints

The district takes all reports of sexual harassment seriously and will respond meaningfully to every report of discrimination based on sex, including sexual harassment, of which the district has actual knowledge.

Any student who believes that he or she has been subjected to sexual harassment should report the alleged harassment to the building principal, another administrator, the guidance counselor, the Title IX Coordinator, or another licensed staff member. All employees receiving reports of sexual harassment from a student shall notify the Title IX Coordinator.

Definitions

The following definitions apply to the district in responding to complaints of sexual discrimination including sexual harassment as defined by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination.

The “complainant” means an individual who is alleged to be a victim of conduct that could constitute sexual harassment.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

The “decision-maker” reviews all the evidence and prepares an impartial written responsibility determination as to whether the alleged conduct occurred and provides and opportunity for the parties and their representatives to prepare written questions to be answered by the other party. The decision-maker shall not be the Title IX Coordinator or investigator.

“Domestic violence” includes crimes of violence committed by a person who is a current or former spouse, partner, person with whom the victim shares a child, or who is or has cohabited with the victim as a spouse or partner, by a person similarly situated to a spouse of the victim under Kansas or applicable federal law, or by any other person against an adult or youth victim having protection from such person’s acts by Kansas or applicable federal law.

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegations of sexual harassment.

The “investigator” is the person who carries out the investigation after the formal complaint is filed and conducts interviews of the witnesses, collects and documents evidence, and drafts an investigative report.

A “respondent” is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

“Stalking” means engaging in a course fo conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress.

The “Title IX Coordinator” is the individual designated at the district level who has responsibility to coordinate compliance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. The Title IX Coordinator’s responsibilities include, but are not limited to: developing materials and ensuring professional development occurs for staff involved in Title IX compliance, creating systems to centralize records, gathering relevant data, contacting the complainant (and/or parents or guardians, if applicable) once the district has actual knowledge of alleged sexual harassment, coordinating the implementation of supportive measures, signing a formal complaint to initiate a grievance process, and ensuring any remedies are implemented.

The Title IX Coordinator, any investigator, decision-maker, or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainants’ sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence.

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action. District officials who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

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.

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence.

The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge as follows:

* Contact the complainant within 10 business days and discuss the availability of supportive measures, with or without the filing of a formal complaint, and consider the complainant’s wishes as to supportive measures; and
* Inform the complainant of the right to a formal complaint investigation consistent with Title IX and the informal resolution process.

Supportive Measures

The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or the respondent. Supportive measures are designed to restore or preserve equal access to the education program or activyt without unreasonably burdening the other party. “Supportive Measures” shall include, but not be limited to, measures designed to protect the safety of all parties, to protect the district’s educational environment, or to deter sexual harassment. These measures may include counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between both parties, changes in work locations, leaves of absence, increased monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Formal Complaint

No investigation of alleged sexual harassment may occur until after a formal complaint has bee filed.

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting an investigation. The procedure for filing a formal complaint are as follows:

* At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the educational program or activity of the district concerning which the formal complaint is filed.
* 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. Filing of the complaint with the Title IX Coordinator may be done in person, by mail, or by email. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint. Forms for filing written complaint are available in each school building office and central office.
* A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
* An investigation shall follow the filling of the complaint. If the complaint is against the Director, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by a qualified individual designated by the Title IX Coordinator or another individual appointed by the board. The investigation shall be thorough. All interested persons, including the complainant and the respondent, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

Formal Complaint Notice Requirements

Upon filing a formal complaint, the Interlocal shall provide written notice to the known parties including:

* Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including:
  + the identities of the parties involved, if known;
  + the conduct allegedly constituting sexual harassment; and
  + the date and location of the alleged incident, if known.
* An explanation of the district’s investigation procedures, including any informal resolution process;
* A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
* Notice to the parties that may have an advisor of their choice and may inspect and review any evidence; and
* Notice to the parties of any provision in the district’s code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice initially provided, notice of the additional allegations shall be provided to known parties.

Formal Complaint Investigation Procedures

To ensure a complete and thorough investigation and to protect the parties, the investigator shall:

* Ensure that the preponderance of the evidence burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the district and not the parties;
* Provide an equal opportunity for the parties to present witnesses and evidence;
* Not restrict either party’s ability to discuss the allegations under investigation or to gather and present relevant evidence;
* Allow the parties to be accompanied with an advisor of the party’s choice;
* Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate;
* Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint, including the investigative report, and the opportunity to respond to that evidence before a determination is made;
* Be impartial and objectively evaluate all relevant evidence without relying on sex stereotypes.
* Not have conflicts of interest or bias for or against complainants or respondents;
* Not make credibility determinations based on the individual’s status as complainant, respondent, or witness.

Formal Complaint Investigation Report

The investigator shall prepare an investigative report that fairly summarizes relevant evidence and share the report with the parties and their advisors for review and response.

Before completing the investigative report, the investigator must send each party and their advisors the investigative report for review and allow the parties 10 days to submit a written response for the investigator’s consideration.

The investigator’s written report shall include an objective evaluation of all relevant evidence using a preponderance of the evidence standard to determine responsibility.

Decision-Maker’s Determination

Upon receiving the investigators report, the decision-maker must make a determination regarding responsibility and afford each party the opportunity to submit a written, relevant questions that the parties want asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence. The decision-maker’s written determination shall:

* Identify the allegations potentially constituting sexual harassment;
* Describe the procedural steps taken, including any notifications to the parties, site visits, methods used to gather evidence, and interviews;
* Include the findings of fact supporting the determination;
* Address any district policies and/or conduct rules which apply to the facts;
* Address each allegations and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the district to the complainant; and
* The procedures and permissible bases for the complainant and/or respondent to appeal the determination.

A copy of the written determination shall be provided to both parties simultaneously.

The range of disciplinary sanctions and remedies may include, but may not be limited to, supportive measures, short term suspension, long term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. 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 with or without pay or terminated, procedures outlined in board policy, the negotiated agreement(as applicable), and/or state law will be followed.

Records relating to complaints filed and their resolution shall be maintained by the Title IX Coordinator for seven years.

The decision becomes final on the date the parties receive the results of an appeal, if any appeal is filed; or on the date the opportunity for an appeal expires.

Appeals

The complainant or respondent may appeal the decision-maker’s determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

* Procedural irregularity that affected the outcomes;
* New evidence that was not reasonably available at the time that could affect the outcome; and/or
* The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against wither party that affected the outcome.

The request to appeal shall be made in writing to the Title IX Coordinator within 20 days after the date of the written determination. Appeals shall be on the record and heard by an attorney, and independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator, or the decision-maker from the original determination.

The appeal decision-maker will issue a written within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result.

The appeal decision-maker shall:

* Review the evidence gathered by the investigator, the investigator’s report, and the original decision-maker’s determination;
* Notify both parties in writing of the filing of an appeal and given them 10 days after the appeal is filed to submit further evidence in writing;
* Not have a conflict of interest or bias for or against complainant or respondent and receive the required training;
* Issue a written decision and the rationale for the decision within 30 days after the appeal is filed;
* Describe the result of the appeal and the rationale for the result in the decision; and
* Provide the written decision simultaneously to both parties and to the Title IX Coordinator.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

* The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, and information on when it may preclude the parties from resuming a formal complaint arising from the same allegations;
* At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the investigation of the formal complaint, and be informed of any consequences resulting from participating in the formal resolution process;
* The parties voluntarily and in writing consent to the informal resolution process; and
* The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the proposed resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within 20 days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved, or if the individual does not believe the resolution remains acceptable within 20 days after the informal resolution document is executed, the individual or the Title IX Coordinator may proceed with the formal complaint process.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or appeal.

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.

The filing of a complaint or otherwise reporting sexual discrimination including sexual harassment shall not reflect upon the individual’s status or grades. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving sexual discrimination, including sexual harassment 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 the complaint procedures including how to report or file a formal complaint of sex discrimination or sexual harassment shall be posted in each district facility - shall be published in student handbooks, and on the district’s website as directed by the Title IX Coordinator. Notification of the policy may include posting informational notices, publishing in local newspapers, publishing in newspapers and magazines operated by the school, pr distributing memoranda or other written communications or students and employees In addition, the district is required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants, or employees.

Approved: BOE Approved: 07/15; 12/18; 6/20;7/21

**JGECA Racial and Disability Harassment JGECA**

(See GAACA, GAAB, GAF, JDDC and KN)

The board of education is committed to providing a positive and productive learning and working environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Discrimination or harassment on the basis of race, color, or national origin (“racial harassment”) or on the basis of disability (“disability harassment”) shall not be tolerated in the school district. Racial or disability harassment of employees or students of the district in any district education program or activity is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. Disability harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of racial or disability harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events.

It shall 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.

Prohibited conduct under this policy includes racially or disability-motivated conduct which:

* Affords a student different treatment, solely on the basis of race,

color, national origin, or disability, in a manner which interferes with

or limits the ability of the student to participate in or benefit from

the services, activities or programs of the school;

* Is sufficiently severe, pervasive or persistent so as to have the

purpose or effect of creating a hostile academic environment; or

* Is sufficiently severe, pervasive or persistent so as to have the

purpose or effect of interfering with a student’s academic

performance or ability to participate in or benefit from the services,

activities or programs of the school.

Racial or disability harassment may result from verbal or physical conduct or written graphic material.

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

Any student who believes he or she has been subject to racial or disability harassment or has witnessed an act of alleged racial or disability 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 racial or disability 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 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 in policy KN.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes racial or disability harassment under the definition outlined above. Unacceptable student conduct may or may not constitute racial or disability 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. The discipline of a student for violation of any provision of the code of student conduct may be enhanced if the conduct is racially or disability motivated.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence.

An employee who witnesses an act of racial or disability harassment shall report the incident to the building principal. Employees who fail to report complaints or incidents of racial or disability 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 racial or disability harassment may also face disciplinary action.

When a complaint contains evidence of criminal activity or child abuse, the compliance 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 racial or disability harassment shall not reflect upon the student’s status or grades. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving a racial or disability 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 racial or disability harassment may result in corrective or disciplinary action against the complainant.

A summary of this policy shall be posted in each district facility and shall be published in student handbooks and on the district’s website 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, if applicable.

Approved: BOE Approved 7/15; 12/18; 7/21

**JGFG Student Accidents and Health Emergencies JGFG**

When a staff member becomes aware that a student has been involved in an accident or is in need of emergency care at school, on school property, or at a school-sponsored activity, the staff member shall follow the rules for the care of an injured student and shall report the accident to the building principal. If a student has an accident which appears to require medical treatment, an employee shall send for medical help and try to make the student as comfortable as possible while waiting for medical assistance to arrive.

When appropriate, the student's parent(s) shall be notified of the student’s condition as soon as possible to determine appropriate action. If the student needs medical attention, and the parents cannot be reached, the principal shall seek emergency medical treatment.

Emergency Care

At the scene of an emergency or accident when medical help is not readily available to assist in the care of an injured student, an employee may render emergency care or assistance, including, but not limited to, first aid, as deemed reasonably necessary until medical help arrives. Kansas law provides protection from civil liability for any person who, in good faith and without compensation, renders emergency care or assistance to any person, including a minor without first obtaining the consent of the parent or guardian of such minor, at the scene of an emergency or accident. However, this protection does not extend to individuals whose acts or omissions in rendering emergency care in these circumstances were grossly or wantonly negligent.

Records

Appropriate records documenting student accidents shall be maintained.

Approved: BOE Approved 12/18

**JGFGB Supervision of Medications (See JGFGBA) JGFGB**

The supervision of medications shall be in strict compliance with the rules and regulations of the board as carried out by district personnel. Diagnosis and treatment of illness and the prescribing of drugs and medicines are not the responsibility of the public schools and are not to be practiced by any school personnel, including school nurses, unless authorized.

In certain circumstances when medication is necessary in order that the student remain in school, the school may cooperate with parents in the supervision of medication that the student will use. However, the medical person authorized to prescribe medication or the parent if it is a non-prescription medication must send a written order to the building administrator who may supervise the administration of the medication or treatment. The parents must submit a written request to the building administrator requesting the school’s cooperation in such supervision and releasing the school district and personnel from liability.

School personnel shall not be required to be custodians of any medication except as required by a written order of a licensed medical person or in the case of nonprescription medication when requested in writing by the parents.

The medication shall be examined by the school employee administering it to determine that it appears to be in the original container, to be properly labeled, and to be properly authorized by the written order of licensed medical person. Two containers, one for home and one for school, should be requested from the pharmacist.

Any changes in type of drugs, dosage, and/or time of administration should be accompanied by updated physician and parent permission signatures and a newly labeled pharmacy container.

All medication maintained in the school setting should be kept in a locked container. This includes medications requiring refrigeration.

Medications should be inventoried every semester. Out-of-date stick should be returned to parent or destroyed.

Over-the-counter medications should not be maintained on any school premises, including athletic area, unless written parent permission to administer is obtained.

**JGFGB Supervision of Medications (See JGFGBA) JGFGB-2**

The building administrator may choose to discontinue the administration of medication provided that the parent or medical person are notified in advance of the date and the reasons for the discontinuance.

After medication is administered, students should be observed for possible reactions to the medication. This observation may occur at the site of administration or in the classroom as a part of the normal routine.

This policy shall be shared with all local physicians and dentists where practicable. Forms should also be made available to the health care providers in the community.

An individual record should be kept of each medication administered. The record should include student identification, date prescribed, name of medication, time and date(s) administered, signature of person administering and section for comments.

In the administration of medication, the school employee shall not be deemed to have assumed any legal responsibility other than acting as a duly authorized employee of the school district.

Approved: BOE Approved 02/16

**JGFGBA Student Self-Administration of Medications JGFGBA**

(See JGFGB)

The self-administration of medication is allowed for eligible students in grades K–12. As used in this policy, medication includes, but is not limited to, a medicine for the treatment of anaphylaxis or asthma listed in current federal regulation as an inhaled bronchodilator or auto-injectable epinephrine. Self-administration is the student’s discretionary use of an approved medication for which the student has a prescription or written direction from a health care provider or written parental authorization on file in the school office for over-the counter medications. Self-administration of medication at a dosage or rate exceeding product label instructions may result in denial of privilege to self-administer medications and/or disciplinary action as appropriate.

As used in this policy health care provider means a physician licensed to practice medicine and surgery; an advanced registered nurse practitioner, or a licensed physician assistant who has authority to prescribe drugs under the supervision of a responsible physician.

Student Eligibility

An eligible student shall meet all the following requirements:

* Have a written statement from the student’s health care provider stating the name and purpose of any prescription medication/s or written authorization from the student’s parent for use of over-the-counter medication/s;
* Know the prescribed or recommended dosage;
* Know the time the medication is to be regularly administered;
* Be able to articulate any additional special circumstances under which the medication is to be administered;
* Know the length of time for which the medication is prescribed;
* The student shall also demonstrate to the health care provider or the provider’s designee, as applicable, and the school nurse or the nurse’s designee the skill level necessary to use the medication and any device that is necessary to administer the medication. In the absence of a school nurse, the school shall designate a person who is trained to witness the demonstration.

Authorization Required

**JGFGBA Student Self-Administration of Medications JGFGBA-2**

With regard to prescription medications which are not administered on a regular schedule, the student’s health care provider shall prepare a written treatment plan for managing the student’s condition, such as asthma attacks or anaphylaxis episodes, and for medication use by the student during school hours. The student’s parent or guardian shall annually complete and submit to the school any written documentation required by the school, including the treatment plan prepared by the student’s health care provider. Permission forms shall be updated {during enrollment/or\_\_\_\_\_}

Employee Immunity

All teachers responsible for the student’s supervision shall be notified that permission to carry medications and self-administer has been granted. The school district shall provide written notification to the parent or guardian of a student that the school district and its officers, employees, and agents are not liable for damage, injury, or death resulting directly or indirectly from the self-administration of medication.

Waiver of Liability

The student’s parent or guardian shall sign a statement acknowledging that the school district and its officers, employees, or agents incur no liability for damage, injury, or death resulting directly or indirectly from the self-administration of medication and agreeing to release, indemnify, and hold the district and its officers, employees, and agents, harmless from and against any claims relating to the self-administration of medication allowed by this policy.

Additional Requirements for Students Prone to Specified Emergencies

* The school district shall require that any back-up medication provided by the student’s parent or guardian be kept at the student’s school in a location to which the student has immediate access if there is an asthma or anaphylaxis emergency;
* The school district shall require that all necessary and pertinent information be kept on file at the student’s school in a location easily accessible if there is an asthma or anaphylaxis emergency;
* Eligible students shall be allowed to possess and use approved medications at any place where the student is subject to the jurisdiction or supervision or the school district, its officers, employees, or agents;
* The board may adopt policy or handbook language which imposes additional requirements relating to the self-administration of medication allowed for in this policy

**JGFGBA Student Self-Administration of Medications JGFGBA-3**

and may establish a procedure for, and the conditions under which, the authorization for student self-administration of medication may be revoked.

Approved: BOE Approved 01/17

**JGFGBB Accommodating Students with Diabetes JGFGBB**

As used in this policy, diabetes management and treatment plan means a plan prepared and implemented for a student with diabetes which is prescribed by a physician licensed to practice medicine and surgery; a certified, advanced registered nurse practitioner who has authority to prescribe drugs; or a licensed physician assistant who has authority to prescribe drugs pursuant to a written protocol with a responsible physician.

Student Eligibility

Self-care of diabetes may be allowed for students in grades K-12. To be eligible, a student shall meet all requirements of this policy.

Parents or guardians shall submit a written diabetes management and treatment plan from the student’s health care provider.

The student shall provide written authorization from the student’s health care provider and parent or guardian stating the student has been instructed on managing and caring for their diabetes and is authorized to do so in school. An annual written renewal of parental authorization for the self-care of diabetes shall be required.

While at school, each student capable of managing and caring for the student’s diabetes will be allowed to:

* Perform blood glucose level check,
* Administer insulin through the delivery system the student uses,
* Treat hypoglycemia and hyperglycemia
* Possess the supplies or equipment necessary to monitor and care for their diabetes, and
* Otherwise attend to the management and care of the student’s diabetes in the classroom, in any area of the school, on school grounds, or at any school-related activity.

Notwithstanding the above, the district reserves the right to put reasonable place and manner procedural safeguards in place for the safe and nondisruptive exercises of such rights by students with diabetes.

Employee Immunity

The board and its employees and agents, who authorize the self-administration of medication and treatment for diabetes in compliance with the provision of this policy, shall not be liable in any injury resulting from the self-administration of medication. The district shall provide written notification to the parent or guardian of a student for whom this policy

**JGFGBB Accommodating Students with Diabetes JGFGBB-2**

is applicable that the board and its employees and agents are not liable for any injury resulting from the self-administration of medication. The parent or guardian shall sign such notice and acknowledge that the district incurs no liability for any injury resulting from the self-administration of medication and agrees to indemnify and hold the board and its employees and agents harmless against any claims relating to the self-administration of medication pursuant to this policy.

Approved: BOE Approved 7/14

**JGG Transportation (see ED and EDDA) JGG**

Bus transportation shall be provided to and from school for those students who qualify. Transportation may be provided by the district for all school activities. Transportation may be denied to students who are detained after school for disciplinary reasons.

Students who use school-provided transportation shall be under the jurisdiction of the vehicle driver while in the vehicle. Students shall be subject to the district’s student behavior code and other regulations developed by the superintendent and approved by the board.

Bus drivers shall report violations of the rules to the building principal who may discipline students. The principal may suspend or revoke the transportation privilege of a student who violates any rule or regulation.

When the district provides transportation to an activity, participating students are prohibited from driving personal automobiles to and from district sponsored activities held during or after the school day unless authorized in writing by the student’s parent or guardian.

All rules shall be published in the student handbook.

Approved: BOE Approved 02/16

**JGGA Use of Video Cameras (see CN and JR et seq) JGGA**

The interlocal may use video cameras to monitor student activity.

Video cameras may be used to monitor students riding in interlocal vehicles and to monitor student behavior in or around any interlocal facility.

Video tapes that are records of student behavior shall be secured in a locked file until the tapes are either reused or erased. The video tape shall be considered a student record and shall be subject to current law for the release of student record information.

Approved: BOE Approved 08/13

**JQ Exceptional Students (see IDCE and JBE) JQ**

All programs for exceptional students shall be managed in accordance with the local plans for exceptional students, the policy and rules of the local board, and the rules and regulations of the state board of education.

Concurrent Enrollment

An interlocal attendance center student enrolled in grades 10,11, or 12, or a gifted child in grades 9 through 12 who has demonstrated the ability to benefit from participation in the regular curricula of eligible postsecondary education institutions, may apply to the building administrator for permission to enroll at an eligible postsecondary education institution.

Approved: BOE Approved 08/13

**JQA Temporarily Disabled Students (See IDACB and JGFGBA) JQA**

Students who are temporarily disabled by illness, operation, or accident authenticated by a health care provider’s order, may be eligible for alternative educational services or accommodations in their regular program which allow for meaningful participation in the program.

Students with injuries which prohibit participation in physical education or other classes shall present to the building principal a health care provider’s statement prohibiting such activity.

Teachers shall follow medical instructions relating to limitations on the student’s participation, and shall either provide alternate methods for the student to earn a credit/grade in the class during the period of the disability or contact the district 504 coordinator for consideration of an evaluations under Section 504.

For the purposes of this policy, health care provider shall have the meaning subscribed to it in board policy JGFGBA.

Approved: BOE Approved 02/16

**JQE Alternative Arrangements for Nontraditional Students JQE**

Married students, pregnant students, and students who are parents shall have access to the same educational opportunities, services, and extracurricular activities provided to other students.

A pregnant student may be required to provide a health care provider’s release to be allowed to participate in school activities which could pose a health or safety risk.

If there is a delay in obtaining a health care provider’s release, in the student’s best interest, the administration may deny activity participation until the release is made available.

Approved: BOE Approved 02/16

**JQL Hearing Procedures for Exceptional Students JQL**

A hearing procedure shall be available to parents or guardians of exceptional students according to state board of education regulations, the state special education plan, locally adopted procedures, and applicable laws.

Approved: BOE Approved 02/16

**JQLA Class-size/ Caseload Limits for Exceptional Students JQLA**

The superintendent shall develop and review periodically class-size/caseload limits for students with exceptionalities.

Approved: BOE Approved 02/16

**JR Student Records JR**

(See BCBK, CN, CNA, ECA, IDEA, JGGA, JR et.seq. and KBA)

All student records shall be treated as confidential and primarily for local school use unless otherwise stipulated. Access to student records, excluding student data submitted to or maintained in a statewide longitudinal data system in accordance with board policy IDEA, shall be permitted as set forth in board policies JR and JRB.

When records include information on more than one student, the parents/guardians of any student shall have access to copies of that part of the record that pertains to their child. Each school shall establish procedures for the granting of a request by parents/guardians for access to their child’s school records within a reasonable period of time, but in no case more than 45 days after the request has been made.

In situations where the parent’s of a student are divorced or separated, each parent, custodial and/or non-custodial, shall have equal rights to their child’s records unless a court order specifies otherwise. Private agreements between the student’s parents shall not be recognized by the district’s personnel.

Parents/guardians shall have an opportunity for a hearing to challenge the content of their child’s school records to ensure that the records are not inaccurate, misleading or otherwise in violation of the privacy or other rights of students; to have an opportunity for the correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained therein; and to insert into records the parent’s/guardian’s written explanation of the content of the records.

Any eligible parent/guardian or student may inspect the personal records of the student during regular school office hours. The district reserves the right to interpret selected records to students and/or parent/guardians at the time of the inspection.

When a student attains 18 years of age, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of an accorded to the student.

**JR Student Records JR-2**

The parents/guardians of students, or the students if they are 18 years of age or older shall be informed annually by the superintendent of the rights accorded them by this section and by the Family Educational Rights and Privacy Act. In addition, the public shall be informed annually by the superintendent of the categories of information the institution has determined to be directory information.

Approved: BOE Approved 07/14

**JRA Types of Records JRA**

(See BCBK, CN, CAN, ECA, IDEA, JGGA, JR et seq. and KBA)

Permanent Student Records: Each Interlocal attendance center shall permanently retain records relating to each student’s academic performance, attendance, and activities. Information about students collected and stored by any interlocal personnel shall be separated into one of the following classifications:

Administrative records: This classification includes official administrative records that constitute the minimum personal information necessary for operating the educational system. It shall include birth date, sex, race, names, telephone numbers, addresses and places of employment of parents, academic work completed, grades, attendance records, withdrawal and reentry records, honors and activities, date of graduation and follow-up records of a student.

Supplementary records: This classification includes verified information important in operating the educational system but is of a more sensitive nature and of less historical importance. It includes: test data, such as scores on standardized achievement, aptitude and intelligence tests; observational data such as systematically gathered teacher or counselor evaluations and observations of social and personal assets; clinical findings and verified reports of serious or recurrent deviant behavior patterns; general data such as health data, family background information and educational and vocational plans.

Tentative records: This classification includes useful information that has not been verified or is not clearly needed beyond the immediate present. It includes unevaluated re-ports of teachers or counselors that may be needed in ongoing counseling or disciplinary actions.

Approved: BOE Approved 08/13

**JRB Release of Student Records JRB**

(See BCBK, CN, CAN, ECA, IDAE, JGGA, JR et seq. and KBA)

Individual student files are not available for public inspection. Except as provided in IDAE with regard to student records which are student data submitted to or maintained in a statewide longitudinal data system, the custodian of student records shall disclose the student’s educational records only as provided for in this policy.

Directory Information

Annual notice shall be given to parents and eligible students concerning their rights with regard to student 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 opt-out of 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 educational records.

After giving notice and allowing a reasonable period of time for parents or eligible students to inform the district that any or all of the directory information should not be released without prior written consent, 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 (including student name, address, and telephone listing) available to military recruiters and postsecondary institutions unless parents or eligible students provide a written request to the district providing that the specified information not be released without prior written consent. Notice of the opt-out of the release of recruitment information shall be provided to parents and eligible students in the district’s annual notice of rights under the Family Educational Rights and Privacy Act.

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 nit 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,

**JRB JRB-2**

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 educational record in order to fulfill his or her professional responsibility.

The custodian may disclose student’s 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 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;
* Appropriated persons if knowledge of any information is necessary to protect the health or safety of the student or other persons in an emergency;

**JRB Release of Student Records JRB-3**

* 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 the 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 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

**JRB Release of Records JRB-4**

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: BOE Approved 07/14; 01/17

**JRC Disposition of Records JRC**

(See BCBK, CN, CAN, ECA, IDEA, JGGA, JR et seq. and KBA)

All student records will be maintained and screened periodically. Unless otherwise specified by law, student education records of a student served by the interlocal must be retained for at least five years after the student ceases receiving special education services provided thereby. Five years after the student exits the interlocal’s special education programs, the interlocal may destroy non-administrative records so long as the interlocal has notified the parent or adult student that the information is no longer needed to provide special education services to the student and that destruction of the records is proposed unless the parent or adult student takes possession of them.

Administrative records shall be permanent records and maintained by the interlocal for an indefinite period of time.

Following a reasonable amount of time after a student has graduated or ceases to attend school in the interlocal attendance center or member district served by the interlocal, the records of the student that are determined to be appropriate for retention may be retained in a format designated by the administration.

Approved: BOE Approved 08/13

**JRD Hearing Request JRD**

(See BCBK, CN, CAN, ECA, IDAE, JGGA, JR et seq. and KBA)

When a hearing has been requested by a parent, guardian, or an eligible student to challenge the content of the student’s education record, the procedure to be followed in the hearing shall be:

The hearing shall be conducted and the decision rendered by a person who does not have a direct interest in the hearing outcome.

The parent, guardian, or eligible student may be assisted or represented by individuals of their choice at their own expense, including an attorney. Parents, guardian, or the eligible student shall be afforded a full and fair opportunity to present relevant evidence.

A written decision shall be rendered within a reasonable time after the hearing concludes. The decision of the hearing official shall be based solely upon the evidence presented at the hearing and include a summary of the evidence and reasons for the decision.

Approved: BOE Approved 08/13

**KCA Protection of Privacy Rights KCA**

The superintendent, the board of education, and district staff shall protect the right of privacy of students and their families in connection with any surveys or physical examinations conducted, assisted, or authorized by the board or administration. The district shall provide parents notice of their rights under the Protection of Pupil Rights Amendment and the Student Data Privacy Act as required by law.

Approved: BOE Approved 07/14

**KCB Custodial and Non-Custodial Parent Rights KCB**

The district recognizes that divorced parents continue to share caregiving and custody of their children and that each parent, of not otherwise prohibited by court order, should have equal access to information regarding is/her child’s school progress and activities. The district recognizes the value of providing information to both parents regarding school progress and activities pertaining to their child(ren).

Upon request to a child’s principal, either parent may obtain copies of school information such as report cards and progress reports.

Approved: BOE Approved 07/14

**KDC Solicitations (See GAI) KDC**

The board shall discourage all solicitations of and by staff members during regular school hours and at interlocal sponsored activities.

Agents, solicitors, and salesmen shall not be permitted to take the time of teachers or students from educational activities. The students and faculty of the interlocal shall not promote commercial or private financial interests, either through direct sales or through promotion of competitive goods or services.

This rule applies to those activities, promotions, and sales originating outside the interlocal. Exception to this rule may be made as outlined below.

Materials and projects submitted for consideration under this rule must be made in writing to the director. Requests will be considered in light of the proposal’s direct contribution to the educational values in the interlocal. Consideration shall be on the basis of unreasonably added work for staff members.

Any individuals or organizations violating the policy on solicitations shall be reported to the board by the director. Violators may be denied further access to interlocal premises by board action.

Approved: BOE Approved 8/13

**KG Use of Interlocal Facilities by Community Groups (See DFG and JH) KG**

The board may allow use of school buildings and school grounds by community groups outside the school day. Use of any school facility or school grounds, however, shall not interfere with daily school use or any school sponsored activity. Priority for facility use outside of the school day goes to use promoting student academic achievement. Notwithstanding the previous statement, the district shall provide equal access to the Boy Scouts and other designated youth groups which are neither school sponsored nor co-curricular in nature.

Use in Accordance with Board Policies

As a condition to initial use of and continued access to district property and facilities, groups and/or organizations must follow Kansas law and board policy prohibiting the use of drugs, alcohol, and tobacco on district property and ensure individuals in attendance refrain from using such substances on district property as well. Failure to abide by this provision may result in a revocation of facility use privileges.

Fees and Rental Charges

The board shall establish reasonable fees and/or rental charges for the use of any school facility or school grounds; fees and/or rental charges will cover costs of wages of school personnel involved and utilities. The fee and/or rental charges shall be approved by the board and shall be reviewed annually.

Lease Arrangements

The board shall approve any lease arrangements.

Supervision of Non-School Groups

Whenever any school facility is used by non-school groups or individuals, a school employee {shall/may} be on duty to see that the building and equipment are properly used. A school employee may not be required to be on duty when, in the principal’s opinion, it is not necessary.

Insurance and/or Bonds

The board, through its duly authorized agent, reserves the right to require bonds (cash or otherwise), insurance, or other damage deposits, acceptable to the board before allowing use of the school’s facilities. Use is subject to limited access and availability. Any damages occurring during use will be billed to the individual and/or organization renting the facility.

Approved: BOE Approved 07/14

**KGA** **Use of Interlocal Personal Property and Equipment KGA**

Requests for use of interlocal personal property or equipment by outside tax-exempt organizations shall be submitted to the director. Any request shall be granted or denied pursuant to guidelines for using personal property or equipment developed by the director and approved by the board. The director may establish a deposit or requirement for the purchase of insurance for use of interlocal personal property or equipment before it is removed from the interlocal grounds or other interlocal property. The deposit will be paid to the building administrator and will be refunded when the equipment is returned in working order.

Lost, Stolen, or Damaged Property or Equipment

No request for use of interlocal personal property or equipment shall be granted until the requestor executes a use agreement specifying such person will agree to pay the interlocal fair market value for any equipment that has been lost, stolen, or has suffered irreparable damage while in the requester’s possession. For the purposes of this policy, “irreparable damage” shall include any damage severe enough that the cost to repair such equipment would be more than fair market value of the equipment. If interlocal personal property or equipment is returned damaged beyond normal wear and tear of acceptable use, the requester shall be responsible for the cost to repair such personal property or equipment. The interlocal may also require the purchase of insurance.

Personal Use

No interlocal personal property or equipment shall be used by staff for personal reasons at the interlocal or away from its designated station without the prior approval of the building administrator. No district personal property or equipment shall be used by the superintendent for personal reasons at school or away from its designated location without the prior approval of the board of education.

Approved: BOE Approved- 08/13; 1/22

**KGB Concealed Observations ( See JGGA) KGB**

Unless otherwise provided in this policy or policy JGGA, individuals are prohibited from recording students, employees, and/or board members surreptitiously or through the use of concealed audio and/or visual recording devices. This prohibition is in effect at school on or in district property, and at meetings and conferences held for educational or disciplinary purposes.

Exceptions to this prohibition include the use of video surveillance throughout district facilities and in district vehicles, provided in accordance with JGGA; the recording of meeting subject to the Kansas Open Meetings Act; the recording of due process hearings or student disciplinary hearings for evidentiary purposes; recording of students for use during the student’s evaluation or provision of special education services with the principal’s prior permission; and the recording of a school sponsored activity, program, or event which is open to the general public.

Individuals wishing to record students, employees, or board members at school, on or in district property, or at meetings and conferences as previously described shall first notify the superintendent or building principal in advance. If such recording is not prohibited by law or policy, the administrator may allow the recording and may make arrangements to record on behalf of the district.

Approved: BOE Approved 08/16

**KGC Bullying by Parents (See EBC, GAAE, JDDC, KGD) KGC**

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 by any student, staff member, or parent towards a student or staff member on or while using school property, in a school vehicle, or at a school-sponsored activity or event. For the purpose 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: BOE Approved 02/16

**KGD Disruptive Acts at School or School Activities KGD**

**(See EBC, GAAE, JCDBB, JDDC and KGC)**

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; in an employee’s personal vehicle being used to transport students or school staff in the performance of job duties for the district; or at any school sponsored activity program or event. This prohibition includes possession of concealed and/or openly carried weapons; 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 weapon is maintained out of plain sight.

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: BOE Approved 07/15

**KGDA Public Conduct on School Property KGDA**

The superintendent or the superintendent’s designee may deny access to the school buildings, facilities, and/or grounds of the district to persons who have no lawful business to pursue at the school, persons who are acting in a manner disruptive or disturbing to the normal educational functions of the school, or persons who are on school property in violation of Board and/ or building policy. Administrative personnel may demand identification and evidence of qualification for access of anyone desiring to use or come upon the premises of the particular school or facility.

Persons, including parents or persons acting as parents, who have legitimate reasons for being on school property must nevertheless abide by policies adopted by the board and building policies specifically applicable to each school. Such building policies shall be published annually in the school handbook and shall be posted at the school in a conspicuous place visible to all who enter the premises. {Visitors must secure and wear a visitor’s pass to enter school buildings during the school day.}

Anyone who refuses or fails to leave district building, facilities, and/or grounds after being requested to do so by an authorized district employee shall be considered to be trespassing in violation of Kansas law. In such case, the police will be contacted, and arrest and criminal charges may result.

The administration will determine if the individual who has been asked to leave a district building, facility, or grounds is allowed to return in the future. If the individual is not to return in the future, the appropriate “Trespass Notification” is to be sent to the individual.

Approved: BOE Approved: 07/14

**Notice of Protection Under the Kansas Tort Claims Act**

As a teacher employed by Interlocal 619, Wellington, Kansas, you are entitled to protections under the Kansas Tort Claims Act, K.S.A. 75-6101 *et seq.*

1. **What is the Kansas Tort Claims Act?**

It is the state statutory scheme which allows governmental entities, including public school districts, in the state to be sued for damages caused by the negligent or wrongful acts or omissions of employees, officers, or board members. In cases arising under the Kansas Tort Claims Act, liability is limited to $500,000 for any number of claims arising out of a single occurrence or accident or to the extent of the district’s insurance, whichever is greater. Interlocal 619’s insurance with regard to tort claims provide liability coverage for such claims up to $\_\_\_\_\_\_\_\_\_(see K.S.A. 75-6101 et seq)

1. **Are there any situations in which a school district may be exempt from liability for negligent acts?**

Yes, the law contains several exemptions. A school district and its employees are not liable, under the Tort Claims Act, for damages resulting from:

* Legislative functions, such as adopting or failing to adopt a policy;
* Judicial functions, such as a student or teacher due process hearing;
* Enforcement or failure to enforce a statue, regulation, or board resolution;
* Adoption or failure to adopt written personnel policies which protect persons’ health or safety;
* Any claims based on the performance of or failure to perform a discretionary function or duty, regardless of whether discretion is abused;
* The assessment or collection of taxes;
* Any claim by an employee which is covered by workers compensation;
* Snow or ice or other temporary or natural conditions on school property;
* The plan or design for the construction or improvement to public property;
* Any claim for injuries resulting from the use of any public property intended or permitted to be used as a park, playground, or open area for recreational purposes, except in cases of gross or wanton negligence; or
* The natural condition of any unimproved public school property.

1. **Is the school district liable for all negligent acts of its employees?**

No. The district is only liable for acts or omissions of employees which occur in the scope of the employee’s employment and which are done with actual fraud or actual malice.

1. **Will the district provide me a legal defense for claims under this act?**

Generally, yes. Upon request of an employee, the district shall:

* Provide for the defense of any civil action or proceeding against you, in your official or individual capacity or both, on account of an act or omission in the scope of your employment with the district; and
* Provide legal counsel to you when you are summoned to appear before any grand jury or inquisition on account of an act or omission in the scope of your employment with the district.
* The district has no right to recover expenses from you for this defense or representation, except as provided in K.S.A. 75-6109, and amendments thereto.

1. **Can the district refuse to provide me a defense under the act?**

Yes, the district may refuse to provide for the defense of an action against you or to provide you with representation if the district determines:

* The act or omission was not within the scope of your employment;
* You acted or failed to act because of actual fraud or actual malice;
* The defense of the action or proceeding would create a conflict of interest between you and the district; or
* The request was not made in accordance with law.

1. **How do I request the district to come to my defense or to provide me with representation?**

You must make a request for such in writing within 15 days of receiving service of the process or a subpoena of the action. This request is to be filed with the board of education.

The district may reimburse a you such reasonable attorney fees, costs and expenses as are necessarily incurred in defending a claim against the you for punitive or exemplary damages if: (1) The action or proceeding arose out of an act or omission in the scope of the your employment; and (2) you reasonably cooperated in good faith in the defense of the claim.

**I acknowledge that I have been provided with notice protections provided to me in accordance with the Kansas Tort Claims Act.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Teacher Signature Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Teacher Name (Printed)

Approved: BOE Approved 07/14

**KI Distributing Materials in Interlocal Attendance Centers KI**

(See JHCA, JK and JR et seq.)

In accordance with rules adopted by the board, the director reserves the right to refuse distribution to students any material by outside individuals or groups which creates a material or substantial interference with normal interlocal activity or appropriate discipline in the operation of the interlocal.

Materials Produced by Outisde Groups-Including Religious Materials

The administrator may establish rules and regulations which control the time, place, and manner in which materials produced by outside groups/educational materials are displayed and disseminated in the buildings or on interlocal property. No student shall be forced to participate in the distribution or receipt of any materials created by groups not affiliated with the interlocal in the interlocal attendance centers.

Political Campaign Materials

The board encourages responsible use of political materials as part of the board-approved curriculum. No student shall be forced to participate in the distribution or receipt of any political materials.

Advertising in the Interlocal Attendance Centers

No advertising for commercial purposes shall be permitted in the interlocal buildings or on the grounds of the interlocal without prior board approval. Advertising in student publications shall be regulated by rules and regulations developed by the Director. Advertising in the student publications may promote products by brand name. Ads promoting the sale of any controlled substance, drug paraphernalia or any other illegal material or activity are prohibited.

Mailing Lists

No mailing lists of students shall be given to individuals, organizations, or vendors for the purpose of distributing materials.

Approved: BOE Approved 07/13

**KMA Tobacco-Free School Grounds for Visitors KMA**

**(See GAOC and JCDAA)**

The use of any tobacco products by parents, contractors, volunteers, and all other visitors is prohibited at all times in any district facility; in school owned or operated property.

The following definitions apply to this policy.

“Tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, electronic nicotine delivery system (hereafter “ENDS”), cigarettes, cigars, pipe tobacco, chewing tobacco, snuff or snus. Tobacco products also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, charging devices, cartridges, and any substance used in ENDS, whether or not they contain nicotine. This definition does not include FDA-approved Nicotine Replacement Therapies including transdermal nicotine patches, nicotine gum, and nicotine lozenges.

“Electronic nicotine deliver system” or “ENDS” means any device that delivers a vaporized solution (including nicotine, THC, or any other substance) by means of cartridges or other chemical delivery systems. Such definition shall include, but may not be limited to, any electronic cigarette, vape pen, hookah pen, cigar, cigarillo, pipe, or personal vaporizer.

Approved: BOE Approved: 06/20

**KN Complaints** **KN**

( See BCBI, GAAC, GAACA, GAAB, GAAF, IF, IKD, JCE, JGEC, JGECA, and KNA)

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 an 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. Harassment of an individual on any of these grounds is also prohibited. (Position, address, email 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, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age of Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended. Information concerning the provision s 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, excluding complaints regarding discrimination or harassment on the basis of sex or in child nutrition programs, should be addressed to the employee’s supervisor, the building principal, or the district compliance coordinator. Such 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 such 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. Except as otherwise provided in this policy regarding complaints of discrimination on the basis of sex or regarding child nutrition programs, complaints by any other person alleging such 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

**KN Complaints KN-2**

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 such discrimination or 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.

If such discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

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 school 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 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,

**KN Complaints KN-3**

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 and the accused 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 (as applicable), and 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 resolutions 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.
* If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a compliant, testifying, assisting, or participating in any investigation, proceeding, or hearing.
* 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.

**KN Complaints KN-4**

Complaints About Discrimination on the Basis of Sex

Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state law regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policies GAAC and JGEC and shall be directed to the Title IX Coordinator at (position or name, address, email address, and phone number of Title IX Coordinator).

Complaints Concerning Child Nutrition Programs

Complaints alleging discrimination in child nutrition programs offered by the district shall be handled in accordance with the procedures outlined in board policy KNA.

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 resolved 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 resolved complaint about personnel to the board at the next regularly scheduled board meeting.

**KN Complaints KN-5**

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 outlines in board policy GAAF.

Approved: BOE Approved 07/15; 06/20

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| --- | --- |
| The policies of Board of Education of U.S.D. No. ### prohibit discrimination on the basis of race, color, national origin, disability, religion, genetic information, and sex in all programs and activities of the district. Additionally, discrimination on the basis of age is prohibited in employment.  Harassment of individuals on any of these grounds is strictly prohibited. Individuals who believe they have been discriminated against on any of these grounds may file a complaint with the following discrimination coordinators:  District Discrimination Coordinator: Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Building Discrimination Coordinators: Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Title IX Coordinator: Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| Name of Complainant:  Address:  Email Address:  Telephone Number: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Nature of the Complaint (Please Select Any that Apply): | I believe that I have or someone I know has been subjected to discrimination on the basis of:  🞏 Race 🞏 Color 🞏 National Origin 🞏 Racial Harassment  🞏 Sex 🞏 Sexual Harassment 🞏 Disability 🞏 Religion  🞏 Age 🞏 Genetic Information 🞏 Harassment on the basis of \_\_\_\_\_\_\_\_\_\_\_\_;  OR  🞏 General Complaint/Not Related to Perceived Discrimination  My complaint is not one of perceived discrimination or harassment but is regarding the situation described below. |
| Please describe the incident or act complained of:  Please include information about:   * Who was the person engaging in the conduct? * Who was the conduct directed toward? * What was the nature of the conduct? * When did it occur? * Where did it occur? * What effect did the incident have on you? What effect did it have on the person allegedly targeted? | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Attach additional sheets if necessary. |
| Were there any witnesses to this incident? | 🞏 Yes 🞏 No  If yes, please indicate who the witnesses were: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| What action do you believe the school or district should take with regard to this incident? | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| If this matter proceeds to an investigation or hearing, will you appear and be interviewed and/or testify as to your knowledge of the matter? 🞏 Yes 🞏 No | |

**KNA Complaints Regarding Child Nutrition Programs KNA**

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or retaliation for prior civil rights activity in any program or activity conducted or funded by the United States Department of Agriculture is prohibited. (Position or name, address, email 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, Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Age Discrimination of 1975, Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended.

Complaints About Discrimination in Child Nutrition Programs

To file a complaint of discrimination regarding child nutrition programs offered by the district, complete the USDA Program Discrimination Complaint Form (AD-3027) at:

<http://www>. ascr.usda.gov/complaint\_filing\_cust.html; or write a letter and provide the information requested in the form. To request a complaint form, call (866) 632-9992/

Submit the completed form to:

U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410.

FAX: (202) 690-7442

Email: program, [intake@usda.gov](mailto:intake@usda.gov)

Approved: BOE Approved-06/20

**LDD Federal Government-Drug Free Schools LDD**

(See GAOA, GAOB, IDAB and JDDA)

The unlawful possession, use, sale or distribution of illicit drugs and the possession, use, sale, or distribution of alcohol by students or interlocal employees at school, on or in interlocal property, or at interlocal sponsored activities or events is prohibited. This policy, and any curriculum used in conjunction with it, shall be evaluated periodically using criteria developed by the director and approved by the board. The board shall receive a report after each of these reviews is conducted.

Approved: KASB Recommended 07/13

**MI Kansas Education Systems Accreditation MI**

Kansas Education Systems Accreditation (hereafter “KESA”) is a districtwide accreditation process. Accreditation within this process is ultimately granted by the Kansas State Board of Education. The district school board (hereafter “board”) shall maintain the goal of full accreditation for the district. Good faith efforts shall be made by all staff to implement district school improvement plans. The board shall monitor compliance.

The board is committed to implementing and sustaining the foundational structures defined within the KESA process as well as defining and implementing district-wide goals in alignment with the KESA rubrics.

In order for accreditation to be achieved, the board shall commit to school improvement for all district schools, academic achievement for all district students, and results-based professional development for all district staff members. The superintendent shall regularly report to the board on the district’s progress toward full accreditation within the 5 year cycle defined as part of the KESA process.

The board shall fully inform the public in language commonly used in the community about district-wide goals, school improvement plans, the progress of school improvement efforts, the accreditation status of the district, and other pertinent information as the board may direct.

Approved: BOE Approved 01/17