

**2021-2022**  
**POLICIES & REGULATIONS OF THE BOARD OF**  
**EDUCATION**  
**UNIFIED SCHOOL DISTRICT NO. 266**  
**MAIZE, KANSAS**



**Connecting. Learning. Leading.**

**The mission of the Maize School District is to guarantee success for all students by instilling knowledge, critical thinking skills and confidence, combining superior instruction and individual services with access to a curriculum rich in technology enhanced by urban resources, in a safe, small-town atmosphere.**

## TABLE OF CONTENTS

PREFACE		Page 1
ARTICLE I	<b>SCHOOL DISTRICT AND BOARD OF EDUCATION</b>	Page 2
Section 1	Legal Name and Type of District	Page 2
Section 2	Legal Name of Governing Body	Page 2
Section 3	Election of Members of Board of Education	Page 2
Section 4	Function of the School Board	Page 2
Section 5	Board Member Code of Ethics	Page 2
Section 6	Organization and Officers	Page 3
Section 7	Meetings of the Board of Education	Page 3
Section 8	Agenda	Page 4
Section 9	Order of Business	Page 4
Section 10	Voting	Page 4
Section 11	Purchasing Policy	Page 4
Section 12	District Credit Cards	Page 5
Section 13	Transacting Business	Page 5
Section 14	Audit	Page 5
Section 15	Minutes of Board Meetings	Page 5
Section 16	Board of Education Convention Expenses	Page 5
Section 17	General Public Speaking on Board Agenda Items	Page 5
Section 18	Non-Discrimination	Page 6
Section 19	Concerns/Complaints to the Board of Education	Page 6
Section 20	Board Passes	Page 8
Section 21	Policies Relating to the Protection of the Rights of Individuals and Institutions	Page 8
Section 22	Bullying	Page 13
Section 23	Sexual Harassment	Page 14
Section 24	Racial and Disability Harassment	Page 19
Section 25	Complaints of Discrimination	Page 20
Section 26	Emergency Opioid Intervention	Page 21
Section 27	Communications	Page 21
Section 28	Booster Clubs	Page 23
Section 29	Concealed Observations	Page 23
Section 30	Federal Fiscal Compliance	Page 23
Section 31	Annual Operating Budget	Page 25
ARTICLE II	<b>ADMINISTRATIVE STAFF</b>	Page 25
Section 1	Contract of Superintendent of Schools	Page 25
Section 2	Duties of Superintendent and Administrators	Page 25
ARTICLE III	<b>DISTRICT EMPLOYEES</b>	Page 25
Section 1	Employment of Personnel	Page 25
Section 2	Nepotism	Page 26
Section 3	Personnel Tenure	Page 26
Section 4	Staff-Student Relations	Page 27
Section 5	Concerns	Page 28
Section 6	Payment Policy	Page 28
Section 7	Certification of Health (K.S.A. 72-5213)	Page 28

Section 8	Professional Development Training	Page 28
Section 9	Substitute Teachers	Page 28
Section 10	District Facilities	Page 28
Section 11	Food Service	Page 29
Section 12	Transportation	Page 29
Section 13	Political Activities	Page 29
Section 14	Worker’s Compensation	Page 29
Section 15	Evaluation	Page 30
Section 16	Notice to Employees	Page 30
Section 17	Use of Tobacco/Smokeless Tobacco/Nicotine/Vaporizers	Page 30
Section 18	Reimbursement of Use of Employee Car	Page 30
Section 19	Sponsor’s Expenses	Page 30
Section 20	Work Week	Page 31
Section 21	Use of Cellular Phones	Page 31
Section 22	Assignment and Transfer	Page 31
Section 23	Use of District Resources	Page 31
Section 24	Salary Deduction	Page 31
Section 25	Do Not Resuscitate Order	Page 31
Section 26	Drug-Free Workplace	Page 31
Section 27	Drug-Free Schools	Page 32
Section 28	Military Leave	Page 32
Section 29	Communicable Disease	Page 34

**ARTICLE IV ENROLLMENT** Page 34

Section 1	Student Admission to School	Page 34
Section 2	Proof of Identity	Page 36
Section 3	Payment of Student Bills	Page 36
Section 4	Work Study Program	Page 36
Section 5	Foreign Students	Page 37
Section 6	Out-of-District Applicants	Page 37

**ARTICLE V STUDENTS** Page 37

Section 1	Child Abuse	Page 37
Section 2	Interaction with Local Law Enforcement	Page 37
Section 3	Medication	Page 37
Section 4	Immunizations	Page 39
Section 5	Communicable Diseases	Page 40
Section 6	Health Services	Page 40
Section 7	Lunch Period	Page 40
Section 8	Student Fees	Page 40
Section 9	Damages to School Property	Page 40
Section 10	Graduation	Page 40
Section 11	Activity Trips/Excursion Policy	Page 41
Section 12	Philosophy of Discipline	Page 43
Section 13	Drugs & Alcohol	Page 43
Section 14	Use of Tobacco/Smokeless Tobacco/Nicotine/Vaporizers	Page 44
Section 15	Hazing	Page 44
Section 16	Weapons	Page 45
Section 17	Search and Seizure – School Facilities	Page 45
Section 18	District Grading Policy	Page 45
Section 19	Pupil Placement/Promotion	Page 45

Section 20	Publishing of School Regulations	Page 47
Section 21	Visitors	Page 47
Section 22	Transportation	Page 48
Section 23	Student Activity Fund Management	Page 48
Section 24	Extracurricular Participation	Page 48
Section 25	Fundraisers for Students	Page 49
Section 26	Food Allergies	Page 49
Section 27	Wellness Program	Page 49
Section 28	Emergency Safety Interventions	Page 49
Section 29	Release of Student Records	Page 53
<b>ARTICLE VI</b>	<b>COMMUNITY</b>	<b>Page 54</b>
Section 1	Use of School Facilities	Page 54
Section 2	Use of School Facilities on Sunday	Page 54
Section 3	Assignment of Custodian for Activities	Page 54
Section 4	Rates for Use of Buildings	Page 54
Section 5	Complimentary Passes for Senior Citizens	Page 54
Section 6	Adult Season Activity Tickets	Page 54
Section 7	For Profit Advertising and Signage	Page 54
Section 8	District and School Logos	Page 55
<b>ARTICLE VII</b>	<b>CURRICULUM AND INSTRUCTION</b>	<b>Page 55</b>
Section 1	Mission Statement	Page 55
Section 2	Philosophies of Curriculum and Instruction	Page 55
Section 3	Curriculum Development and Implementation	Page 56
Section 4	Outside Vendor Based Curriculum/Instruction	Page 57
Section 5	Special Education and Special Programs	Page 57
Section 6	Section 504 Accommodations for Students	Page 58
Section 7	Support Programs	Page 58
Section 8	Service Animals and Other Animals in School	Page 59
Section 9	Religion in Curricular or School Sponsored Activities and Religious Objections	Page 59
Section 10	Children’s Internet Protection Act	Page 60
<b>EXHIBIT I</b>	<b>BOARD POLICY EMERGENCY PROCEDURE GUIDELINES</b>	<b>Page 61</b>
<b>EXHIBIT II</b>	<b>BOARD POLICY RESOLUTION IDENTIFYING PUBLIC RECORDS AND PROVIDING ACCESS THERETO</b>	<b>Page 62</b>
<b>EXHIBIT III</b>	<b>EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS IN USD 266, SEDGWICK COUNTY, KANSAS</b>	<b>Page 64</b>
<b>EXHIBIT IV</b>	<b>MEDIA-CENTER MATERIAL REVIEW COMMITTEE</b>	<b>Page 73</b>
<b>EXHIBIT V</b>	<b>FAMILY AND MEDICAL LEAVE PLAN</b>	<b>Page 74</b>
<b>EXHIBIT VI</b>	<b>COPYRIGHT GUIDELINES</b>	<b>Page 76</b>
<b>EXHIBIT VII</b>	<b>HOMELESS STUDENT REGULATION</b>	<b>Page 79</b>
<b>EXHIBIT VIII</b>	<b>FOSTER CARE STUDENT REGULATION</b>	<b>Page 83</b>



## **PREFACE**

Any organization, whatever its intent, structure, goals or physical makeup, must have a set of standard guidelines to ensure adequate operation. The following pages are written conditions of the Board of Education of the Maize Unified School System, Maize, Kansas. To ensure a working understanding of its responsibilities, the following definitions have been agreed upon:

**Board Policy** - A guide (intent) for discretionary (professional judgment) action for the operation of the Maize Unified Schools.

**Regulations** - Specific required action set forth either by the Board of Education or the School Administrative personnel to carry out the Board Policies.

**By-Laws** - A regulation governing the Board of Education's internal organization or operation.

## **ARTICLE I - SCHOOL DISTRICT AND BOARD OF EDUCATION**

**Section 1 - Legal Name and Type of District.** The legal name of the school district is Unified School District No. 266, Sedgwick County, Kansas, and is governed by all laws pertaining to unified districts and published in the General Statutes of the State of Kansas.

**Section 2 - Legal Name of Governing Body.** "The Board of Education of Unified School District No. 266," Maize, Sedgwick County, Kansas.

**Section 3 - Election of Members of Board of Education.** The will of the people of Unified School District No. 266, Sedgwick County, Kansas, is expressed at a general election as prescribed by law, namely on the first Tuesday in November in odd numbered years.

The Board of Education shall be composed of seven (7) members elected from three (3) districts and one (1) member at large. The description of each district is as follows and shall be reviewed on even years as per state law.

**Board Member District I** – Starting at Maize Road & 13<sup>th</sup> line extending west on 13<sup>th</sup> Street to 119<sup>th</sup>, south on 119<sup>th</sup> to ½ section line, west on ½ section line to 151<sup>st</sup> Street, north on 151<sup>st</sup> Street to ½ section line north of 13<sup>th</sup> Street, east to 135<sup>th</sup> Street, north on 135<sup>th</sup> to ½ section line north of 21<sup>st</sup>, east to 119<sup>th</sup>, south on 119<sup>th</sup> to 21<sup>st</sup> Street, east on 21<sup>st</sup> Street to the ½ section line east of Tyler, south on ½ section line to southern boundary of district (17<sup>th</sup> Street), west on boundary line to Maize Road, and south on Maize Road to 13<sup>th</sup> Street. Positions 1 & 4.

**Board Member District II** – Starting at North Maize Road and the river (northern boundary) extending south on Maize Road to 53<sup>rd</sup> Street, east on 53<sup>rd</sup> to Tyler, south on Tyler to 21<sup>st</sup> Street, east on 21<sup>st</sup> to the ½ section line (Woodchuck), south on the ½ section line to the southern boundary (17<sup>th</sup> Street), east to I-235. Positions 2 & 5.

**Board Member District III** – Includes the area north of 53<sup>rd</sup> Street and west of Maize Road and all the area south of 53<sup>rd</sup> Street west of Tyler Road to 21<sup>st</sup> Street, west on 21<sup>st</sup> Street to 119<sup>th</sup>, north on 119<sup>th</sup> to 29<sup>th</sup> Street, west on 29<sup>th</sup> to west boundary. North on the western boundary to the river. Positions 3 & 6.

**Member at Large** – Position 7.

When a vacancy occurs, the Board shall publish a notice one time in a newspaper having general circulation in the school district stating that the vacancy has occurred and that it will be filled by appointment by the Board not sooner than fifteen (15) days after such publication. If such vacancy occurs before May 1 of the second year of the term leaving an unexpired term of more than two years, such appointee shall serve until second Monday in January after following the general school election as provided in K.S.A. 1972 Sup. 25-2023 and amendments thereto.

In the latter event, the unexpired term of two years commencing on the second Monday in January after the following general school election shall be filled at such election and the ballots or ballot labels and returns of election with respect to such office shall be designated as follows: "To fill the unexpired term."

**Section 4 - Function of the School Board.** The primary function of the School Board is legislative and judicial rather than executive. It shall hold the chief executive officer (Superintendent) responsible for the efficient administration and supervision of the schools. Individual members of the Board shall exercise no authority.

The work of the Board falls into three main areas:

- A. Employment of a qualified Superintendent.
- B. Development of policy.
- C. To see that policies are carried out by administration to the benefit of the school system.

**Section 5 – Board Member Code of Ethics.** As a public official, a school board member must not only do what is required by law, but because of the special trust with which they are charged by the community, must observe the ethics of that public office.

The Board of Education, desiring to operate in the most ethical and conscientious manner possible, adopts the following code of ethics to be followed by each member. Each school board member will:

- A. Give his/her first and greatest concern to the students of the school system, without any distinction as to who they are or what their backgrounds may be.
- B. Recognize that authority rests with the Board as a whole and make no personal promises or take any private action that might compromise the Board.
- C. Work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion.
- D. Base his/her decisions upon all available facts, voting his/her convictions in every case, unswayed by bias of

- any kind and upholding the majority decision of the Board.
- E. Maintain confidentiality of privileged information.
  - F. Avoid being placed in a position of conflict of interest and refrain from using the board member position for personal or partisan gain.
  - G. Confine Board actions to policy making and evaluation and recognize that the Superintendent, not the Board, is responsible for the day-to-day administration of the schools.
  - H. Refer all complaints, comments and criticisms through the proper chain of command.
  - I. Support and protect school personnel in proper performance of their duties.
  - J. Vote on the interest of the system as a whole and not on a particular segment thereof.
  - K. Communicate to other board members and the Superintendent expressions of public reaction to Board policies and school programs.
  - L. Participate in boardmanship training and activities.

## **Section 6 - Organization and Officers.**

### A. Organization

1. Members shall, on the second Monday of July, elect officers. Officers to be elected as prescribed by law - namely, President, Vice-President, Clerk of the Board, and Treasurer of the Board.
2. The term of each officer shall be for a period of one year. Each officer shall perform the legal duties of said office and such other functions as designated by the Board of Education.

### B. Duties of Officers

1. President - Shall preside at all meetings of the Board, appoint all committees as needed, and sign all warrants ordered by the Board to be drawn upon by the Treasurer for school money.
2. Vice-President - In the absence of the President or his/her inability to act, the Vice-President shall perform the duties of the President.
3. In the absence or inability of the President and Vice-President, the remaining members shall select a member to act in their capacity.
4. Clerk (not a member of the Board) - The Clerk of the Board shall be appointed by the Board at the regular meeting in July and shall attend all meetings of the Board; shall keep an accurate journal of its proceedings and shall have care and custody of the records, books, and documents of the Board. He/She shall countersign all warrants drawn upon by the Treasurer and shall keep an accurate account of all money paid to the Treasurer for the account of said Board and all money paid on orders drawn upon by the Treasurer by order of the Board. Before entering upon the discharge of his/her duties, the Clerk shall be furnished a corporate surety bond in an amount fixed by the Board.
5. Treasurer (not a member of the Board) - The Treasurer of the Board shall be appointed by the Board at the regular meeting in July and attend Board meetings as requested. He/She shall deposit all money belonging to the Board in accordance with the provisions of the law; shall prepare and submit in writing monthly reports of the finances of the Board and shall pay on money belonging to the Board only upon warrants signed by the President, or in his/her absence, the Vice-President, and countersigned by the Clerk. Before entering upon the discharge of his/her duties, the Treasurer shall be furnished a corporate surety bond in an amount fixed by the Board - he/she shall countersign all warrants drawn upon the treasury.

## **Section 7 - Meetings of the Board of Education.**

- A. Regular meetings shall be held on the second Monday of each month, and the time set at 7:00 p.m., the year around and no agenda items shall be started after 11:00 p.m. If agenda is not complete by 11:30 p.m., meeting will adjourn to the 4th Monday at 7:00 p.m.
- B. The presence of four (4) members shall constitute a quorum at all Board meetings.
- C. Special meetings may be called at any time by the President of the Board or by any three members. Written notice stating time and place of any special meeting and the purpose for which called shall, unless waived, be given each member of the Board, and no business other than stated in the notice shall be transacted.
- D. Special committees may be appointed by the President to discharge special responsibilities. Special committees shall make their recommendation to the entire Board for final action. Special committees are considered dissolved as soon as they have made their recommendation on their special assignment or on the next July 1, whichever comes first. Special committees who have not completed their work by July 1 may be



reappointed by the newly elected President.

**Section 8 - Agenda.** A complete agenda, including support data, will be prepared by the Superintendent in consultation with the President and/or Vice-President of the Board of Education, and mailed and/or provided via Internet to each member of the Board three days before the date of the regular Board meeting. This requirement will be waived only for special meetings of the Board.

**Section 9 - Order of Business (may be changed by majority consent).**

- A. Approval of Agenda
- B. Approval of Minutes, District Funds and Monthly Bills  
(These items may be added to a consent agenda if necessary)
- C. Superintendent's Comments
- D. Visitors Comments/Board Questions
- E. Old Business
- F. New Business
- G. Requests for Future Meeting Agenda Items
- H. Board Discussion and Suggestions
- I. Items Requested by the Board or Superintendent
- J. Adjournment

**Section 10 - Voting.** The majority of affirmative votes of the full Board of Education will pass or adopt any motion. Voting may be by roll call. Any member who abstains from voting will be counted as having voted against the motion. However, if a Board member has announced a conflict of interest with regard to an issue, the member may leave the meeting until the voting on the issue has been concluded. The member's vote will not be counted as having been cast. Any member of the Board who wishes to make a motion, second a motion, or discuss pending business will first secure recognition of the Board President.

All formal actions of the Board will be taken by ordinary motions unless a formal resolution is required by law. It will not be necessary for a motion to be before the Board in order to discuss an agenda item that has been presented by the Board President for consideration. In the ordinary course of events the Board will discuss all matters other than routine procedural questions, prior to the making of a motion, in order that the reaching of consensus may be facilitated. The following motions will be in order:

- A. To adopt the agenda
- B. To recess
- C. To take action
- D. To amend a motion made to take action, but such amending motion shall be disposed of before any other motion to amend the motion will be in order
- E. To defer action
- F. To go into executive session
- G. To adjourn, either finally, or to a specific time, date or place.

**Section 11 - Purchasing Policy.** Insofar as possible and practical, purchase of principal items of supplies shall be made on the basis of one year's needs and shall be awarded on the basis of quotes/bids.

- A. An attempt will be made to obtain 3 quotes/bids on all items in excess of \$5000. If 3 quotes/bids are not obtained, the reasons will be noted on the winning bid form. No matching lowest bid will be allowed or accepted from a vendor except with Board approval.
  - (\$2,500.00 - \$5,000.00) Price comparisons by phone, fax, email, website, or catalogs
  - (\$5,000.00 - \$10,000.00) Quotes in writing
  - (\$10,000.00 - \$20,000.00) Written request for Bid and response in writing
  - (\$20,000.00 - and above) Sealed Bid in compliance with State Statutes.
- B. Bids requested will be opened prior to the Board meeting in which action is to be taken. All legal requirements in regard to purchases shall be observed.
- C. The school board delegates, to the superintendent or designee, the power to execute contracts for the purchase of goods and services if the value of such goods or services is less than \$20,000.

**Section 12 – District Credit Cards.** The school district will employ a system that provides access to a credit card account to conduct school business.

- A. The superintendent will be held accountable for this system of credit, and access will be to select school employees.
- B. Gasoline/fuel company credit card(s) are extended to school employees who are assigned extended travel for necessary school business in school owned vehicles. The maintenance and assignment of the fuel card(s) will be the responsibility of the transportation department and will follow all internal accounting procedures including the annual Year-End Transportation Report.
- C. Selected board members are assigned the responsibility each month to review all expenditures and the payment of such expenditures incurred by the school district for the district credit cards at the time they review other district expenditures.

**Section 13 - Transacting Business/Home Rule.** All business is transacted at regular meetings or at special meetings, which includes the authority granted by the 2003 legislature regarding the home rule. Special committees appointed by the Board may transact business binding on the school district only within authority specifically granted to them; and to be continuously binding, all such business thus transacted must be reported at the next meeting of the Board for approval and entered into the minutes of the Board as public record.

The Board may at its option, sit in closed executive session for the following purposes:

- A. Non-Elected Personnel: To protect the privacy interests of an identifiable individual.
- B. Consultation with an attorney: To protect attorney-client privilege, and the public interest.
- C. Negotiations: To protect the District’s right to the confidentiality of its negotiating position, and the public interest.
- D. Confidential data: To protect the privacy rights of a corporation, partnership, trust, etc. with regard to their financial affairs.
- E. Matters concerning an individual, such as a student (not non-elected personnel): To protect the privacy rights of a student who is identifiable.
- F. Preliminary discussion of real property acquisition: To protect the District’s financial interest and bargaining position.
- G. School safety issues.

**Section 14 - Audit.** The Board requires that all accounts be audited yearly.

**Section 15 - Minutes of Board Meetings.** A complete and accurate set of minutes of each Board meeting shall be kept in an official record book specified for that purpose and shall be kept on file as the official record of school legislation of the district and shall be open to public inspection.

**Section 16 - Board of Education Convention Expenses.** Board of Education members when on official Board of Education business and representing Unified School District 266 will be reimbursed for the following expenses or these expenses will be paid direct, whichever case applies:

- A. Direct cost of transportation and/or mileage at the state approved rate.
- B. All required registration fees.
- C. Room expense by diary, invoice or receipt.
- D. Meal allowance of \$40.00 per day.
- E. Incidental expenses by receipt or ledger & expense report.

Expenses of spouses are to be paid in advance if known or USD 266 reimbursed by the next regular meeting.

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. 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.

**Section 17 - General Public Speaking on Board Agenda Items.** If anyone from the general public audience wishes to speak to the Board of Education about any item on the agenda, they are to give their name, address, and agenda item to the Clerk. The Board President will select the time and amount of time for them to speak, either during Visitors

Comments or before or after Board discussion and prior to Board action on an agenda item.  
Items of concern for possible addition to future agenda may also be submitted following the same procedure.

**Section 18 - Non-Discrimination.** As stated in the Kansas State Board of Education’s Policy Statement, Section 504 – Applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment and all unions or professional organizations holding negotiated agreements or professional agreements with the school district are hereby notified that this district does not discriminate on the basis of race, religion, color, national origin, sex, age, genetic information, or disability in admission or access to, or treatment or employment in, its programs and activities.

Any person having inquiries concerning the Maize school district’s compliance with the regulations implementing Title VI, Title IX, Americans with Disability Act or Section 504 is directed to contact the Superintendent, who has been designated by the Maize school district to coordinate the district’s efforts to comply with the regulations implementing these laws.

Location: 905 W. Academy Ave., Maize, Kansas 67101-9404. Telephone: 316-722-0614. You can also contact the Section 504 Coordinator at the Kansas State Board of Education by calling 785-296-2424.

**Section 19 - Concerns/Complaints to the Board of Education.** If parents have a concern about their child, they will:

1. First contact the child’s teacher.
2. If not satisfied, contact the building principal.
3. If not satisfied, contact the district superintendent or designee.
4. If not satisfied, place the concern in writing and request that the superintendent inform the Board of the concern prior to the next regularly scheduled Board of Education meeting. The parent(s) will be informed of the process to address the BOE at a formal meeting.

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

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, genetic information, 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. The Assistant Superintendent for Personnel and Operations (905 W. Academy Ave., Maize, KS 67101, 722-0614) has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.

**Complaints About Discrimination or Discriminatory Harassment**

Complaints of discrimination or discriminatory harassment by an employee should be addressed to the employee’s supervisor, the building principal, or the district compliance coordinator. Complaints by a student should be addressed to the building principal, another administrator, the guidance counselor, or another licensed staff member. Any school employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee’s obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator. Complaints by any other person alleging discrimination should be addressed to the building principal or the district compliance coordinator. Complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

**Informal Procedures**

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

acceptable, the individual may initiate a formal complaint.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its recurrence. 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 using the Complaint Form, Exhibit IX. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the building principal may initiate the complaint. Forms for filing written complaints are available in each building office and the central office.

A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.

If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant and the accused no later than 45 days after the filing of the complaint.

If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement or state law will be followed.

Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.

The complainant may appeal the determination of the complaint. Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report, and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 45 days after the appeal is filed.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its recurrence. 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 Policy

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

#### Complaints About Curriculum

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

#### Complaints About Instructional Materials

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

#### Complaints About Facilities and Services

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

#### Complaints About Personnel

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

#### Complaints About Emergency Safety Intervention Use

Complaints concerning the use of emergency safety interventions by district staff shall be addressed in accordance with the local dispute resolution process outlined in board policy V-30.

### Complaints Regarding Child Nutrition Programs

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. The Assistant Superintendent for Personnel and Operations (905 W. Academy Ave., Maize, KS 67101, 722-0614) 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 Act of 1975, Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended. 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](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:program.intake@usda.gov)

**Section 20 - Board Passes.** Present Board members and families shall be admitted to school activities free; past Board members and their spouses shall be admitted free if the Board member completed one term as a Board member.

### **Section 21 - Policies Relating to the Protection of the Rights of Individuals and Institutions.**

A. School District Records - School District records will be kept in accordance with K.S.A. 72-1629.

B. State and Federal Laws -

1. Items in the School Board procedures shall not be operative if they are found to be in conflict with the laws of the State of Kansas or the Federal government.

2. USD 266 does not discriminate on the basis of race, religion, color, sex, age, national origin, disability, or genetic information.

C. Family and Medical Leave Act - FMLA requires covered employers to provide up to 12 weeks of job-protected leave to "eligible" employees for certain family and medical reasons. The approved plan is hereby described in Exhibit V. (attached)

D. Volunteer/Visitors/Observers – Visitors are appreciated and welcome in USD 266. However, for the safety and welfare of the students, all visitors must report to the office before going to the classrooms and will be required to wear a badge identifying them as a visitor. Visitors' presence should in no way interfere or impede normal school business. Administration may ask visitors to leave if their presence causes a distraction/disturbance in the learning environment. If a classroom visit occurs during instructional time, the visitor must comply with the observation requirements listed below.

Volunteers who work in a classroom on a regular basis, supervise students during a field trip when a staff member is not present, or work with students away from the supervision of a classroom teacher are required to have a background check. The building principal is responsible for reviewing background checks and determines if an individual is clear to volunteer. In the event someone is excluded from volunteering because of the results from the background check, the individual may contact the company performing the checks and provide additional information. Volunteers often work with individual students/staff and are expected to respect the privacy and confidentiality outlined in the Family Education Rights and Privacy Act. (FERPA). Parents who would like to observe their child in the educational setting during the school day must comply with the following requirements:

1. All observations must be approved by the building administrator or his or her designee.
2. The observing parent must sign in in the office and wear visitor identification during the entire time.
3. Observation periods must not exceed 90 minutes per day.
4. The observer should not interact with students including the parent's child or staff members during the observation. The parent may request a time to meet with staff members at another time that is

mutually convenient for the parent and the staff member and does not negatively impact the instructional day.

5. The observer will have an assigned area to sit and should remain in that area throughout the observation period.
  6. The observer will respect the rights of confidentiality for all of the students in the learning area and will not discuss anything that is observed about other students with any outside party.
- E. Disturbances of School Activities – Whenever students, patrons, local citizens, or people from outside the school community, through sanctioned or non-sanctioned activities, destruct, disrupt or otherwise restrain functions or activities sponsored and approved by the Board of Education and/or school administration, they may be judged in violation of the district's policies. Furthermore, if one is engaged in trespassing, disorderly conduct, destruction of public or private property, disturbing the peace or inflicting personal injury, the Board of Education authorizes the administration to request assistance from the city and/or county law enforcement officers whenever the school administration feels it necessary to ensure law and order.
- F. Public Access of Records - Procedure to follow for making available the public records of this district is hereby described in Exhibit II attached.
- G. Early Payment of Claims - Early payment of claims may be made in accordance with the provisions of K.S.A. 12-105b, as amended by L. 1983, Ch. 56, Sec 2, as amended.
- H. Board Policy Review - Review of existing BOE policies shall occur on an annual basis. The Policy Review Committee shall consist of two Board members and either the Superintendent or his designee.
- I. Family Education Rights and Privacy Act. (FERPA)
1. Directory Information – USD No. 266 will comply with federal regulations as outlined in FERPA. Parents not wanting this basic information included in the Student Directory must contact the Superintendent or his designee(s) in writing by September 20 each year.
  2. Parents Rights Concerning Access to School Records - Maize USD 266 accords all rights under the law to parents. Those rights are:
    - a. Parents are able to see and review their child's records.
    - b. Parents are able to request an amendment of any record they feel is inaccurate or should not be included, and a right to a hearing if a request is denied.
    - c. Parents are able to restrict access to their child's records by withholding consent to disclose records. Records can be seen without consent by school staff, appropriate parties in health or safety emergencies, certain government officials when authorized by law, or when the school is complying with a judicial order or lawfully issued subpoena.
    - d. Notice of (FERPA) rights will be published annually in the first District newsletter.
  3. Protection of Pupil Rights - The collection and use of personal information collected from students for the purpose of marketing that information (except for the purpose of developing educational products or services) will be prohibited except as allowed by section 9528 of ESEA.
- J. Copyright Law: The copyright guidelines can be found in Exhibit VI.
- K. Kansas School Safety and Security Act – Amendments to the Kansas School Safety and Security Act require administrators who come into possession of information about students with a history of dangerous behavior to inform educators of the following:
1. The identity and dangerous propensities of any student who has been expelled for conduct which endangers the safety of others;
  2. The identity and dangerous propensities of any student who has been expelled for commission of felony type offenses;
  3. The identity and dangerous propensities of any student who has been expelled for possession of weapons;
  4. The identity and dangerous propensities of 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; and
  5. The identity and dangerous propensities of any student who has been tried and convicted as an adult of any felony, except theft involving no direct threat to human life.

The bill also amends the Kansas Code for Care of Children and the Juvenile Offenders Code to permit disclosure of information to educators and educational institutions as required under this Act. Educator is defined to mean any teacher, other professional or paraprofessional employee who has exposure to the student with a history of dangerous behavior.

School employees shall not be subject to criminal penalties for failure to make reports required under this Act if they follow school board policies in this regard or if the school board has failed to adopt policies. Finally, school boards and individual members of such boards and school administrators are granted immunity from liability in any civil action for the actions or omissions of any school administrator pursuant to the requirements of the Kansas School Safety and Security Act.

- L. Intellectual Property – The school district has all rights of ownership of products produced by an employee during hours for which the employee was paid or in which the use of district supplies and / or equipment was used. The district may enter into an agreement in advance with an employee to produce a product. In such cases, the agreement shall assign rights of use and ownership.  
Teachers may retain the copyright ownership of distance learning material created at home with their personal computers. However, the district retains the right to use this material as part of its educational program.
- M. Safety, Security, and Environmental Reporting. The USD 266 Board of Education encourages the reporting of school safety, security, and environmental concerns by employees. Such concerns may be reported on the Safety, Security, and Environmental Reporting Form, which can be obtained from any building principal’s office or the office of the Superintendent. The reporting party will be responsible for advancing the concern to the next level if he/she is not satisfied with the resolution proposed for the concern.
- N. Defibrillation Policy – The district will provide defibrillators in district buildings as it sees fit. Administration will develop and follow a plan for regular checking and maintenance of the defibrillators as appropriate and have the plan signed by authorized medical personnel.
- O. Gifts and Donations – The Board of Education reserves the right to refuse any gifts, donations, memorials or scholarships (hereinafter collectively referred to as “gifts”). Any organization or individual making a gift to the district shall have the prior approval of the Board or designee. All gifts will be regarded as district property. Income derived from gifts and bequests will be credited, if possible, as specified by the board or designee. Persons or organizations desiring to make gifts to the schools should contact the Superintendent.
- P. Disposal of District Property - The board or designee may dispose of property in a manner consistent with applicable law that the board deems to be in the district’s best interest.
- Q. Collection of Funds -
  - 1. Returned Checks. The district reserves the right to use a check collection agency. Accepted and returned checks are subject to the state allowed fee (plus applicable tax & fees). Returned checks, along with the return check fee, may be electronically presented to the check writer’s bank without further notice.
  - 2. Collection of District Fees. The district may withhold diplomas for outstanding fees and reserves the right to use a collection agency.
- R. Health Insurance Portability and Accountability Act (HIPAA). The district shall comply with all applicable provisions ensuring the confidentiality of protected health information. As well as providing the appropriate professional development activities and notification to students and staff.
- S. Acceptable Use – Maize USD 266 provides technology resources to its students and staff for educational and administrative purposes. The use of these technology resources is a privilege, not a right. All users are expected to use the computers and computer networks in a responsible and ethical manner or face the loss of the privilege to use this educational tool. Detailed information clarifying expectations as they apply to computer and network usage can be found in the online District Student Handbook and on the district intranet site.
- T. Video Cameras – District Installed video cameras may be used in any school building, school bus, or on any property of the school district to ensure the health, welfare and safety of all staff, students and visitors, and to safeguard school facilities and equipment. Video cameras may be used in locations as deemed appropriate by the superintendent. Detailed information regarding the use of video cameras can be found in the District Student Handbook and the Employee Handbooks.
- U. Possession of a Firearm - Unless otherwise required by law or authorized by board policy, no person other than a law enforcement officer shall possess a firearm on any district owned or operated property, within any district owned or operated building or facility; in a school vehicle or an employee’s personal vehicle being used to transport students, or at any school sponsored activity, program, or event. This prohibition includes possession of concealed weapons even if the person has a valid concealed carry license in this state; however, such prohibition shall not apply to the secured storage of a handgun in a district employee’s own locked

vehicle on school property so long as such employee holds a valid Kansas concealed carry license and such weapon is maintained out of plain sight.

- V. Disruptive Acts at School or School Activities. 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.
- W. Protection of Pupil Rights Amendment: Regulation USD 266

Surveys: Parental Inspection Rights

Parents shall have the right to inspect any survey created by a third party before it is administered or distributed to students in the school. Prior to distribution, parents shall have the right to inspect any survey that seeks information about: political affiliations or beliefs of the student or the student's parent; mental or psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; religious practices, affiliations, or beliefs of the student or student's parent; or income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Written Permission Required

If such survey is funded in whole or in part by federal funds or if the survey concerns the student's or student's parents' or guardians' beliefs or practices on sex, family life, morality, or religion, it shall not be administered without providing notice to and the express written consent of a parent or guardian. If the survey is not federally funded and does not cover the aforementioned topics, parents must be given direct notification of the survey and be provided with an opportunity to opt their child out of the survey. If the survey is part of the curriculum, parents shall have the right to inspect any instructional materials used in conjunction with the survey.

Physical Examinations

Prior to the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school, scheduled by the school in advance and not necessary to protect the immediate health and safety of the student, the school shall provide parents with notice of the activity and provide parents with an opportunity to opt their child out of the activity. This requirement does not apply to routine dental, hearing and vision screenings required under Kansas law.

Parental Rights: Marketing Information

If the school collects, discloses or uses personal information from students for the purpose of marketing or selling that information, parents shall have a right to inspect any instrument used for the collection of such information before it is administered or distributed to students in school. Parents shall be provided with notice of such activities and provided with an opportunity to opt their child out of the activity. The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

Release of Information – FERPA Rights

Unless the information collected from students is designated as directory information and is maintained outside of a statewide longitudinal student data system, no information gathered about students shall be released to third parties without the express written consent of the parent or eligible student.

- X. Student Privacy Policy

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

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 statutes;
- 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 unauthorized 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.

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 a 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 stored 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.

## **Section 22 – Bullying.**

The Board of Education is committed to providing a school climate with optimal learning conditions where all students and school personnel are safe and treated with respect. To meet these standards, bullying, harassment and intimidation of any kind are prohibited and violate this school bullying policy.

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 such gesture, act or threat creates an intimidating, threatening or abusive educational environment that a reasonable person, under the circumstances, knows or should know will have the effect of:

- a. Harming a student or staff member, whether physically or mentally;
- b. Damaging a student's or staff member's property;
- c. Placing a student or staff member in reasonable fear of harm to the student or staff member; or
- d. Placing a student or staff member in reasonable fear of damage to the student's or staff member's property; or
- e. Cyberbullying (bullying by use of any electronic communication device through means including, but not limited to, email, instant messaging, text messages, blogs, mobile phones, online games and websites.)
- f. An imbalance of power (Individuals who bully use their power—such as physical strength, access to embarrassing information, age, position within the school or popularity—to control or harm others.)
- g. Any form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 72-1138 and amendments thereto.

Employees or students who believe they have suffered bullying shall report the incident in one of the following ways:

- i. To their building principal, counselor or teacher
- ii. Online via the Bullying Incident Report Form or Speak Up application on the district's Web site.
- iii. To their immediate supervisor
- iv. To the Educational Support Center

A confidential report will be filed for each reported incident and will include names, dates and locations; the nature of the incident; and suggestions and time frames that will eliminate harassment and sexual discrimination in the school district. Supervisory staff will be trained in workplace conduct annually.

### **Investigating Bullying**

The School Administrator will conduct a prompt, thorough and impartial investigation of all reports of bullying using a bullying incident investigation form within three days after the report to ensure the safety of all students involved. Any individuals who were bullied, individuals who bullied and bystanders will be separated and asked to provide information about the incident. The investigation will also include a review of any previous complaints involving either the individual(s) who was (were) bullied or the individual(s) who bullied. The investigation procedure will vary depending on the nature of the reported incidence. The findings from the investigation will be used by school administrators to determine the appropriate response procedure.

During the investigation process, the school will take measures to ensure that no further bullying occurs between the individual(s) who was (were) bullied and the individual(s) who bullied. Any changes should not inconvenience the individual(s) who was (were) bullied.

Responding schools will take prompt and effective steps to end bullying and harassment, eliminate any hostile environment, and prevent the bullying from happening again. After the school receives a report of staff bullying, and it is confirmed, the school administrator will determine the appropriate disciplinary response. Staff who have violated this policy may be subject to disciplinary action, up to and including termination. After the school receives a report of student bullying, and it is confirmed, the school administrator will determine the appropriate disciplinary response, contact the parent/guardian(s) of all students involved, and will maintain communication with the parent/guardian(s) once the investigation is completed to share the results of the investigation, whether there was a violation of policy, and the process for appealing the findings of the investigation. Students who have violated this policy may be subject to disciplinary action, up to and including suspension and expulsion. If appropriate, students who violate this policy shall be reported to local law enforcement

### **Section 23 – Sexual Harassment**

The board of education 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 school district. 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 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 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. Violation of this policy by any student shall result in disciplinary action, up to and including suspension or expulsion.

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 a student's grades, participation in extracurricular activities, etc. or an employee's job status.

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.

The Assistant Superintendent for Personnel and Operations (905 W. Academy Ave., Maize, KS 67101, 722-0614) 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 Title IX Coordinator.

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 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 an 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 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 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 non-forcible 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 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 personal 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 avoiding prejudgment of the facts, personal 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 provide grounds for discipline under the code of student conduct, or if any employee, 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 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 activity 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 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 filing 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 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 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 (and an explanation of such procedures to students) 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 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, 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 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 personal 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 rationale for, the results 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 education 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, 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 basis:

- 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 personal 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 a review of 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 personal 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, 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 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.

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. The filing of a complaint or otherwise reporting sex 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 sex 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.

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 district'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 district facility and shall be published in student and employee 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, 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.

**Section 24 - Racial and Disability Harassment.** The board of education 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 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 and 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 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 school;
- 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 performance or employment opportunities.

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

The district 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 principal or the district compliance coordinator. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the district's discrimination complaint procedure.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes 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.

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

Any employee who witnesses an act of racial or disability harassment or receives a complaint of harassment from another employee or a student shall report the complaint 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, up to and including termination.

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 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 termination from employment.

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.

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 employee 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.

**Section 25 - Complaints of Discrimination.** 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, complaints or 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, or access to, or treatment, or employment in the district's programs and activities is prohibited. The Assistant Superintendent for Personnel and Operations (905 W. Academy Ave., Maize, KS 67101, 722-0614) has been designated to coordinate compliance with nondiscrimination requirements contained in federal law.

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 and shall be directed to the Title IX Coordinator at 905 W. Academy Ave., Maize, KS 67101, 722-0614. More information may be obtained on discrimination on the basis of sex by contacting the Title IX Coordinator.

Complaints by a student should be addressed to the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of 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.

Complaints alleging discrimination in child nutrition programs offered by the district shall be handled in accordance with the procedures outlined in board policy Article 1, Section 19, and more information may be obtained on procedures for such complaint by contacting the district 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 Article 1, Section 19.

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 discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

**Informal Procedures**

The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any school employee who receives a complaint of 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.

#### 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 the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator, or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.
- A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant and the accused no later than 30 days after the filing of the complaint.
- Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.
- The complainant may appeal the determination of the complaint. Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 days after the appeal is filed.
- Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

**Section 26 - Emergency Opioid Intervention.** It is the policy of the Maize Public Schools to provide assistance to any person(s) who may be suffering from an opioid overdose. Staff members trained in accordance with the policy and in accordance with applicable law shall make every reasonable effort, to administer emergency opioid antagonist combined with rescue breaths, to revive the victim of any apparent drug overdose.

**Section 27 - Communications.** The Board of Education is aware of the interest any community has in its school system. With this thought in mind, we place the responsibility of school communications and public relations to the Superintendent of Schools. He/She shall transmit to the Maize School public such information as necessary to keep the patrons aware of programs, curricular changes, achievements, schedules and such other information to ensure good community relations.

- A. District Media Coverage of School Events - Media (radio and television) coverage of school events will be the responsibility of each building principal. Media coverage of school athletic events will be the responsibility of each building athletic director. Members of the media are to contact the building principal/building athletic director prior to the time they will arrive at the school. The principal/athletic director is to notify the Director of Communications/District Athletic/Activities Director if a request from the media has been solicited and/or granted. In the event the principal/athletic director is uncomfortable with the request of the media, the principal is to notify the Superintendent or designee. In this circumstance, the decision to allow (or not allow) broadcast will be the responsibility of the Superintendent or designee. The Superintendent, or designee, will

notify the media of the decision and the procedure to be followed if it is determined that an on-site, tape delayed or live broadcast will be conducted.

- B. Emergency Procedure Guidelines - The release of information to the press or public concerning any emergency situation or incident will be handled by the Superintendent of Schools or designee. Procedures for emergencies under unusual circumstances are followed according to the guidelines in Exhibit I, attached.
- C. School Closing Policy - The Board hereby delegates to the Superintendent the authority to close any school whenever any condition exists which, in the opinion of the Superintendent, warrants the closing of one or more of the schools. In the event of unavailability, the Board delegates such authority to the first available administrator in the chain of command. Closing of school by such an administrator shall be effective until he/she reopens the school or until the Superintendent or the Board reviews and takes action on the situation. In any case of extreme emergency, the principal of any school may close such school. All school closings shall be immediately reported to the Superintendent and the President of the Board. Emergency closing situations are: snowstorms and other weather conditions, heating failure in the buildings, health or safety reasons . Designated personnel will notify the radio and television stations used to distribute school cancellation information.
- D. Free Materials Distribution in Schools or on School Property – Distribution of materials in schools or on school property will be subject to reasonable time, place and manner of restrictions. The Superintendent or his/her designee retains the right to review materials prior to distribution to insure the materials do not violate any policy or regulation of the board; will not materially or substantially interfere, disrupt or impede the operation of the school; cause material or substantial disorder, invasion or infringement upon the rights of other students or staff; or endanger the safety of others. The administration also retains the right to refuse or deny distribution of any materials to students and/or staff by non-curricular groups, non-school sponsored groups, outside individuals, speakers, or other groups in accordance with this policy or regulation adopted by the board. District and Building Administrators, at their weekly meeting, will determine which materials will be posted on the Community Bulletin Board which is located on the district website. Only information related to school-sponsored or student curricular groups, events linked to individual schools, or activities sponsored by groups partnering with schools will be allowed i.e. PTO, booster club, Maize Recreation.
- E. Freedom of Information Officer – The Board shall designate a Freedom of Information Officer with the authority to establish and maintain a system of records in accordance with the Kansas Open Records Act.
- F. Website - The Maize USD 266 Website, as it currently exists or as it may be modified is to serve as a communication channel for distributing official district information to parents, students, district employees, patrons and other interested parties inside and outside of the Maize community and to provide the Web audience with on-line access to district resources such as:
  - District facts and contacts
  - Building facts and information (newsletter, classroom information, etc.)
  - Emergency crisis information
  - Basic information (lunch menu, supplies, etc.)
  - Employment Opportunities
  - Calendar
  - Learning and teaching resources
  - Online resources

The Maize School District recognizes the value of the Internet as a powerful tool for communicating information about the district. The district Web site is a publication of the Maize School District and is, therefore, subject to the same type of editorial review as other official district publications.

All work that is related to the development of the district Web site is governed by the provisions set forth in the district's Acceptable Use policies (BOE policies). The district's web site publishing guidelines assign and describe the roles and responsibilities of the personnel involved with publishing information for the district Web site. The guidelines cover organization of district personnel with Web site responsibilities and provide general guidelines for style and content. To obtain a copy of the guidelines, contact the Director of Communications at the Educational Support Center.

- G. Official Facebook Page – Maize Schools USD 266 encourages interaction from Facebook users but is not responsible for comments or wall postings made by visitors to the page. Additionally, the appearance of external links, as posted by fans of this page or other Facebook users, does not constitute endorsement on behalf of Maize Schools USD 266. Maize Schools USD 266 reserves the right to remove at any time and

without prior notice any and all comments or other material posted on this page that does not conform to these rules, school board policy or any applicable law and to deny access to School District social media sites to any individual who repeatedly violates such rules, policy or law. The Facebook policy can be viewed in its entirety on the Facebook page.

**Section 28 – Booster Clubs.** As a partner with the District, school-related booster clubs shall organize and function in a way that is consistent with the District’s philosophy and objectives.

- A. School related booster clubs have no authority to direct any school employee in any of his or her duties. Further, they have no authority to guide, direct, or establish guidelines for any school or student activity. Similarly, booster club officers may not assume duties that are the responsibility of staff members. Nor may coaches or sponsors become booster club officers.
- B. Any club operating under this policy that, in the opinion of the school administration, does not adhere to this policy and any regulation established by the school administration, will cease to be recognized by the Board as a legitimate school-related booster club and will not be eligible to use school facilities or services.
- C. Booster clubs and other parent support organizations cannot make purchases in the name of the District. Items must be purchased in the support organization’s name

**Section 29 – Concealed Observations.** Unless otherwise provided in other district policy, 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; the recording of meetings 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.

**Section 30 - Federal Fiscal Compliance.** 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 Chief Financial Officer as the fiscal coordinator for federal programs and district contact for all federal programs and funding.

The Chief Financial Officer 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 is 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.
- 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 States, and the pass-through 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 related to such documents.

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 statute 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 subrecipients to ensure compliance 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 or terminating the award in whole or in part.

#### Standard of Conduct for Federally Funded Contracts

The following standard of conduct shall be followed by board members, district employees, officers, and their agents in an effort to eliminate conflicts of interest and to govern actions while engaged in the selection, award, and administration of contracts on behalf of the district.

No board member, employee, officer, or agent may participate in the selection, award, or administration of a contract supported by Federal funds if he or she has a real or apparent conflict of interest concerning the contract.

For the purposes of this policy, a conflict of interest would include any instance when a board member, employee, officer, or agent; any member of his or her immediate family; his or her partner; or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or receives or would receive a tangible personal benefit from a firm considered for a contract.

Unless otherwise provided herein, no board member, employee, officer, or agent of the district may solicit or accept gratuities, favors, or anything of monetary value from vendors, contractors, or parties to subcontracts. Therefore, these individuals would be prohibited from accepting offers for free entertainment which would otherwise cost the individual, lodging, transportation, gifts, or meals. However, accepting meals offered by a sponsor and consumed by such individual at school, a school sponsored activity, or a related event and/or accepting free product samples having a retail value no greater than \$50.00 will not be a violation of this policy or standard of conduct.

Employees, officers, and agents of the district found to be in violation of this policy and standard of conduct shall be subject to disciplinary action, up to and including suspension or termination for employees and denial of access to district property and activities and/or the severing of the officer or agency relationship with the district, as appropriate.

### **Section 31 - Annual Operating Budget**

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

The superintendent 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.

#### **Deadlines and Schedules**

Deadlines and time schedules may 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 superintendent.

#### **Recommendations**

Recommendations of the superintendent 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 superintendent will be responsible for developing the budget cover letter. A preliminary draft of the district's budget will be submitted by the superintendent 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.

#### **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 Assets/Accounts**

The superintendent 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 superintendent shall ensure the district's accounting system provides ongoing internal controls. The superintendent shall review the accounting system with the board.

## **ARTICLE II - ADMINISTRATIVE STAFF**

**Section 1 - Contract of Superintendent of Schools.** The Superintendent of Schools shall be appointed during or before the regularly scheduled Board of Education meeting held in January for a term of not more than three years.

**Section 2 - Duties of Superintendent and Administrators.** These duties are defined in the Job Description Handbook and approved by the Board of Education.

## **ARTICLE III - DISTRICT EMPLOYEES**

### **Section 1 - Employment of Personnel**

A. The Superintendent of Schools shall recommend all personnel for employment, dismissal, assignment,

suspension and/or promotion. All full or part time classified employees are considered “employees-at-will”. Each district employee will have a written job description which outlines the expectations for professional dress. In addition, USD 266 employees have access to personal/confidential information. Staff members have the responsibility to keep this information confidential.

- B. The Board shall approve the employment of all contracted employees. While this legal responsibility cannot be waived, the Board delegates to the Superintendent the authority to recruit staff members. In carrying out this responsibility, the Superintendent may involve licensed and classified staff. Staff members that have been designated by the Superintendent to assist in the process of hiring shall provide the Superintendent with a list of candidates who were considered for the position.
- The employment of any contracted staff member is not official until the contract is signed by the candidate and approved by the Board. All new employees may be subject to a random drug test within the first year of employment. As a condition of initial employment, an applicant will be subjected to a statewide and nationwide criminal history records check along with a pre-employment drug test. The check shall conform to applicable federal standards. New employees are not to begin working in or on district facilities/property until the human resources form has been processed and the new employee paperwork has been completed. Employment is conditional based on an approved background check and drug test. The Board of Education shall pay the costs of the background check and drug test.
- C. The hiring sequence shall be as follows:
1. Conditional verbal offer of employment to the candidate
  2. Verbal acceptance by the candidate
  3. Background check and drug test initiated.
  4. Conditional contract sent to the candidate and candidate’s acceptance signified by a signed contract returned to the Superintendent; and
  5. Approval or rejection of the contract by the Board.
- D. The Maize Unified School District 266 does not discriminate on the basis of race, color, national origin, sex, age, religion, genetic information, or disability in admission or access to, or treatment of employment in its programs and activities. If you have any questions regarding the above, please contact: Superintendent, 905 W Academy Ave., Maize, KS 67101.
- E. 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.

### **Section 2 - Nepotism.**

A relative, as referred to herein, is defined as father, mother, spouse, son, daughter, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law. A “supervisor” as defined includes all administrative level employees to whom employees report on a linear organization chart, give day-to-day direction and/or are responsible for the evaluation of employees. For the purpose of this policy, on-call substitute and/or temporary assignments will be excluded.

- A. At no time shall an employee be placed under the supervision of an employee who is a relative.
- B. No relative of the Superintendent of Schools shall be employed in the District.
- C. No relative of a Board of Education member shall be employed in the District unless the relative was employed at the time the member was elected.
- D. No relative of an administrative level employee may be employed in the same building or department.

Persons contracted or employed on or before August 15, 1997 are exempt from the employment conditions of this policy with the exception of the clauses prohibiting supervision of (or by) a relative.

### **Section 3 - Personnel Tenure.**

- A. An educator in the performance of assigned duties shall:
- meet and continuously maintain applicable certification or licensure requirements as defined by state and/or federal law for position held;
  - actively support and pursue the district’s educational mission;
  - recognize the basic dignity of all individuals;
  - maintain professional integrity;
  - avoid accepting anything of substantial value offered by another which is known to be or which may appear to influence judgment or the performance of duties;

- accurately represent professional qualifications; and
  - be responsible to present any subject matter in a fair and accurate manner.
- B. As a condition of continued employment in the district, all employees shall abide by the terms of the following:
1. Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of illicit drugs, controlled substances, or alcoholic beverages on the District property or at any school activity. Compliance with the terms of this policy is mandatory.
  2. Employees who are found violating the terms of this policy will be reported to the appropriate law enforcement officers. In addition, an employee who violates the terms of this policy will be subject to one or more of the following sanctions:
    - a. Short term suspension with pay
    - b. Short term suspension without pay
    - c. Long term suspension without pay
    - d. Required participation in a drug and alcohol education, treatment, counseling, or rehabilitation program.
    - e. Termination or dismissal from employment.
  3. Prior to applying sanctions under this policy, employees will be afforded all due process rights to which they are entitled under their contracts or the provisions of Kansas law. Nothing in this policy is intended to diminish the right of the district to take any other disciplinary action which is provided for in district policies in the negotiated agreement. If it is agreed that an employee should enter into and complete a drug education or rehabilitation program, the cost of such program will be the responsibility of the employee.
- C. Requests for References. The District will provide information regarding past and present employees to prospective employers in compliance with K.S.A. 44-119a. Information that will be provided includes employment date(s), job description/duties, pay level, and wage history. 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 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.
- D. Search Policy – As a condition of employment, USD 266 management and supervisory personnel have the authority to conduct random and unannounced inspections of employee lockers, desks, and the like. Except in matters where there is reasonable cause to suspect criminal activity, employees shall be given an opportunity to be present in any inspection of lockers, desks, etc. Disciplinary action, including termination, may result from searches and inspections or from failure to comply with this regulation.
- E. Licensed Personnel – Licensed staff must have a valid license on file at the ESC. This requirement is based on State Statute 72-2159 and contractual language: “The contract is subject to being void if the Teacher fails to have on file with the Board during employment a valid Kansas Teachers’ License/certificate for the level at which he/she is employed and for the subjects which he/she is employed to teach.” Individuals who fail to have licensure requirements completed when their current license expires may be subject to the following consequences.
1. Administrative Leave without pay. Unlicensed teachers will be allowed to apply for an emergency substitute license while they complete the requirements for full licensure. They may not return to the classroom until a substitute teacher’s license is on file.
  2. Once an emergency sub license is secured and on file at the district office, the individual may return to the assigned classroom under long-term substitute teacher pay until requirements are met and a current regular teaching license is secured. The contracted salary amount will be reinstated once the individual has provided a hard copy of the regular license to the ESC.

**Section 4 - Staff-Student Relations.** 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.



**Section 5 - Concerns.** Concerns by employees of USD 266 will be heard only if properly made. Employees must take their concerns through appropriate channels. An employee should (a) first contact their immediate supervisor, (b) if not satisfied, contact the Superintendent; and (c) if not satisfied place the concern in writing and request the Superintendent share the concern with the Board of Education prior to the next BOE meeting. No employee will be disciplined, reprimanded, reduced in rank or compensation, suspended, discontinued in employment or deprived of any professional advantage for using the above procedure. This is the best avenue for registering concerns for it gives the person responsible an opportunity to correct the concern.

**Section 6 - Payment Policy.** All employees shall be paid twice monthly, on the 15th and 30th, or the last working day preceding each via direct bank deposit. Classified personnel shall be paid based on the hours worked in the respective pay period. Classified personnel hired after July 1, 2021 do not have the option to annualize their pay over 12 months. Annualized pay for all classified personnel ends on the last day of their 2021-22 work agreement.

**Section 7 - Certification of Health (K.S.A. 72-6266).**

- A. All USD 266 employees shall be required to submit a certification of health signed by a person licensed to practice medicine and surgery under the laws of any state, a licensed registered nurse practitioner, or a registered physician's assistant on a form prescribed by the Secretary of Health & Environment. The physical shall also establish that freedom from tuberculosis has been established by chest x-ray or negative tuberculin skin test. Proof of a clear tuberculosis test must be submitted to the human resources department prior to the first day of work. If at any time there is reasonable cause to believe that any such person is suffering from an illness detrimental to the health of the pupils, the school Board may require a new certification of health.
- B. Each building principal will follow the district Exposure Control Plan for Bloodborne Pathogens described in Exhibit III attached.

**Section 8 - Professional Development Training.**

- A. The Board encourages all personnel to cooperate in a genuine effort for self-improvement. Administrators and supervisors are charged with the responsibility of organizing training and educational programs that will improve all personnel employed by the Maize School District. Specific professional development programs shall be planned for both licensed and classified personnel.
- B. Professional days may be used for educational purposes with the mutual agreement of the employee and supervisor with the subsequent approval of the superintendent. The employees may be requested to file a written report within one week of his/her attendance at any professional improvement training.
- C. If the school district requires an employee's attendance for professional improvement training the district will pay all expenses including the cost of a substitute. Out of state conferences/workshops are contingent upon administrative approval and are limited to those that can be funded with grant monies or are requested by administration. If the employee requests the leave, but the school district does not require their attendance, the employee pays all of the expenses, except for the substitute. Individuals desiring to present at national conferences should first do so at local and state levels. Administrative approval is needed prior to submitting a proposal for any presentation.
- D. Consulting - Staff members who are asked to provide professional development or "consult" with other districts or organizations and are paid must use personal and/or vacation days. Additional days beyond the three personal days are discouraged and subject to administrative approval. If payment is rendered for services, the Maize employee must take a deduction in pay for the day(s) missed if they have already used their three personal days or all of their vacation leave.

**Section 9 - Substitute Teachers.** Substitute teachers will be employed by the administration and will be paid at a rate received by administration and set by the Board at their August meeting. Substitute teachers will be paid at a rate proportionate to the time worked.

**Section 10 - District Facilities.**

- A. Maize USD 266 believes it to be our responsibility to ensure that every effort is made to conserve energy and natural resources while exercising sound financial management as stated. The Energy Management Conservation guidelines can be found in the employee handbook.
- B. The Board shall employ daytime custodians for each building. After school hours cleaning will be contracted.

The daytime custodians shall be directly responsible to the building principal.

### **Section 11 - Food Service.**

- A. All Food Service employees will comply with Kansas State Health regulations and KBOE Nutrition Services regulations regarding health and cleanliness standards. All food service employees are required to have a physical examination using the form provided. Physical examinations will be completed prior to August 15th. The employee will be financially responsible for his/her physical examination.
- B. Personal appearance reflects upon the school district and indicates pride and interest in the job. Food Service employees are expected to be neat, clean and orderly at all times. Safety and health concerns are of the utmost importance.
- C. The cafeterias of each building are one of the first places visitors see and, therefore, the Board feels that the food service staff should be responsible for an attractive and clean kitchen.

### **Section 12 - Transportation.**

- A. The supervisor of transportation will deliver a list of safety rules to bus drivers at the beginning of each school year. These rules shall be enforced at all times.
- B. The Board feels that one of the greatest responsibilities placed on any employee is that of driving a school bus. Only well qualified drivers will be employed. Drivers must have passed the American Red Cross First Aid examination or completed the Medic First Aid Course, and a state approved defensive driving course which will be paid by the district. Any unusual or unsafe condition that comes to the attention of the bus driver, whether it is with his/her bus or condition of the route which he/she travels shall be brought to the attention of the supervisor of transportation immediately.
- C. All bus drivers are required to have a physical examination in accordance with the Kansas Department of Transportation. Physical examinations will be completed 10 days prior to the first day of school. The employee will be financially responsible for his/her first physical examination. After the second contract has been issued, the district will pay for physicals at a designated clinic. Drivers may have physicals performed at other clinics and will be reimbursed at a rate not greater than that of the designated clinic.
- D. The transportation driver will be issued school district approved jackets for the purpose of identification and public relations. Jackets will only be issued upon employment and will be replaced if worn.
- E. Bus drivers are in charge of the students while they are on the school bus. They are given authority to ask and expect discipline and courtesy from all students.
- F. Employees required to have a commercial driver's license (CDL) will be tested for drugs and alcohol per U.S. Department of Transportation/Federal Highway Administration Regulations.
- G. Speed Limits – Except when a special hazard exists that requires lower speed, no person shall drive a school vehicle at a speed in excess of the maximum posted or not posted speed limits. In addition, 45 miles per hour speed limit will apply to rural unpaved roads.
- H. Route drivers may use a maximum of one seat to provide legal riding space for their own non-school age children during the performance of their duties.

**Section 13 – Political Activities.** – 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.

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.

**Section 14 – Workers' Compensation.** - All employees of the district shall be covered by worker's compensation. The worker's compensation plan will provide coverage for medical expenses and wages to the extent required by statute to those employees who qualify; employees must be under the care of a district approved physician. However, the amount

of worker's compensation benefits and sick leave benefits shall not exceed a regular daily rate of pay. An employee using sick leave, or other available leave, in combination with worker's compensation will be charged for one full or partial day of sick leave, as provided for in the sick leave policy or negotiated agreement for each day of absence until the employee's sick leave is exhausted.

### **Section 15 - Evaluation.**

#### A. Purpose of Evaluations

1. Evaluations provide opportunities to objectively consider and evaluate the effectiveness of the employee to the total school program. It is the belief of the Board of Education that these evaluations provide the best opportunity for the employee to learn his/her strengths and possible weaknesses and to improve their effectiveness.
2. Evaluations give the employee an opportunity to plan programs of self-improvement and identify areas in which employees need individual assistance and support.
3. Evaluations encourage consistent self-evaluation in accordance with the direct objectives and standards as delineated in the evaluation criteria.
4. Evaluations provide an objective measure by which evaluators may make recommendations based on employee competency to the Superintendent concerning re-employment.

#### B. Evaluation Procedure

All school district employees will be evaluated using one of the following procedures.

1. Teachers will be evaluated by a building Administrator in accordance with Article 90-K.S.A. 72-2407-2412, et. seq. In the first two consecutive years of employment, the teacher must be evaluated twice per year. Evaluations must be done at least one time in each full semester of employment by no later than the 60th school day. Teachers in their third and fourth years must be evaluated at least one time per year and evaluations must be completed by February 15. After the fourth year, teachers must be evaluated at least once every three years and evaluations must be completed by February 15 of the school year in which he/she is evaluated.
2. Every nurse in the first two consecutive school years of employment shall be evaluated at least one time per semester by not later than the 60th school day of the semester, except that any nurse who is not employed for the entire semester shall not be required to be evaluated; and that every nurse during the third or fourth year of employment shall be evaluated at least one time each school year by not later than February 15; and that after the fourth year of employment every nurse shall be evaluated at least once in every three years by not later than February 15 of the school year in which the employee is evaluated.
3. Principals shall be evaluated by the Superintendent, according to statutes K.S.A. 72-2409 and K.S.A. 72-2283.
4. Superintendent shall be evaluated by the Board of Education in accordance with statutes K.S.A. 72-9003 and K.S.A. 72-5453 except that evaluations will continue to occur annually for years five and on.
5. All classified personnel shall be evaluated by their immediate supervisor before the April Board of Education meeting.
6. The Board of Education shall have the option of reviewing all evaluations.

**Section 16 - Notice to School Employees.** In accordance with the Environmental Protection Agency regulations regarding the Asbestos in Schools Rule, this notice is to re-notify the public in Unified School District 266 that all boiler sheeting and pipe lagging has been inspected and repaired and will continue to be repaired as though they contain asbestos. Further information may be obtained by contacting the Board Office, 722-0614.

**Section 17 - Use of Tobacco/Smokeless Tobacco/Nicotine/Vaporizers.** District property is to be tobacco free. The possession, promotion, or use of tobacco, smokeless tobacco, nicotine delivery devices, or vaporizers is prohibited at all times in or on all District owned, leased, personal, or real property.

**Section 18 - Reimbursement of Use of Employee Car.** The Board will authorize payment of whatever allowance per mile as set by the State when a school employee uses his/her own automobile on school business. Employees will be asked to use the school car when available and convenient.

**Section 19 - Sponsors' Expenses.** Teachers or sponsors, when on official school business and representing Unified

School District 266, will be allowed a meal expense of \$40.00 per day or portion thereof.

**Section 20 – Work Week.** It is the personal responsibility of each employee to be on the job, on time, every scheduled workday. Each employee must be aware that failure to meet this responsibility may result in disciplinary action, up to and including termination.

- A. The normal work week for non-exempt employees is 35 hours. It is the employees' responsibility to record time accurately.
- B. Approved flex-time (make-up) will be allowed with advance notice.
- C. All non-exempt employees who are required to work more than forty hours per week must be compensated at the rate of one and one-half times their regular rate of pay for those hours which exceed forty in a work week. Exempt employees include, but are not limited to: teachers, administrators, division directors, nurses and certain classified personnel.
- D. All overtime must be approved, prior to its use, by building principals and directors and recorded on the approved form. Overtime will be discouraged and will be approved only by the Superintendent or designee(s). Overtime/flex (make-up) time work that is done without approval will be grounds for disciplinary action. The employee handbook provides definitions for flex-time and overtime.

**Section 21 – Use of Cellular Phones.** Under certain conditions, the use of cellular phones to conduct school business is permissible.

- A. During campus emergencies, only authorized employees are allowed to use cellular phones.
- B. The district will pay a stipend for authorized employees to conduct school business. Any employee receiving a stipend will be required to sign an indemnity statement releasing the district of any liability.
- C. Employees may be eligible for reimbursement of cellular phone expenses when extraordinary circumstances dictate use for school related business.

**Section 22 - Assignment and Transfer.** The board reserves the right to assign, reassign or transfer all employees.

**Section 23– Use of District Resources.** Any communication placed in staff mailboxes or sent out district-wide to USD266 staff must have prior administrative approval.

**Section 24- Salary Deductions.** The district shall comply with the salary basis requirements of the Fair Labor 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.

If an employee believes that an improper deduction has been made to his or her salary, the employee should immediately report this information to his or her direct supervisor or to the Director of Human Resources.

Reports of improper deductions shall be promptly investigated. If it is determined that an improper deduction has occurred, the employee shall be promptly reimbursed for any improper deduction made.

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

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

**Section 25 - Do Not Resuscitate Orders.** It is the policy of the USD 266 to require school personnel and contracted personnel to provide, to the best of their ability, life-sustaining care to any child who needs it. Many staff members are trained to save lives and are loath to let a child die.

USD 266 refuses to comply with Do Not Resuscitate (DNR) Orders. It is USD 266's position that Advanced Directives and Durable Powers are meant to apply to the progressive terminally ill in health care facilities, not "medically fragile" students in schools. Due to the devastating effect of a death at school on students and staff, USD 266 policy holds that every effort to preserve life is in the best interest of all parties.

**Section 26 - Drug-Free Workplace.** Maintaining a drug-free workplace is important in establishing an appropriate learning environment for the students of the district. Unless otherwise specified in this policy. The unlawful manufacture, distribution, sale, dispensation, possession, or use of a controlled substance is prohibited at school, on or in school district property; and at school sponsored activities, programs, and events. Possession and/or use of a controlled

substance by an employee for the purposes of this policy shall only be permitted if such substance was obtained directly, or pursuant to a valid prescription or order issued thereto, from a person licensed by the state to dispense, prescribe, or administer controlled substances and any use is in accordance with label directions.

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

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

Any employee who is convicted under a criminal drug statute for a violation occurring at the workplace must notify the superintendent of the conviction within five days after the conviction. The superintendent shall then ensure that notice of such conviction is given to any granting agency within 10 days of receiving notice thereof.

Within 30 days after the notice of conviction is received, the school district 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 an 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 district 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.

**Section 27 - Drug-Free Schools.** The possession, use, sale, distribution, or being under the influence of controlled substances and/or alcohol by school employees at school; on, in, or while utilizing school property; or at school sponsored activities, programs, or events is prohibited.

**Employee Conduct**

As a condition of continued employment in the district, all employees shall abide by the terms of this policy. Employees shall not manufacture, distribute, dispense, possess, use, and/or be under the influence of illicit drugs, controlled substances, and/or alcoholic beverages at school; on, in, or while utilizing school property; or at school sponsored activities, programs, or events.

Possession, use, and/or being under the influence of a controlled substance by an employee 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 employee from a person licensed by the state to dispense, prescribe, or administer controlled substances; and
2. Used, if at all, in accordance with label directions.

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. Short 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 any due process rights to which they are entitled under their contracts or the provisions of Kansas law. Nothing in this policy is intended to diminish the right of the district 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 by the employee. 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.

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 of any documentation related to enrollment in and attendance in such program shall be made available to the board and/or administration upon request.

**Section 28 - Military Leave.** 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 and 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 they would have attained had they not been absent for military service, with the same 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 their skills so they can 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 days:

Must submit an application for reemployment within 14 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
- 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 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.

**Section 29 - Communicable Diseases.** 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 superintendent or the superintendent's 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 employees and to students.

The employee shall be allowed to return to duty upon recovery from the illness, 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 a school employee has been diagnosed as having a communicable disease and the superintendent has been notified by the employee, the superintendent or the superintendent'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 a communicable disease shall be made by the superintendent or the superintendent'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; and
- 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 school 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 school's students.

## **ARTICLE IV - ENROLLMENT**

### **Section 1 - Student Admission to School.**

- A. Only resident students will be admitted to the Maize Schools. Employees of the district may enroll their children with permission from the Superintendent of Schools. Pre K-8 students whose residence changes to outside the District shall be dropped at the end of that current nine-week grading period. Students in grades 9-12 would be allowed to complete high school with permission from the Superintendent of Schools. Younger siblings of students enrolled in grades 9-12 will be allowed to complete the school year provided they are enrolled on September 20. In addition, Pre-K through grade 8 students may be allowed to remain in the district for the remainder of the year if they change district residency after March 1<sup>st</sup>. Students must have permission from the Superintendent of Schools for the exception to be granted. Students must remain in good standing.

- B. Private/Home School Students - Enrollment in specific classes by resident students attending private/home school programs may be allowed, with permission of the Superintendent of Schools, prior to September 20. The request will be based on the extent that staff, facilities, equipment and supplies are available. Administration will try to accommodate scheduling requests made by the private/home school. However, the final schedule of private/home schooled students is determined by administration. The parent/guardian of a private/home school student must provide evidence of registration of their school with the Kansas State Department of Education at the time of application. Transportation will be the responsibility of the resident seeking enrollment. Students in grades 7-12 will be unable to participate in extracurricular activities, unless they meet all requirements of the Kansas State High School Activities Association.
- C. Homeless Students - 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. The board shall designate a homeless coordinator for the district. (See Exhibit VII – Homeless Student Regulations)
- D. Foster Care Students - The district, in accordance with state and federal law and the Kansas state plan, will ensure that 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. The board shall designate an employee to serve as a point of contact for child welfare agencies on behalf of the district. (See Exhibit VIII – Foster Care Student Regulations)
- E. Upon enrollment of a student(s) new to the district who does not have a legitimate Maize School District address, but whose parents have indicated that their home is currently under construction/contract, the building principal shall:
1. Verify the address.
  2. Photocopy contracts (including rental agreements)
  3. The Educational Support Center will verify the status of enrollments as necessary.
  4. If required by law, students placed in foster care or students who are homeless may be educated in their “school of origin” instead of the building corresponding to the assigned attendance area.
- F. Health Assessment. As required by the Kansas State law, all students up to the age of nine must have on file, at the appropriate school, a completed health assessment (physical) form. The assessment may be completed by a physician or by a nurse licensed by the Kansas Department of Health and Environment. Failure to comply with this policy will result in a student being excluded from school until compliance is achieved. Exemption under this policy may be obtained by a written statement signed by one parent/guardian that the student is adherent of a religious denomination whose teachings are opposed to such assessments. This requirement is not to serve as a barrier to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The district shall work with the Department for Children and Families, the school last attended, or other relevant agencies to obtain necessary documentation of health assessments.
- G. Transferring Students –
1. When students transfer to a USD 266 high school from an accredited school, religion-based coursework will be credited as elective credits. If the coursework title includes the term “history” a social studies elective credit will be granted for the transferring course.
  2. When students transfer to a USD 266 high school from a non-accredited school the following guidelines will be used:
    - a. The non-accredited school will provide an accurate transcript that reflects coursework which has been satisfactorily completed by the student.
    - b. The non-accredited school will provide a course syllabus and list of competencies covered for each course.
    - c. USD 266 will place the student in classes based upon the information from the non-accredited school transcript.
    - d. USD 266 will grant credit for completed non-accredited school course work upon successful completion of the subsequent level of that course taken at the USD 266 high school.
    - e. USD 266 may require the student to take a placement exam to determine the appropriate placement in classes.



## **Section 2 - Proof of Identity.**

- A. Enrollees in Grades K-1
  - 1. Certified copy of birth certificate
    - a. A child enrolling in kindergarten or first grade must present a certified copy of his/her birth certificate when enrolling.
  - 2. Certified copy of court order for child placement
    - a. As an alternative for item #1, a child who is in the custody of the secretary of Social and Rehabilitation Services must present a certified copy of the court order placing the child in the custody of the secretary when enrolling.
- B. Enrollees in Grades 2-12
  - 1. Certified transcript
    - a. A child enrolling in any of the grades 2 through 12, who has previously followed Board policy for enrollment in grades K-1, must present a certified copy of his/her transcript within 30 days after enrolling.
- C. First time enrollees
  - 1. Certified birth certificate
    - a. A child enrolling in grades 2-12 for the first time must present a certified copy of his/her birth certificate within 30 days of the enrollment date.
    - b. If the birth certificate is not presented within the 30-day period, then the school shall notify the law enforcement agency in the home county of the school district. The school will not contact parents or guardians during this time; the school will not inform those individuals involved of the investigation.
- D. Cooperation with Law Enforcement Agencies
  - 1. The school will provide access to school premises.
  - 2. The school will provide access to child.
  - 3. The designated school official (principal/assistant principal/counselor) will be present at all times during the investigation unless mutual agreement is reached that attendance by the school official is not in the best interest of the child.
  - 4. The school will observe confidentiality at all stages of the investigation.
  - 5. 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 or DCF. Reasonable effort shall be made to notify the student's parents, guardian, or representative when students are removed from school by law enforcement agencies, except in cases involving child abuse.
- E. Student Records - "Marking or Tagging"
  - 1. The school will mark that child's records as special if informed that said child is missing and keep records separate from all others.
  - 2. The designated school official will notify law enforcement agency if a request is received for the child's records and will keep all information confidential.

The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The district shall work with the Department for Children and Families, the school last attended, or other relevant agencies to obtain necessary enrollment documentation.

**Section 3 - Payment of Student Bills.** Student fees, curriculum fees and other assessments shall be maintained as such that these individual costs are at the non-profit level and are reviewed by the Board each year; in doing so this will make school attendance as economical as possible. Administrators are given the responsibility to collect student fees from the family; they may use several professional methods in doing so to ensure against loss of payment. Enrollment curriculum fees may be waived if the Application for Child Nutrition Program Benefits are merited and approved for Free or Reduced Meal status and a waiver of confidentiality form is completed.

**Section 4 - Work Study Program.** Students may participate in work-based learning. Student participation may be conditional upon non-discriminatory admissions criteria.

- A. Requests will be approved on an individual basis by the principal or through enrollment in a work-based learning course. Supervisory responsibility will be assigned by administrative and/or counseling personnel.

### **Section 5 - Foreign Students.**

- A. A limit of up to four foreign exchange students at Maize High School and four foreign exchange students at Maize South High School will be allowed to enroll at the discretion of the building principal at each of the high schools during a school year to the extent staff, facilities, equipment, and supplies are available.
- B. Nonimmigrant (F-1 Status) Students. Foreign students who are attending school in USD 266 may do so with a student visa (F-1 Status). Students and/or their sponsor will be assessed fees equivalent to state funding and district programs.

### **Section 6 – Out-of-District Applicants** – Out of district students will be considered for Maize Online, Summer School, and Degree Completion Programs, with permission of the Superintendent of Schools on a space available basis.

- A. The request will be based on documented student need, and the extent that staff, facilities, equipment and supplies are available. Additional consideration will be made for those students whose legal attendance district does not provide extended school opportunities that will keep students on track for graduation. Students considered are expected to be in good standing with their district and must follow the Maize USD 266 school policies specifically set forth in the student handbook. Students from out-of-district must provide all of the documentation required for registration plus payment of fees in full prior to the first day of classes.
- B. Maize Online Courses. Out of district students will be considered as long as the enrollment numbers in the course have not exceeded the maximum allowed. Students from out of district must provide all of the documentation required for registration, submit payment of fees, and along with at least one parent, attend the course orientation, prior to beginning the course.
- C. Summer School. Out of district summer school applicants will be processed after the summer school enrollment deadline has passed.

## **ARTICLE V - STUDENTS**

**Section 1 - Child Abuse.** All school personnel will take appropriate action to promptly report to the proper authorities when they have reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse. Willful and knowing failure to make a report required by state statute K.S.A. 38-2223 is a class B misdemeanor. Educational institutions and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. The law enforcement agencies shall have access to the child in a setting designated by school personnel on the premises of an educational institution. Attendance at an interview conducted on such premises shall be at the discretion of the agency conducting the interview, giving consideration to the best interests of the child. To the extent that safety and practical considerations allow, law enforcement officers on such premises for the purpose of investigating a report of suspected child abuse or neglect shall not be in uniform. The law enforcement officer may request the presence of school personnel during an interview if the officer determines that the presence of such person might provide comfort to the child or facilitate the investigation (K.S.A. 38-2226). Annual training for all school employees on child abuse and neglect reporting requirements shall be provided, and documentation of the training shall be maintained.

### **Section 2 – Interaction with Local Law Enforcement.**

- A. When law enforcement officers conduct an investigation and/or question a student(s) during school hours, the building principal shall make a reasonable attempt to contact a parent, guardian or representative of the student(s) prior to questioning. If a parent, guardian or representative is not available, an administrator will be present. Requests by law enforcement officers to question students during regular school hours will be honored if an investigation involves child abuse or neglect, the identity of a pupil, a pupil being taken into custody, or the law enforcement officer can show the need for expediency. It is expected that all other questioning be handled outside the school day and off school property.
- B. Students shall not voluntarily be released by school officials to law enforcement authorities unless the student has been placed under arrest or taken into custody by law enforcement or DCF. If a child is arrested at school, principals should make a reasonable attempt to contact parents if law enforcement officials do not do so.

### **Section 3 - Medication.**

- A. Prescription Medication - Under certain conditions, prescribed medication may be given at school by the

school RN or designated person. It is recommended that all prescription medications, except inhalers, epipens, and diabetic supplies must be transported to the school health office staff by the parent/guardian. Prescribed medication can be given only after the physician and parent/guardian have completed the district Request to Administer Medication at School form. The dosage intervals on many medications can be adjusted so that times for taking the dosages come outside school hours. If at all possible, medication needs to be given prior to coming to school or after leaving school under parental supervision. The initial dose of medication must be given by the parent/guardian to determine if the student will have an adverse reaction. The following information must be completed and on file with the school health office before prescribed medication can be given:

1. A completed Authorization for Medication / Treatment to be Administered at School form.
  2. The medication needs the correct information: student name, medication, dosage, frequency, date, prescription number, physician, pharmacy, and expiration date.
- B. Non-Prescription Medication Grades K-8 - Over-the-counter medication may be given at school by the RN or designated person after an assessment is completed by the RN. Over-the-Counter medication will be kept locked in the health room and dispensed by the RN or designated person. When a health condition requiring this medication has been alleviated, this medication will be sent home. The following information must be completed before over-the-counter medication can be given:
1. A completed Request for Administration of Medication by parent/guardian.
  2. The over-the-counter bottle with the correct medication and dosage.
- C. Non-Prescription Medication – Grades 9-12 – Students may self-administer non-prescription medication(s) (acetaminophen, ibuprofen, cough drops, etc) at school unless the parent/guardian requests supervision. Prior to students bringing the non-prescription medication to school, the parent/guardian must complete a Request for Administration of Medication form and have it on file with the school. Students should carry only a small supply of medication in the original container and not share medications with other students. The school district will not be held liable for any action resulting from self-administration of non-prescription medication. Administration will have final authority to revoke medication privileges of individual students.
- D. Employees of USD 266, including registered nurses (as an individual and as an employee) or designated person, who administer the medication in accordance with physician instructions or parent/guardian instructions, shall not be liable for damages resulting from adverse reactions. In the event of an adverse reaction, the student will be treated according to standard emergency care guidelines.
- E. Self-administration of medication at school. 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, a 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

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.

#### 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 of 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 and may establish a procedure for, and the conditions under which, the authorization for student self-administration of medication may be revoked.

### **Section 4 – Immunizations.**

In each school year, every pupil enrolling or enrolled in any school for the first time, and each child enrolling or enrolled for the first time in a preschool or day care program operated by a school, prior to admission to and attendance at school, shall present proof that the pupil has received such tests and vaccinations as are deemed necessary. Pupils who have not completed the required inoculations may enroll or remain enrolled while completing the required inoculations if a physician or local health department certifies that the pupil has received the most recent appropriate inoculations in all required series. Failure to complete all required immunizations by the first day of school in October of the current school year shall be deemed non-compliance.

As an alternative to the certification required:

- A. An **annual** written statement signed by a licensed physician stating the physical condition of the child to be such that inoculations would seriously endanger the life or health of the child.
- OR
- B. A written statement signed by one parent or guardian that the child is an adherent of a religious denomination whose religious teachings are opposed to vaccinations.

If one of the above documentation of immunizations is not received, a pupil shall be subject to exclusion from school attendance until such time as the pupil shall have complied with the requirements. A written notice will be sent to the parent or guardian stating the reason for exclusion. The exclusion date will be the first day of school in October of the current school year. This policy is pursuant to K.S.A. 72-6262 and 6264, as amended.

The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The

district shall work with the Department for Children and Families, the school last attended, or other relevant agencies to obtain necessary documentation of inoculations.

**Section 5 - Communicable Diseases.** 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 or educational setting.

### **Section 6 - Health Services.**

- A. Unlicensed staff members who will provide health care to students will be provided training by a registered nurse employed by the school district.
- B. The school nurse may serve as a health consultant and a resource to school staff responsible for supervising students in school activities outside the normal school day. The Administration/Coach/Advisor will coordinate with the school nurse to answer questions regarding health conditions of a student. The Nurse will educate staff to understand symptoms and to know what to do in an emergency.
- C. Vision screening shall be provided for all students during the first year after their admission and not less than once every two years thereafter. This screening shall be performed by the school nurse or other qualified person. (K.S.A. 72-6242)
- D. Hearing screening shall be provided for all students during the first year after their admission and not less than once every three years thereafter. All tests shall be performed by the school nurse or other person competent in the use of calibrated audiometer. (K.S.A. 72-6229)
- E. Dental inspections may be performed annually on all students (K-4) unless the parent/guardian chooses to opt-out. This screening shall be performed by a person or persons competent in dental inspection. (K.S.A. 72-6253)

**Section 7 - Lunch Period.** A closed lunch period will be administered in USD 266. Students who live within walking distance of the school may be excused to walk home for lunch provided a written request and permission is received from the parent.

**Section 8 - Student Fees.** Student fees shall be charged for applicable rentals and consumables as stated in the Student Handbook. Enrollment curriculum fees may be waived if the Application for Child Nutrition Program benefits are merited and approved for free or reduced meal status and a waiver of confidentiality form is completed. High school students who are in good standing may have materials and fees not included in the curriculum fee waived if the Application for Child Nutrition Program benefits are merited and approved for free or reduced meal status, a waiver of confidentiality form is completed and the course is required for graduation

**Section 9 - Damage to School Property.** Any pupil who intentionally vandalizes, damages or loses any school property (including books and magazines), or who defaces by cutting, or with writing, or pictures, on any fence, furniture, building or other school property, shall be subject to disciplinary action and responsible for restitution for such damage. The principal will notify the parents immediately and present them with a statement unless the action can be ruled accidental.

### **Section 10 - Graduation.**

A total of twenty-eight (28) credits are required for high school graduation. Graduation requirements and the number of required classes in each subject area are adopted and published in the student handbook each year. The District supports

the use of dual and concurrent college credit.

- A. The valedictorian award shall go to the student(s) with the highest weighted cumulative GPA at the conclusion of the eighth semester and the salutatorian award will go to the student(s) with the second highest weighted cumulative GPA at the conclusion of the eighth semester who have met the following criteria: The students must meet the curriculum requirement for the Kansas Scholars Curriculum which includes:
  - 4 credits of English (not including speech, journalism, or debate/forensics)
  - 4 credits of Math - to include an advanced math (algebra III or above)
  - 3 credits of Science - biology, chemistry, and physics
  - 2 credits of the same foreign language
  - 3 credits of social science
- B. The student must enroll in a full schedule during the fall semester of his/her senior year. Approved dual and concurrent credit classes taken off campus will apply toward that full schedule.
- C. To be eligible for either award, a student may not enroll in any non-graded course work with the exception of driver's education.
- D. The valedictorian award shall go to the student(s) with the highest weighted cumulative GPA at the conclusion of the eighth semester and the salutatorian award will go to the student(s) with the second highest weighted cumulative GPA at the conclusion of the eighth semester who have met the requirements listed above. Courses which incur additional weight are: Advanced Placement, 1 additional point per letter grade and Pre-AP or Honors, .5 additional point per letter grade. This policy and practice will be discontinued at the conclusion of the 2021-2022 school year.

AP Courses	Pre-AP or Honors
A = 5 pts.	A = 4.5 pts.
B = 4 pts	B = 3.5 pts
C = 3 pts	C = 2.5 pts
D = 2 pts	D = 1.5 pts
- E. There will be no limit on the number of students who may earn the title of Valedictorian or Salutatorian. Early completion will be individually evaluated by the counselor and the principal for the educational benefit of the student and the school district. (Diploma and ceremony with original class.)
- F. A "laude" system will be utilized for academic honors for the Class of 2021 and beyond.
- G. Foreign exchange students will receive certificates of attendance in lieu of diplomas.

**Section 11 - Activity Trips/Excursion Policy.** The Board of Education recognizes the educational value of activities that require travel. When approved, expenses will be paid in accordance with appropriate authorization and procedures. Approval of such travel will be defined as: Activity Trips; Excursions to National Competition; and Out-of-State Excursions over 250 miles. The district will not approve any competitions outside the continental U.S.

- A. The use of passenger vehicles to transport students to and from school sponsored activities will only be permitted after ascertaining that the vehicle is reasonably safe, the driver qualified and reasonably competent, and that adequate insurance coverage is in force. Each student being transported shall have a standard equipment seat and seat belt inside the vehicle. The *Student Transportation in Private Vehicles* form must be completed and properly signed by anyone who volunteers to transport students to and from school sponsored and approved activities prior to the event, as well as authorization from the parent/guardian of all passengers.
- B. Trip/Excursion Definitions
  - 1. Activity trips
    - a. Approval required by the building principal at least two weeks in advance of the event; the district's Transportation Request is to be completed by the sponsor.
    - b. Expenses will be paid in full for the sponsor(s). In the event the school sponsor is not under a contract and is required to be in attendance, the sponsor will be paid a daily wage equal to the daily substitute rate of pay. Paid expenses shall include: a per diem meal allowance, transportation in a district vehicle, lodging and registration.
    - c. For State Business Professionals of America (BPA), the individual BPA organizations at each high school will be required to pay for student fees for competitions. Student expense for meals, room and board, will not be paid by the BOE. The official sponsors of BPA will have room and board paid for state competition.
    - d. For other organizations/clubs, student expenses paid will include transportation in district owned

vehicles, registration and lodging when necessary. Meals will be furnished to students who compete in the final rounds of State competitions.

2. Participation in National Competition

- a. A national competition can be defined through the following description: It is an activity that is KSHSAA sanctioned; the students have qualified for a national level competition as a result of their success at a local and/or state level, and the students' participation could be a direct result of current class participation. Examples include Scholar's Bowl, Science Olympiad, History Day, Math Counts, Spelling Bee, journalism or yearbook competitions, National Forensic League, Scholastic Art Competitions, National Scholastic Press, and Business Professionals of America.
- b. Approval must be obtained by the building principal. Travel costs for each building organization/club must be submitted to the building principal and district level assistant superintendent/superintendent at least four weeks in advance of the event.
- c. Expenses for the building sponsor(s) travel expense will be reviewed and approval determined based on budget. The superintendent and/or the assistant superintendent will approve/deny requests once travel expenses have been submitted. For national BPA competitions, the club sponsor(s) may only submit three sponsors' expenses per high school for consideration.
- d. The district is not responsible for student expenses for meals, lodging, and/or travel for BPA students to national competition.

3. Summer Camps/Clinics

Coaches/sponsors who are taking teams to summer camps or clinics and are using school vehicles are limited to a 250-mile radius. If school vehicles are used, the coach/sponsor needs to schedule that vehicle(s) directly with the transportation department at least 2 weeks in advance and the coach/sponsor is responsible for the mileage rate (fuel and maintenance) as determined by the transportation department. Requests for vehicles less than two weeks in advance will not be accepted. The district will not provide drivers for any vehicles rented for summer camps/clinics.

C. Excursion Policy

1. Out of State Excursions over 250 miles.

- a. Students in grades K-8 will not be allowed to take excursions outside a 250-mile radius of Maize without the permission of the Board of Education.
- b. Travel of this nature is limited to one trip per group/activity every two years with no more than two trips per sponsor in the two-year period.
- c. The sponsor must place his/her request for out-of-state excursion over 250 miles in writing following the district's Excursion Policy.
- d. The district will provide school district owned transportation or a monetary amount equal to the cost of district transportation
- e. No more than one school day may be missed for any excursion unless waived by the Board of Education or Superintendent as needed.
- f. All excursions must have Board approval and follow the excursion policy even if no BOE funding is requested. The Superintendent, at his/her discretion, may approve excursions for student and/or student groups in grades 7-12 which meet all policy provisions without formal Board of Education approval. A report will be made to the Board of Education at the first regularly scheduled BOE meeting following the superintendent's approval.
- g. All excursions to competitions must meet KSHSAA guidelines.

2. Written Request - The sponsor requesting approval for an excursion shall submit a written request conforming with the following requirements to the building principal 16 weeks in advance of the excursion, or four weeks prior to an excursion to a national competition. If approved by the building principal, the principal will submit the request to the BOE prior to their next scheduled meeting.

- a. Information to be included in the Written Request - The name of the individual/class/organization, destination, dates, itinerary, purpose of the trip (educational values, experience expected, activities for participation/competition/contest), number of student(s) and sponsor(s) involved, expected school absence date, name of sponsor(s); emergency telephone numbers, detailed budget proposal for student(s) and sponsor(s) that indicate travel arrangements, lodging arrangements, meals and registration fees, and insurance provisions.
- b. Should a group receive a special invitation less than 16 weeks prior to an excursion, the Board may

waive the timeline.

3. Fee Commitment - There shall be no commitments made for any fees or other expenses until the excursion has been approved by the Board of Education.
4. Parental Consent - Parents' written consent shall be obtained before a child may be allowed to participate.
5. Loss of Class Time – No more than one school day may be missed unless the excursion is to a national competition or unless waived by the BOE.
6. State testing – No excursion shall be taken during state testing.
7. School policies – All school policies shall be followed.
8. Possessions search – All students and their possessions are subject to searches by sponsor(s) at any time.
9. Excursion Allowance –The district will not cover the expenses of excursions.

### **Section 12 - Philosophy of Discipline.**

The Board of Education believes in sound disciplinary policies that are generally in accordance with good educational practice, due process and those policies specifically set forth in this manual and each building principal's handbook. We enthusiastically endorse disciplinary policies and/or procedures that enhance the learning opportunities of USD 266 students.

- A. Students are expected to follow school policies not only during the school day but also while traveling to and from school events and while in attendance at school activities. The law (K.S.A. 72-6114) authorizes suspension and/or expulsion for the violation of school rules/policy.  
The district shall cooperate with law enforcement in security matters and shall, as required by law, report criminal acts committed at school, on school property or at school-sponsored activities. State law permits the governing body of any school district, the Superintendent or Principal, through Board policy, to suspend or expel, for 186 school days, any student for major misconduct or persistent disobedience.  
A student may be suspended for the remainder of the semester or may be expelled for the rest of the school year, or even through 186 school days that may include the next school year. School districts are allowed to honor each other's suspensions and expulsions. Examples of major misconduct are listed in the student handbook.
- B. Academic dishonesty is not acceptable. Cheating, defined as copying another student's work and claiming it as your own and plagiarism, defined as the use of another person's original ideas or writing without giving credit to the true author, are both prohibited practices. Materials taken from electronic sources are covered by this policy. A student who engages in any form of academic dishonesty will be subject to the loss of credit for the work in question, as well as other disciplinary measures.
- C. Corporal Punishment - Corporal Punishment shall not be permitted in the school district.
- D. Bus Discipline - "Laws and Regulations Governing School Pupil Transportation in Kansas" shall be printed in large, plain type and posted in a prominent place in the school bus and all occupants shall adhere to these rules. Violation of these rules will be reported to the school administrator who can deny students the privilege of riding the bus and otherwise subject students who violate the rules to disciplinary action.
- E. Long Term Suspensions/Expulsions - Written reports of the Hearing Officers decision will be provided to the President of the Board of Education. During the suspension/expulsion, students may not be on school grounds or at any school-sponsored activity. If necessary, students will be allowed to take exams and meet with staff at the Educational Support Center.
- F. Student Arrest/Police Custody – In the event a student is removed from a school campus/activity, administration will attempt to contact the parent(s) or guardian(s).

### **Section 13 - Drugs & Alcohol.**

No student shall unlawfully manufacture, sell, distribute, dispense, possess or use illicit drugs, controlled substances (prescribed medications) uncontrolled substances (placebos or over-the-counter substances) or alcoholic beverages on school district property or at school sponsored activities. Conduct which appears to be altered by the use of alcohol, illicit drugs or other controlled or non-controlled substance(s) is also a violation of policy. The medication policy shall apply in those instances where the student must bring prescription drugs or over-the-counter medications to school or school events.

- A. Any student who is selling or trafficking drugs, drug paraphernalia, and/or other controlled substances at school, on school property, or at a school supervised activity shall receive a mandatory expulsion for 186



school days.

- B. Any student who is in possession or uses alcoholic beverages, drugs (not following the medication policy), drug paraphernalia, and/or other controlled substances at school, on school property, or at a school supervised activity will receive one of the following disciplinary actions:
  - 1. **Use or Possession: First Offense.** Law enforcement and parents will be contacted immediately upon verification of the violation. The student will receive at a minimum, a short-term suspension not to exceed 10 school days. Any violation of this policy will result in the student being noticed for a long term or expulsion hearing as recommended by the principal or principal's designee. At the time of the hearing, administration may recommend that the student, and or legal guardian be afforded the option to have the suspended student meet with a community source (which may include mental health agency counseling program, an alcohol and drug service agency, or a physician) to discuss the student's problem with drugs/alcohol. Upon receipt of written documentation that the student is complying with the recommendation of a licensed substance abuse treatment provider's recommended action, the suspension shall be deferred and the student allowed back in school; however, should the student violate the terms of the agreement upon which the students was allowed to return to school, the balance of suspension shall be re-imposed.
  - 2. **Use or Possession: Subsequent Offenses During the Students Middle School or High School Career.** Parents and law enforcement will be contacted immediately upon verification of the violations. The student will be recommended for expulsion from school for no less than 186 school days.
- C. Prescription medication and over the counter medication not following medication policy (Article V, section 3) may be subject to the same consequences as illegal drugs.
- D. When a pupil exhibits behaviors that may indicate the use of any illegal drugs, alcohol, or other controlled substances - the school will document such behaviors and will conduct appropriate drug testing as needed; confront the pupil and his/her lawful custodian(s) with the documented evidence and recommend: (1) the pupil and lawful custodians enter into a contract with the school to modify the inappropriate behaviors; (2) the pupil be considered for enrollment in a diversion program in lieu of consideration for formal treatment; or (3) the pupil be taken for an intake evaluation for assessment by a qualified alcohol and drug treatment agency.
- E. Should any student seek the guidance or assistance of any staff member for the purpose of improving his/her behavior or responses to the involvement with controlled substances, confidentiality will be respected unless staff personnel believe it is in the student's best interest to notify his/her parent or legal guardian.
- F. Any teacher, officer, or employee who has reasonable cause to suspect that a student may be under the influence of, or that said student has in his or her possession, alcoholic beverages or a controlled substance as defined by law, shall immediately notify the administrator. Neither the Board, the District nor any employee of the District, shall be responsible for any treatment costs incurred by a student as a result of any such assistance or referral to any medical treatment, social service agency or facility, or substance abuse prevention and treatment program.
- G. At the request of the administration, law enforcement officers or licensed private agencies may use trained dogs on school premises. These dogs may be used to identify property, including student property, which may contain illegal or illicit materials and to determine whether materials are present which may threaten the general health, welfare and safety of students and/or district employees.
- H. Drug Testing. A drug or alcohol test may be utilized on school property/school functions. Should a parent suspect their child of drug and/or alcohol abuse, the Maize school district, in support of parents, is prepared to provide free drug screening kits. These kits may be obtained confidentially through the principal's office. Parents are under no obligation to reveal the results of the drug screening. In addition, staff and students will be engaged in practices that are designed to benefit the student as outlined in the student handbook.

**Section 14 – Tobacco/Smokeless Tobacco/ Nicotine/Vaporizers.** Possession, promotion, and/or use of any tobacco product, smokeless tobacco, vaporizers or any nicotine delivery device used by students is prohibited in any attendance center, in any school-owned vehicle, at school-sponsored events or on the school grounds. Any form of smoking, including the use of cigarettes, cigars, pipes, hookahs, nicotine delivery devices or vaporizers is prohibited and subject to disciplinary consequences. Law enforcement will be notified and a ticket will be issued (up to a \$40.00 fine). Violation of the tobacco policy may result in the student being suspended.

**Section 15 - Hazing.** There shall be no initiation of any student in the Maize School System. Hazing of students is

strictly prohibited.

### **Section 16 - Weapons.**

- A. Any student who has weaponry of any kind on their person, school property, or at a school function, will have that weaponry confiscated, and may be subject to discipline, including suspension or expulsion from school. Any student who has weaponry, as defined by Kansas state statute, will be expelled from school for one calendar year (KSA 72-6131 et seq.), as amended. Such incidents will be reported to law enforcement when required by law.
- B. The deterrence of the possession of weapons or other dangerous objects is necessary to promote health and safety within the school setting and to provide a school environment conducive to education. When the administration in any school has reasonable suspicion to believe that a weapon or dangerous object is in the possession of either an identified student or unidentified student, or when there has been a pattern of weapons or dangerous objects found at a school, on school property, at a school function or in the vicinity of a school; or when violence involving weapons has occurred at a school, on school property, at a school function, or in the vicinity of the school, the administration is authorized to use metal detection scanning equipment.
- C. Metal detection scanning shall fall under the following classifications:
  1. **General:** Scanning all pupils who are present at school on the day of a selected scan.
  2. **Partial:** Scanning an identifiable group of students, (i.e. a busload of students, an entire class of students, all students who eat lunch during a given lunch period, all students and non-school personnel attending a school function, etc.)
  3. **Individual:** Scanning of a student and/or their personal possessions.

**Section 17 – Search and Seizure – School Premises.** The pupil has exclusive control over his/her immediate possessions, locker, desk, workstation, and other similar assigned areas of school property as against other pupils. Lockers, desks, workstations and other assigned school property remain the property of the school and may be opened and searched at any time. When school officials have reason to believe that a pupil is involved in illegal, illicit, or disruptive behavior, or behavior that is in violation of school rules, the principal has the authority to conduct a search and confiscate items considered illegal, illicit, disruptive, or a general nuisance to the educational process. Parking on school property is a privilege, not a right. The act of bringing a motor vehicle upon school premises will allow school officials to presume consent by the student, parent or guardian or owner of the vehicle to search the motor vehicle if there is a suspicion to believe that illegal, unauthorized or disruptive materials are contained inside. If the administration has reasonable suspicion that illegal activity is being conducted via a cell phone/communication device, then the administration may search the contents of the phone/device. The district utilizes working canines that are imprinted specifically on illicit substances and firearms. The canines and their trained handlers will periodically conduct unannounced safety sweeps throughout the district.

**Section 18 - District Grading Policy.** Students in Grades K-1 are not assigned letter grades (A, B, C, D & F) correlated to percentages. Students in Grades 2-12 shall be assigned letter grades (A, B, C, D & F) according to the following percentage achievement: 59 and below=F; 60-69= D; 70-79= C; 80-89=B; 90-100=A. It shall be each teacher's responsibility to determine the appropriate letter grade for the students assigned to them. Accurate records will be kept in the teacher's grade book and the weight of daily work versus test grades used to determine the letter grade will be consistent and announced at the start of the school term. The method used to determine the letter grade and all class attendance/participation requirements will be explained to the students at the beginning of the course. Letter grades shall not be lowered as punishment. The letter grade assigned by the teacher under these guidelines will not be changed except in the case of an obvious error.

**Section 19 - Pupil Placement/Promotion.** All students will be assigned to a qualified, licensed teacher.

- A. It is generally expected that pupils will advance one grade level each year. A pupil may be reassigned to a lower or higher grade during the year, or retained or accelerated at the end of a school year. Any promotion or retention will be determined by the building principal after consideration of factors such as:
  1. Teacher evaluation.
  2. Standardized achievement tests.
  3. Individual mental maturity tests.
  4. Chronological age.

5. Social and physical development.
6. Parental consultation.
7. Counselor and/or school psychologist reports.
8. School attendance.

Students should not be retained more than one school year. Special Education students, under normal circumstances, should not be retained.

- B. Student Placement. All Maize USD 266 schools provide exceptional opportunities for students, which contributes to a high-quality education.

**Elementary student placement** (for grades Kindergarten through 4<sup>th</sup> grade) is based on the number of students, class size, and siblings. Placement is determined by administration. Elementary schools are not tied to intermediate, middle, and/or high schools in any feeder pattern or other way. Siblings follow siblings in elementary school when they will attend school together.

**Intermediate, middle, and high school students** (in grades 5 through 12) will be assigned to a designated school based on the address of their primary residence, the address associated with “Family 1” in the student management system (Skyward). Each residential address within the USD 266 district boundary has a corresponding secondary building assignment. Building assignments are aligned in a feeder pattern connecting Maize Intermediate School, Maize Middle School, and Maize High School while Maize South Intermediate, Maize South Middle School, and Maize South High School are connected.

**Special programs:** Students who require assignment in a special program based on their Individual Education Plan (IEP), which only exists in specific buildings, must be granted an exception to the residential assignment. Such assignment also may apply to other specialized programs, including ESOL. Students whose programs exist in only one middle and/or high school may be assigned a school opposite of their residential building assignment.

**Siblings of students assigned to a special program not located in each intermediate, middle, and/or high school:** The location of special programs is dependent on numerous variables which are difficult to predict and occasionally may require program relocation. For students enrolled in a program existing in only one feeder pattern, their siblings may be placed in their non-boundary school, if necessary, to attend with a sibling. Transportation for students in special programs located only in a single secondary school will be provided, as necessary.

Special Program Feeder Pattern:

Functional Applied Academics (FAA) -	MSIS to MSMS to MSHS
Structured Learning (SL) -	MIS to MMS to MHS
English for Speakers of Other Languages (ESOL) -	MIS to MMS to MHS

**Exemptions:**

- For families who qualified and applied for the legacy exemption in November/December 2016, younger siblings may attend the opposite feeder system (the one not associated with primary residence) as elected in the official district form. Students who identified a feeder system will not be eligible to modify their request prior to entering intermediate, middle, and/or high school, regardless of residence.  
Transportation: Students granted the legacy exemption must waive district transportation. However, students may ride a bus to their out-of-boundary school from a predetermined bus stop if space is available.
- **For students who are children of employees assigned to USD 266 sites:** Parents/guardians who are employed by USD 266 may select an intermediate, middle, and high school feeder pattern (Maize Intermediate, Maize Middle School, and Maize High School **OR** Maize South Intermediate School, Maize South Middle School, and Maize South High School) for their child(ren). Consideration will be given to employees who request a different student placement pattern based on primary employment location and/or transportation. Employees may indicate their selection during their child’s 4<sup>th</sup>-grade year. This exemption does not include substitute teachers. Transportation only will be provided to qualified students who live in the district’s boundaries and attend their boundary-assigned schools.

**For students who make a bona fide move\* across district boundary lines during school career while in:**

Elementary school	Students will continue at their current elementary school and will attend the middle and high schools associated with their residence. A legacy option is not available.
Intermediate and Middle school	Students <u>must</u> transfer to their boundary-assigned intermediate and middle schools for the following school year. Students will then attend their boundary-assigned high school once they enter 9 <sup>th</sup> grade.
High school	Students in good standing may remain in their current high school. Students may transfer to their new boundary-assigned high school but not later than the first day of school in the year following the residence change.

\* USD 266 Bona Fide Move: To meet the district definition, the following must be provided:

- New residence: Proof of acquisition (purchase agreement and/or residential utility bill)
- Previous residence: Proof of sale/lease (legal contract and/or residential utility bill)
- If at any time the original residence is re-occupied by the student(s), he/she will be transferred to the original school placement.

**Intra-district Transfer Requests and Hardship**

In the event a student wishes to attend an intermediate, middle, or high school in which they are not assigned, a qualifying exemption must be met and approved by the superintendent or his/her designee. The USD 266 administration will review and consider all Requests for Transfer. Comments and documentation of the decision will be recorded and compiled. If a request is denied, an appeal may be made to the student placement committee. No in-person hearings are contemplated. The district will consider these transfer requests as student enrollment numbers and building capacity allow.

**Hardship qualifying exemptions for legacy revocation and intra-district transfer:**

- A divorce occurs and/or the student will be residing in multiple homes due to a legal separation.
- The death of an immediate family member occurs creating a significant change in the life of the student.
- A family dependent (child or adult), who is or becomes disabled which creates a significant hardship on planned child transportation.
- A desire to attend a school with younger siblings.
- Recommendation by the administration of the school of residence in documented cases of serious home, school, or community problems making it inadvisable for the student to attend his/her school or residence, with the indication that the transfer would be in the best interest of the District and the student.
- An employee, after at least 10 years of service to the district, must end employment due to retirement or health-related issues.

\* Each of these potential hardships must have occurred since November 1, 2016 and must be accompanied by physical proof.

\* Once an exemption is made to revoke legacy or approve an intra-district transfer, neither the receiving nor sending school nor the student may affect a transfer back to the original school.

The Maize Board of Education anticipates that it will regularly review the policy and boundaries to accommodate district needs, including those related to building capacity and uses, staffing, and funding.

**Section 20 - Publishing of School Regulations.** All school rules and regulations should be published and made available to all personnel involved and followed in a professional manner.

All school organizations, before being recognized as official, must have an up-to-date set of rules, policies, and/or regulations approved by the administration during the first month of the school year.

**Section 21 - Visitors.** Because of safety and security issues, only students regularly enrolled in the Maize Schools will be

allowed to attend classes.

### **Section 22 - Transportation.**

- A. Pick-up and delivery locations for students being transported by school vehicle will be determined at the beginning of the school year. Only one pick-up and one drop-off location will be allowed at residential addresses or day care provider addresses within school district boundaries. For safety reasons, no pick-up or drop-off service will be made at other business addresses. When USD 266 students or their parents waive district provided transportation to off-campus services, the district will not be responsible for providing transportation cost reimbursement. A change of locations during the school year will be approved for the following reasons:
1. Change of residence within the District
  2. Change in daycare provider within the District
  3. Court order involving visitation rights during the week.

If a student is riding home on a bus other than their regular route, it is the responsibility of the student to have a building administrator's signature on the note sent by the parent before he/she gets on the bus. If a student is going home with another student, both students must have notes to that effect signed by their parents/guardians and signed by an administrator.

- B. All students who reside within the statutory guidelines qualify for transportation provided by the district. Students who live under this designated distance may be transported to school in district vehicles when space is available.
- C. Maize USD 266 will transport students in wheelchairs using school owned vehicles if the wheelchair meets vehicle transportation standards and does not have any marking that indicates that it is "not for motor vehicle transportation".

**Section 23 - Students Activity Fund Management.** All funds raised by any school organization through any school activities of the group is school money and not the property of the individuals of that group. All funds so raised must be spent in accordance with school regulations and the approval of the group sponsors and the administration. No activity account shall have a negative balance. The Board shall receive a monthly report on all activity accounts. All student activity funds will be audited annually at the same time as the general fund budget. Activity funds from gate receipts or other sources may be deposited directly into a bank account maintained for this purpose. The Board will assume control of all inactive activity funds and disburse those funds to other activity accounts or expend the funds as directed by the Board.

### **Section 24 – Extracurricular Participation.**

- A. Participation in extracurricular activities is voluntary and a privilege. Students who participate in extracurricular activities will be held to a high standard of personal conduct and must abide by Maize USD 266 policies as well as the rules set down by the Kansas State High School Activities Association. These regulations are stated in the District Student Handbook and KSHSAA Handbook. These rules will apply during the regular school year or from the first day of practice through the last day of competition.
- B. Virtual Students. The following stipulations will apply:
1. Virtual classes must be taken through a virtual school, fully accredited by the Kansas State Department of Education. If a virtual school program is provided by USD 266, it is expected that the student enroll through the USD 266 virtual school program.
  2. Students will be eligible at the public school in whose district and attendance area they reside.
  3. Virtual students enrolling and establishing eligibility by September 20th must be included in the school's annual KSHSAA classification count.
  4. The student must be currently enrolled and attending a minimum of one (1) class for the entire school year at the KSHSAA member public school where they desire eligibility. If the student desires participation in music, debate or speech activities, they must be enrolled and attending in that academic course at the school, if such course is offered and the school requires enrollment for participation.
  5. Eligibility for virtual students will be established on a semester basis consistent with traditionally enrolled students. Virtual and traditionally enrolled students are required to pass five units of credit each semester to establish scholastic eligibility. The school is responsible to verify the academic progress of the student with the virtual school administrator prior to submitting the student's name on KSHSAA eligibility forms

and rosters.

6. Virtual students must be enrolled in five units of credit (courses) each semester. At the conclusion of the academic semester, they must have completed coursework sufficient to equal a passing grade in each course, consistent with traditionally enrolled students.
7. All students, virtual or traditional, must pass five units of credit in the previous semester to retain eligibility.
8. Like traditionally enrolled students, virtual students must be currently enrolled in five or more courses not previously passed, to establish and retain eligibility each semester.
9. Abide by all policies and guidelines of USD 266 (drug testing, attendance, behavior, code of conduct, etc)
10. Remain a student in good standing.
11. Local school districts retain the authority to approve dual enrollment agreements with virtual schools.

**Section 25 – Fundraisers for Students.** The School Board believes the primary educational aims of the schools and the needs and interest of their students must be the first consideration at all times. While there is no intent to refuse to cooperate with agencies sponsoring worthwhile fund-raisers, there is very definitely a desire to keep such cooperation within reasonable bounds. The following shall be a guide for determining participation in fundraising activity:

- A. Any school club, teacher, or organization must request and receive permission from the Building Principal to engage in a fund-raising activity. The request must be in writing. All proceeds of any approved sale by students or student groups shall be accounted for to the Building Principal not more than thirty days after such sale.
- B. Participation in fundraisers is optional with the individual schools/students and will not interfere with school instruction.
- C. The fund-raiser is beneficial to youth in educational, civic, social, or ethical development.
- D. The fundraiser makes it possible for individual students to work out contributions by their own efforts and does not invite individual competition.

**Section 26 – Food Allergies.** It is the joint responsibility of the administration, family, school staff and students to promote a food safe educational environment. Responsibilities of each group are listed in the student handbook.

**Section 27 – Wellness Program.** USD 266 is committed to providing school environments that promote and protect children’s health, well-being and ability to learn by supporting healthy eating and physical activity. The program is outlined in the District Student Handbook. The District maintains a formally adopted Wellness Plan.

**Section 28 – Emergency Safety Interventions.** The board of education is committed to limiting the use of Emergency Safety Interventions (“ESI”), such as seclusion and restraint, with all students. The board of education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

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

“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.

“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.

“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.

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

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

### **Prohibited Types of Restraint**

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

- Using face-down (prone) physical restraint;
- Using face-up (supine) physical restraint;
- Using physical restraint that obstructs the student’s airway;
- Using physical restraint that impacts a student’s primary mode of communication;
- Using chemical restraint, except as prescribed 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 officers 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.

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 the use of 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 classified staff who do not work directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position.

Each school building shall maintain 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 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. The documentation shall include all of the following:

- Date and time of the ESI,
- Type of ESI,
- Length of time the ESI was used, and
- School personnel who participated in or supervised the ESI.
- Whether the student has 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 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

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 such 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 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 30<sup>th</sup> day after receipt of the written complaint, the board shall adopt a report containing written findings of fact and, if necessary, appropriate corrective action. A copy of the report adopted by the board shall be provided to the parents, the school, and the state board of education 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.

**Section 29 – Release of Student Records.** Individual student files are not available for public inspection. Except as provided in IDEA 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 the educational records. After giving notice, the custodian of records may make directory information available without parental or eligible student's consent.

The custodian of records shall make student recruiting information (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 option to 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 licensed employee or board of education. The district may disclose, without the parents or eligible students’ consent, personally identifiable information to school officials with a legitimate educational interest. A school official is a person employed by the school as an administrator, supervisor, instructor, or support-staff member (including health or medical staff and law enforcement unit personnel); the school board (in executive session); a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

- Other school officials, including teachers within the district who have legitimate educational interests;
- Officials of other schools or school systems in which the student intends to enroll. The school district will forward student records to such institutions without further notice to the parents or eligible student when the disclosure is initiated by a parent or eligible student or an annual notice provided to parents and eligible students by the district informs them that such records will be automatically disclosed to these institutions for the purposes of enrollment or transfer of the student;
- Authorized persons to whom a student has applied for or from whom a student has received financial aid;
- State and local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to state statutes;
- Organizations conducting studies for educational agencies for the purpose of developing, validating or administering student tests or programs;
- Accrediting organizations;
- Parents of a student 18 years of age if parents claim the student as a dependent for income tax purposes;
- Appropriate persons if knowledge of any information is necessary to protect the health or safety of the student or other persons in an emergency;
- An agency caseworker or representative of a state or local child welfare agency or tribal organization who has the right to access a student’s case plan when such agency or organization is legally responsible for the care and protection of the student and when any further disclosure of such information thereby will be limited in accordance with law; and
- In compliance with a lawfully issued subpoena or judicial order.

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

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

- the order or subpoena specifically forbids such disclosure; or

- the order is issued in the context of a court proceeding where a parent is a party and the proceeding involves child abuse and neglect or dependency matters.

Nothing contained in this policy shall preclude authorized representatives of the Comptroller General of the United States, the Secretary and an administrative head of an educational agency or state authorities from having access to student or other records which may be necessary in connection with the audit and evaluation of federally supported education programs or the enforcement of the federal legal requirements which relate to these programs.

The data collection by such official with respect to individual students shall not include information (including social security numbers) which would permit the personal identification of students or their parents or guardian on the data collected and provided.

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

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

Regulations established under this policy shall include provisions controlling the use, dissemination and protection of such data.

## **ARTICLE VI - COMMUNITY**

**Section 1 - Use of School Facilities.** The Board recognizes the importance of community use of school facilities for City of Maize residents and patrons of the school district. The Board encourages such use to an extent which does not interfere with school functions or disrupt the learning environment.

- A. School facilities here defined as any school property or part thereof, may be made available to organized and supervised groups outside the school system, but within the school district by specific permission of the building principal or designee and a completed School Facility Use Application. Use of equipment (kitchen, sound, etc.) will require the attendance of a district employee with operating knowledge. The building will be clean and should be left clean. A fee will be charged for assigned custodial or staff to be payable to Maize USD #266.

**Section 2 - Use of School Facilities on Sunday.** The Board of Education believes that the school should not make any demands upon pupils' and adults' time on Sundays and, furthermore, that all use of school facilities on Sunday should be discouraged. The Superintendent of Schools, Principal or Designee may grant approval for the use of the facilities.

**Section 3 - Assignment of Custodian for Activities.** One custodian is to be in the building on the evenings that any school sponsored program is going on (football games, basketball games, plays, etc.) Other times the custodian shall be paid per hour when assigned to an evening of duty. Assignment shall be made by the building Principal or Superintendent of Schools. The custodian on duty shall be attired in the district approved uniform.

**Section 4 - Rates for Use of Buildings.** The rates for use of the buildings shall be set by the administration. Rates will be based upon actual operating expenses.

**Section 5 - Complimentary Passes for Senior Citizens.** Senior citizens at age 62 or over, upon request, will be granted complimentary passes to attend activities of USD 266.

**Section 6 - Adult Season Activity Tickets.** Adult season tickets will be allowed at a rate approved on an annual basis by the Board of Education.

**Section 7 – For-Profit Advertising and Signage.** The District will permit commercial signage or advertising at certain specified locations on District-owned or leased property in accordance with the provisions of this policy. Signage locations will be determined by the Superintendent or the Superintendent's designee.

All signage or advertising must be consistent with the educational nature of the District. It must be appropriate for people of all ages and may not contain anything of a nature or intent that is obscene, profane, vulgar, prurient, defamatory,

abusive, sexual, discriminatory, or that promotes services not suitable for persons under the age of 18. No signage or advertising containing or promoting political, personal, controversial or religious beliefs will be allowed. Only commercial signage or advertising for products and services that meets the above criteria and has been approved by the Superintendent, or the Superintendent's designee, will be permitted. The Board of Education delegates to the Superintendent, or the Superintendent's designee, the sole discretion to approve or disapprove signage or advertising under this policy.

Before any signage or advertising is authorized pursuant to this policy, the District will enter into a contract with the advertiser which will specify the terms and conditions of the proposed signage or advertising, including the fee to be paid to the District for the signage or advertising and the term of the contract. Production, installation and maintenance of the signage or advertising will be the sole responsibility of the district and will be included in the contracted price.

**Section 8 – District and School Logos.** Maize USD 266 of Maize, Kansas 67101 ("USD 266") owns all intellectual property rights, including, but not limited to, trademark and copyright rights, in and to the District Logo design (the "Star"); the Maize High School logo design shown (the "Eagle"); and the Maize South High School logo (the "Maverick"). USD 266, in its sole discretion, may choose to allow third parties to use or display the above mentioned designs in certain instances or for a certain purpose. The purpose of this Trademark and Copyright Usage Policy (the "Policy") is to protect the interests of USD 266 when it is contemplating granting a license to third parties to use the Star, Eagle or Maverick.

Trademarks and copyrights are valuable assets and, if properly used and protected, will continue to gain strength and value. However, if intellectual property owners fail to exercise reasonable control over the use of trademarks and copyrights by third parties, such uncontrolled and unmonitored use by third parties may result in a loss or dilution of the owners' rights. Therefore, it is important that USD 266 carefully consider any use of the Star, Eagle or Maverick by anyone other than USD 266 and ensure that any such permitted use is properly memorialized in writing in accordance with the License Agreement that has been drafted for this purpose. Third parties interested in obtaining a License Agreement may contact the Maize USD 266 Communications Department at the Educational Support Center.

USD 266 reserves the absolute discretion to deny any request for permission to use the Star, Eagle or Maverick. USD 266's decision as to whether or not to grant a license to use the Star, Eagle or Maverick is final and may be withdrawn at any time in accordance with Section 6 of the License Agreement.

USD 266 will deny use of the Star, Eagle or Maverick in the following instances:

- Unlawful or undesirable purposes: The Star, Eagle or Maverick may not be used in connection with any activities, content, images, or situations that involve illegal activities, obscenity, vulgarity, and defamatory language, invasion of privacy, threatening behavior, racially, ethnically, or otherwise discriminatory language or activities, or infringement of intellectual property.
- Solicitations: The Star, Eagle or Maverick may not be used in connection with any unsolicited activities or materials, including but not limited to, commercial solicitations, petitions for signatures, political campaigning, chain letters, mass mailings or "spam."
- Inappropriate content: The Star, Eagle or Maverick may not be used in connection with any of the following subject matter or activities: alcoholic beverages, tobacco, guns or other weapons, illegal drugs, sexual themes, pornography, violence or mayhem, gambling, political campaigns, or controversial social issues.

USD 266 further reserves the right, in its sole discretion, to limit the geographic scope of use of the Star, Eagle or Maverick. USD 266 also has the sole authority to determine an appropriate royalty rate for the license and may list the royalty in Section 4 of the License Agreement.

## **ARTICLE VII - CURRICULUM AND INSTRUCTION**

### **Section 1 - Mission Statement:**

The mission of the Maize School District is to guarantee all students will acquire the critical skills necessary for success through an innovative, academically rigorous curriculum, facilitated by a visionary, progressive staff and an engaged community.

**Section 2 - Philosophies of Curriculum and Instruction.** The Board feels the curriculum and method of instruction should meet the following goals:

- A. To develop in each child an understanding and appreciation of the forces and ideals that is basic to the American way of life.

- B. To develop in each child a sense of his/her personal opportunities and responsibilities as a citizen of his/her community, state, nation and the world.
- C. To develop in each child an understanding of the physical, social and economic world in which he/she lives, and assist him/her in adjusting to his/her surroundings.
- D. To encourage and stimulate children and youth to think clearly, logically and independently.
- E. To encourage children and youth to respect integrity of work and deed, to appreciate the dignity and worth of other individuals and groups, and to seek out and to accept their responsibilities and obligations as citizens, along with their rights and privileges.
- F. To give each child, insofar as his/her abilities permit, a sound mastery of the tools of learning and communication, such as reading, writing, mathematics, and the use of written and spoken language.
- G. To provide flexibility in the curriculum so that all students may be prepared for effective citizenship and service, whether the child enters a vocation from secondary school or continues in schools of higher learning.
- H. To provide physical education and health curriculum so that every child will have, as far as possible, robust health and the knowledge and desire to safeguard it.
- I. To prepare children psychologically for a well-balanced social life and for creative use of their leisure time.
- J. To install within each child, the feeling of responsibility and the appreciation of an adequate education.
- K. To provide the opportunity for students to participate in the flag salute at the beginning of the first hour of each day.
- L. To provide facilities, instructional materials, equipment and technology that supports appropriate student/teacher instructional environments.

### **Section 3 - Curriculum Development and Implementation.**

- A. Curriculum Development - The licensed staff shall cooperatively develop an integrated, comprehensive Pre K-12 curriculum based on Kansas State Standards. These standards can be found on the Kansas State Department of Education's website ([www.ksde.org](http://www.ksde.org)) A list of curricular materials to be reviewed and the year of review will be maintained by the curriculum and instruction division. No more than one curricular area will be up for adoption in any given year where curriculum materials will be purchased without approval by the Board of Education or Superintendent. The Curriculum Plan Timeline can be requested through the Associate Superintendent for Teaching and Learning. The purchase of new curriculum material will be based, in part, on areas of weaknesses as identified by assessment scores.
  - 1. A committee of teachers, administrators and community members will be established for each curricular area being reviewed. Committee members should consist of one teacher per grade level (K-6) and one teacher at the secondary level who specializes in the subject area being reviewed. Additionally, community members will be encouraged to participate in the curriculum review and ideally the committee will have a minimum of one community member.
  - 2. Prior to final selection, patrons will be notified of the review and will be allowed to contribute to the selection process. The administrator in charge of each selection process will facilitate the patron involvement.
  - 3. After patron input, the selection committee will recommend to the superintendent their selection for adoption by the Board.
  - 4. The board encourages the Superintendent to secure federal, state and private grants, or other alternative funding sources for use in curriculum development. The licensed staff is encouraged to use available commercial, public domain and community resources to assist in developing the instructional program and extending it beyond the traditional classroom setting.
- B. Implementation/Professional Development Curriculum Council (PDCC) - Those interested in the development of new school curricula should present supporting documents to the PDCC for review. Interested individuals should contact their building PDCC representative or the PDCC chair for specific guidelines on the process. The review process shall be completed prior to the January board meeting in order for implementation of a program for the following year to occur.
- C. Kansas Education Systems Accreditation - Kansas Education Systems Accreditation (hereafter "KESA") is a district-wide accreditation process. Accreditation within this process is ultimately granted by the Kansas State Board of Education. The district school 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 languages 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.

D. Information Resources.

1. Media Center Material - A Media Center Material Review Committee will be established when needed at each school. The committee's purpose will be to consider the suitability of media center material for use by students in grades Pre-K through 12. A copy of the guidelines for the committee can be found in Exhibit IV.
2. Video Usage – The District recognizes videos as important educational tools. A well prepared video presentation enhances learning and creates a satisfying learning experience.
  - a. Instructional - Motion Pictures will not be shown in classrooms unless they are used as part of the curriculum and are in the teacher's lesson plans. The following guidelines must be used with regard to moving ratings:
    - i. “G” rated movies may be viewed in all grades without securing written parent permission.
    - ii. “PG” and “PG-13” movies will require written permission by each student’s parent before the film may be shown to students under 13. Students who do not have a signed permission slip, for any reason, will not be allowed to view the film. “R” rated movies may not be shown in PreK - 7th grade classrooms. If they are used in 8th - 12th grade classrooms, the teacher must secure a written permission slip signed by each student's parent, before showing the film. The permission slip should be sent in a timely manner prior to the viewing of the film. Students who do not have a signed permission slip, for any reason, will not be allowed to view the film. They will be given an alternative assignment, which will give them the information missed in the film.
  - b. Entertainment – Videos produced and viewed for entertainment purposes should be limited at school and on activity trips. Prior to the showing, teachers will notify parents of the video title and rating through their weekly newsletter or a note. All videos (including those provided by students/parents) should be submitted to the teacher/sponsor in a timely manner prior to student viewing/trips. It is the responsibility of the teacher/sponsor to use their professional judgment in determining if a video is appropriate for a school-sponsored activity. When using videos for entertainment purposes, every effort must be made to give it educational value, such as adaptation, character, or value study.
3. On-line services/internet access/Website posting - Electronic information research skills are now fundamental to preparation of citizens and future employees during an Age of Information. The Board expects the staff will blend thoughtful use of such information throughout the curriculum and that the staff will provide guidance and instruction to students in the appropriate use of such resources.

**Section 4 – Outside Vendor Based Curriculum/Instruction.** Outside agencies delivering non-school based approved curriculum will not have access to school facilities.

**Section 5 - Special Education and Special Programs**

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

- D. Related Services Roster. Each exceptional student shall have the availability of a full spectrum of related services required for that student to benefit from special education. Related services available through the cooperative include: art therapy, assistive devices, assistive technology, audiology, counseling services, dance/movement therapy, early identification and assessment, music therapy, occupational therapy, parent counseling and training, psychological services, physical therapy, recreation, school health services, school social work, special education administration and supervision, special music education, speech therapy, transportation, and medical services for diagnostic or evaluation purposes.

These services shall be outlined in the appropriate handbooks or other documents following board review and approval.

- E. Partnerships/Work-Study Program. The board may approve partnership/work-study programs with business and/or educational institutions for the purpose of improving and/or expanding the quality of curricular offerings, and may approve opportunities for partnership organizations to assist with specified programs. Routine community based instruction opportunities for exceptional students do not require board approval. A periodic review of the partnership's goals and objectives shall be conducted.

### **Section 6 -- Section 504 Accommodations for Students**

- A. 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.

### **Section 7 -- Support Programs**

- A. Support program information approved by the board shall be filed with the clerk and made available to staff as needed.

#### 1. Drug Education

All students shall be made aware of the legal, social and health consequences of drug and alcohol use. Students shall be instructed on effective techniques for resisting peer pressure to use illicit drugs or alcohol. Students shall be informed that the use of illicit drugs and the unlawful possession and use of alcohol is both wrong and harmful. The board's comprehensive drug and alcohol abuse and prevention program shall be included as part of the district's educational program. The instruction at each grade level shall be age-appropriate and developmentally based.

A student who voluntarily seeks assistance, advice, or counseling from district personnel regarding drugs or drug abuse shall not be disciplined because the student sought assistance.

#### 2. Student Mental Health

The Superintendent may develop and implement a student mental health awareness program. The Superintendent shall identify community or area mental health agencies able to provide assistance if such services are not provided by the district in accordance with a student's I.E.P. or Section 504 plan.

#### 3. Homebound Instruction

If a child is unable to attend school because of lengthy illness, injury, or disability, homebound instruction may be provided if:

- a. The parent makes the request for homebound instruction; and
- b. The Superintendent or designee, member district Superintendent, building administrator, or the student's IEP team recommend homebound placement, based on information indicating homebound instruction is medically necessary. While a Section 504 team can also recommend homebound placement, those placement requests would be referred to the building administrator or the member district Superintendent.

## **Section 8 -- Service Animals and Other Animals in School**

### **A. Service Animals**

1. Service animals may be permitted in the district facilities and on district property in accordance with board-approved guidelines and may be used by employees, patrons, and students. In order for the district to accommodate the health and safety of our students and staff while maintaining our educational services, programs, and activities, employees and students are encouraged to notify their building administrator prior to bringing a service animal to school for the first time. Patrons or individuals attending functions or having short-term business on district property are not required to provide advance notice to district staff in order to be accompanied by a service animal on district property.
2. Access to district buildings will not be denied to a service animal as long as the animal is individually trained and required to do work or perform tasks for the benefit of an individual with a disability. Such work or tasks must be directly related to the individual's disability. District staff shall not be responsible to provide care or control of a service animal. Any service animal that is out of control or is not housebroken may be excluded by district staff.
3. This policy does not apply to animals provided by the district for instructional purposes or for therapy or comfort dogs. Such requests must be referred to the Associate Superintendent for Teaching and Learning.

### **B. Other Animals**

1. With the prior approval of the Principal and Associate Superintendent for Teaching and Learning, animals may be brought to school for instructional purposes only. If someone is injured by an animal, the incident shall be immediately reported to the administration by the supervising teacher. The Principal shall notify the appropriate persons.

## **Section 9 -- Religion in Curricular or School Sponsored Activities and Religious Objections**

### **A. Religion in Curricular or School Sponsored Activities**

1. No religious belief or non-belief shall be promoted or disparaged by the district or its employees. Students and staff should be tolerant of each other's religious views. Students and staff members may be excused from participating in practices contrary to their religious beliefs unless there are clear educational issues of overriding concern that prevent it.
2. Teaching About Religion. Teachers may teach about religion, religious literature, and history but are prohibited from promoting, expounding upon, criticizing or ridiculing a religion. Religious texts may be used to teach about religion, but the use of religious texts is prohibited if used to promote a particular religious doctrine.
3. Religion in the Curriculum and School Activities. In compliance with this policy, religious themes may be presented in the curriculum and as part of school activities. Music, art, literature and drama having a religious theme or basis are permitted as part of the curriculum or as part of a school activity if they are presented in a balanced and objective manner and are a traditional part of the cultural and religious tradition of a particular holiday or field of study. The emphasis on religious themes in the arts, literature and history should be only as extensive as necessary for a balanced and thorough study of these areas. These studies should never foster any particular religious tenets or demean any religious beliefs or non-beliefs.
4. Religious Symbols in the Classroom. Temporary display of religious symbols is permitted as part of the curriculum. The temporary use of religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of native American religions, or other symbols that are a part of a religious holiday are permitted as a teaching aid if they are displayed as an example of a holiday's cultural and religious heritage.
5. Religious Holidays. Holidays which have a religious and a secular basis may be observed. School vacations shall have secular designations, e.g., Winter Vacation, Spring Break.
6. Graduation and Other Ceremonies. Student ceremonies shall be secular in nature. While recognizing the significance of tradition, the board requires that graduation exercises and dedication ceremonies be secular in nature.

### **B. Religious Objections to Activities**

1. A parent or guardian (or a student eighteen years of age or older) may request that the student be excused from participating in activities for religious reasons. The parent, guardian, or adult student must complete the district opt-out form for religious objections, stating the specific activity, the portion of the curriculum in which the



activity exists, and the reasons for the request. The request may be granted, or denied, or partially granted and partially denied.

2. This policy shall not be interpreted to allow parents to prevent the dissemination of information which parents find religiously objectionable. Rather, this policy only extends to actual participation by their child in an activity, the performance of which is contrary to the child's religious teachings.
3. A parent or guardian seeking to opt-out their child from activities contrary to the child's religious teachings must complete the district's Activity Participation Opt-Out Form regarding religious objections, which is available from the building administration. Parents desiring to opt-out their children from activities due to religious reasons must return the completed and signed form to the building administrator. The form must be submitted within a reasonable amount of time prior to the scheduled activity in order to allow time for the building administrator to consider the request. The completed form shall be kept on file with the clerk, and the Superintendent or designee shall receive a copy.
4. The building administrator shall review the request and determine whether the request should be granted or denied. The building administrator shall notify the parents of the decision within a reasonable amount of time after the request is submitted. If the parents are dissatisfied with the building administrator's decision, they may appeal in writing to the Superintendent or designee.
5. If the opt-out request is granted, students who opt-out of activities for religious reasons may still be required to view the activity, to learn the subject matter of the activity, or to discuss the activity. The student may be reassigned during the activity or given alternative class assignments.
6. Opt-out requests must be submitted annually and are valid only for the school year in which they are submitted.

#### **Section 10 -- Children's Internet Protection Act**

- A. The district shall implement and enforce an internet safety plan meeting the requirements of the Children's Internet Protection Act (CIPA). The Superintendent or designee shall develop a plan to implement the Children's Internet Protection Act.
- B. Such plan shall include measures 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.
- C. For the purposes of this policy, "minor" shall be defined to mean any student who is 18 years of age or under. The board charges the Superintendent or designee 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.
- D. This plan shall be on file with the board clerk in the Educational Support Center and copies shall be available. The Superintendent or designee shall ensure compliance with CIPA by completing Federal Communication Commission forms as required.

**EXHIBIT I - BOARD POLICY  
EMERGENCY PROCEDURE GUIDELINES FOR UNUSUAL CIRCUMSTANCES  
MAIZE USD 266**

**Required Drills**

Each attendance center shall conduct all drills required by state statute as well as additional drills scheduled by the district crisis team. Drills will include: fire evacuation, weather emergency, lockdown, modified lockdown, off-site evacuation, and active shooter response.

**Building Crisis Plan**

1. Crisis plans should be designed for the protection of students, employees, facilities, and equipment.
2. All schools, the District office, and other District building sites must have a Crisis Plan.
3. Each school crisis plan should clearly establish and delegate authority and responsibility.
4. The District crisis plan should provide communication with and advice to the Maize Board of Education about any major emergencies or disasters at the earliest possible time.
5. Each school crisis plan and the District crisis plan should describe administrative chain of command. These plans will provide a specific structure of administrative personnel to make appropriate action decisions.
6. Building crisis teams and a District crisis team should be established for the purpose of reviewing and updating appropriate crisis plans each year. Administrators and other personnel should be made aware of and trained in any new lifesaving methods and procedures each year.
7. Employees, parents and the public should be kept informed of crisis preparedness by the school district.

**Other Building Associated Events**

(Sit Down, Walkout)

In the event that students/staff would initiate a disruption that would interfere with the loss of a regular instructional day, school (for the respective school) will be immediately canceled. Parents will be notified in the most efficient manner and transportation services will be provided for those students in need of the service. Time lost from school will be made up at the end of the school year.

**Transportation Associated Events and  
Events Occurring at Locations Off School Property**

The *staff member* who has primary responsibility for school sponsored events away from the school is expected to *account for all the students* under their guidance in the event that an unusual circumstance would occur. They should use their best judgment to provide further protection for their students and in most situations will have at least one other staff member (usually a bus driver) from whom to elicit help. If an unusual circumstance should occur, the staff member responsible for the event should follow the directions of the person responsible for the activity to *provide safe shelter* for the students. When possible, one of the staff members should *notify their supervisor* as soon as possible.

**EXHIBIT II - BOARD POLICY**

**RESOLUTION IDENTIFYING PUBLIC RECORDS AND PROVIDING ACCESS THERETO**

BE IT RESOLVED by the Board of Education of Unified School District 266, Sedgwick County, State of Kansas, that the following provisions be, and they are hereby adopted, making available the public records of this district and the procedures to be followed for their inspection or copying beginning January 1, 1984:

- A. Public Records: All public records as defined in KSA 45-215 et seq. shall be open to the public for their inspection or copying. Space will be provided for review of records at the location of where records are kept.
- B. Business Day: August – May: Monday through Friday from 8:00 a.m. to 4:30 p.m., except for the following holidays: Winter Break, Fall Break, Spring Break, Memorial Day, , Labor Day, June-July: Monday through Thursday from 7:30 a.m. to 4:30 p.m., except for the Fourth of July.
- C. Location: Educational Support Center, 905 W Academy Ave, Maize, KS 67101
- D. Freedom of Information Officer: Board of Education Clerk, 905 W Academy Ave, Maize, KS, 67101
- E. Official Custodian of Public Records: Superintendent, 905 W Academy Ave Maize, KS 67101

Custodians of Public Records:

Principal  
Maize High School  
11600 W 45th St. North  
Maize, KS 67101

Principal  
Maize Central Elementary  
304 W Academy Ave  
Maize, KS 67101

Principal  
Maize Middle School  
4600 N. Maize Rd  
Maize, KS 67101

Principal  
Pray-Woodman Elementary  
605 W Academy Ave  
Maize, KS 67101

Principal  
Maize South Elementary  
3404 N Maize Rd  
Wichita, KS 67205

Principal  
Vermillion Elementary  
501 James  
Maize, KS 67101

Principal  
Maize South High School  
3701 N Tyler Road  
Wichita, KS 67205

Principal  
Maize South Middle School  
3403 N. Tyler Road  
Wichita, KS 67205

Principal  
Maize Elementary  
305 W Jones  
Maize, KS 67101

Principal  
Complete High School Maize  
745 W Academy Ave  
Maize, KS 67101

Principal  
Maize Early Childhood Center  
9405 W. 37<sup>th</sup> St. North  
Wichita, KS 67205

Principal  
Maize Intermediate School  
12100 W 45th Street North  
Maize, KS 67101

Principal  
Maize South Intermediate  
9701 W 37th Street N  
Wichita, KS 67205

Principal  
Hope Learning Center  
500 W Main  
Mt. Hope, KS 67108

- F. Fees for Copies of Public Records: Fees shall be charged for the provision of access to and copying public records. Fees will consist of the actual labor, material, administrative, and computer services costs incurred by the District related to activities associated with responding data, organizing data and transporting records from one location to another. Labor costs shall be calculated using the actual labor rate of any employee performing the work times the number of hours worked, to the nearest ½ hour. Individual copies of materials will be charged at a rate of \$.25 per page.

BE IT FURTHER RESOLVED:

- A. No original public records shall be removed from the custody of the official custodian without the written permission of the official custodian.
- B. Each request for access to the public record shall be acted upon as soon as possible, but not later than the end of the third business day following the date the request is received.
  - 1. If access to the public record is not granted immediately, the official custodian shall give a detailed

- explanation of the cause for further delay, and the place and earliest time and date that the record will be available for inspection.
2. If a request is denied, the official custodian shall, upon request, provide a written statement of the grounds for the denial, shall cite the specific provision of law under which access is denied. Said written statement shall be furnished to the requester not later than the end of the third business day following the date that the request for the statement is received. If the requester disagrees with the explanation, the freedom of information officer shall settle the dispute.
  - C. When the official custodian furnishes copies of public records, charges for the service shall be collected in advance. The request for copies of public records shall be in writing, and the requester shall be required only to furnish his or her name and address, proof of identity if necessary, and the information needed to ascertain the records desired.
  - D. Copies of radio or recording tapes or discs, video tapes or films, pictures, slides, graphics, illustrations or similar audio visual items or devices, shall not be required to be furnished unless such items or devices were shown, played or recorded to a public meeting of this Board of Education.
  - E. Copies of public records shall be made while the records are in the possession, custody and control of the official custodian and shall be made under the supervision of the official custodian. For those records located in buildings which do not have copying equipment, copies will be made at other facilities at the following times - each working day at 10:30 a.m. In such cases, a fee will be charged for services rendered in supervising the copying of the records, based on the cost of the supervisor's time to the school district.
  - F. 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.
  - G. All charges or fees collected by the official custodian shall be remitted at least monthly to the Treasurer of this district and shall be credited to the general fund.

Adopted in Regular Session on the date listed below.

ATTEST:

BOARD OF EDUCATION  
 UNIFIED SCHOOL DISTRICT NO. 266,  
 SEDGWICK COUNTY  
 STATE OF KANSAS

By \_\_\_\_\_  
 President

Clerk \_\_\_\_\_

## EXHIBIT III - BOARD POLICY

### MAIZE DISTRICT SCHOOLS BLOODBORNE PATHOGENS EXPOSURE CONTROL POLICY

#### Standard Precautions

A wide variety of viruses and bacteria are considered to be blood-borne pathogens, capable of infection by entering the body through non-intact skin and mucous membranes. Some bloodborne pathogens encountered in the school environment are the Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), Hepatitis D Virus (HDV), Hepatitis G Virus (HGV), Cytomegalovirus (CMV), and Parvovirus B 19. The exposure control plan is a measure designed to safeguard employees against these health hazards and incorporates major features of Universal Precautions (designed to reduce the risk of exposure to bloodborne pathogens) and Body Substance Isolation (designed to reduce the risk of transmission of pathogens from moist body substances). Thus, Standard Precautions is a general infection control procedure that considers all persons as potentially infectious and requires the use of barriers or protective measures when dealing with the following:

- blood,
- all body fluids, secretions, and excretions except sweat, regardless of whether they contain visible blood,
- non-intact skin,
- and mucous membranes.

Disease transmission can occur when there is direct contact with the blood or body fluids of an infected person. In the school setting, transmission would occur most likely through one of the following events:

- direct contact with infectious body fluids to open skin lesions on the employee,
- direct contact with infectious body fluids to the employee’s mucous membranes, and
- puncture wounds with a contaminated object.

**The Bloodborne Pathogens Exposure Control Plan of Maize District Schools is reviewed annually and updated as needed. Procedures are found in the Employee Handbook.**

#### 1. Exposure Determination

Personnel with an increased risk of exposure to blood or other infectious materials are:

Job Classification	Tasks/Procedures
Nurses Nurse Substitutes Health Paras	Primary First Aid for Injuries Dressing changes/Wound Care Other invasive procedures
Staff in classroom with <ul style="list-style-type: none"> <li>● HBV Carrier;</li> <li>● *students exhibiting behaviors such as biting, scratching, self-mutilation, and drooling;</li> <li>● *and/or assisting with urinary catheters, feeding tubes, tracheotomies, and amplification equipment</li> </ul>	Classroom Management and assisting students with health care procedures where contact with body fluid that might contain blood is possible.
Custodial staff/ Maintenance	Cleaning after bodily fluid spills/ Waste Management
Laundry Personnel	Soiled towels

Personnel with a lesser risk of exposure to blood or other infectious materials are:

Job Classification	Tasks/Procedures
Teachers/Coaches Administrators Food Service Secretaries/Office Aides	Exposure to pathogens via injuries, sharps, glass; blood streaked vomitus, sputum, urine, feces; and other contaminated equipment.

## 2. Implementation of Standard Precautions

Standard precautions will be observed at each facility in order to prevent contact with blood or other potentially infectious materials. All blood or other body fluids will be considered infectious regardless of the perceived status of the source individual. Work practice controls will be utilized. Copies of the OSHA standards and District Exposure Control Plan will be located in the employee handbook.

### A. Hand Washing

- Hand washing is the first line of defense in the prevention of the spread of infection.
  - Hands must be washed after gloves are used.
  - Jewelry on the wrist and hands cannot be effectively cleaned and can tear gloves, so should be removed.
  - Nails must be kept at a reasonable length, free of chipped polish, and residuals removed from beneath them.
- Procedure for Hand Washing
  - Ensure that each hand sink is supplied with soap pump and disposable paper towels/hand dryers. Instant hand sanitizers (allow hands to air dry when using) or germicidal towelettes should be provided where water is not available.
  - Dispense soap into wet hands.
  - Vigorously rub hands together for one minute, paying particular attention to nails, cuticles, and spaces between fingers. Wash hands above the wrist.
  - Thoroughly rinse hands.
  - Dry hands using a disposable towel/hand dryer. Avoid use of non-disposable towels. Turn off faucet with towel.

B. Barriers include any device or material used for protection from contact with body fluids. Barriers are to be used by all personnel to protect from possible contamination by spills, splashes, and airborne droplets. Gloves and CPR masks can be obtained from the nurse.

- Gloves
  - Gloves should be worn to protect personnel. Therefore, gloves should be worn when exposure to body tissue, secretions, or excretions is possible.
  - Maintain a supply of approved non-latex gloves in a readily accessible location. Latex gloves are to be avoided due to the increase number of individuals with latex sensitivity. A supply is stored in the nurses office.
  - Gloves (single-use) shall be removed by turning inside out at the site of use, followed by properly discarding in the appropriate container. (Single-use is defined as use for one procedure, on one individual, in a specified area).
  - If the glove is torn, it must be removed as quickly as safety permits and be replaced, washing hands in-between.
  - Utility gloves must be decontaminated before reuse. If cracked, peeling, torn, punctured, dissolved or deteriorating in any way, they are to be discarded.
- Masks and Protective Eye Wear
  - Masks and safety glasses should be worn if danger of splashing from potentially infectious materials exists.
  - Masks and safety goggles are disposed of if used.
- CPR Micro Shield
  - A shield is advised in administering CPR. A CPR shield is stored in the nurses office and with each AED. Another is located in each building's crisis management first aid kit. Buses will have a CPR shield available for use.

### C. Scheduled Cleaning

It shall be the responsibility of the custodial staff assigned to each building to see that each work site and building in the district is maintained in a clean and sanitary condition.

- All equipment and environmental and working surfaces shall be cleaned and decontaminated with a district approved disinfectant or other appropriate disinfectant as soon as feasible after contact with blood or other potentially infectious materials (OPIM). Carpeted areas can be cleaned with general all-purpose carpet cleaning solution. Cleaning equipment should then be decontaminated.

- Trash receptacles are to be emptied and inspected for contamination daily. All bins, containers, and wastebaskets shall be cleaned and decontaminated at least once a week, or as soon as feasible upon notice of visible contamination.
- Broken glassware shall not be picked up by hand, but by using a broom and dustpan, tongs, vacuum cleaner or other mechanical means. These instruments are to be disinfected immediately after such use.
- Carpeted classrooms are to be vacuumed every other day or as often as needed.
- Solid floor areas are to be mopped daily with a disinfectant germicidal soap solution.
- Counter tops and sinks in classroom or wet areas are to be cleaned and disinfected daily. Desktops are to be disinfected upon request.
- General Restrooms and Nurse's Offices
  - Floors are to be cleaned daily with a disinfectant germicidal soap.
  - Work surfaces, counters, lavatories, and commode seats and surfaces are to be disinfected with a district approved disinfectant.
  - Walls are to be cleaned weekly or as needed with a disinfectant germicidal detergent (DGD).
- Locker Rooms and Showers
  - Floor areas are to be cleaned daily with a DGD or other approved solution.
  - Training room tables and other working surfaces are to be disinfected daily with the district approved disinfectant.
  - Shower floors, walls, and shower stacks are to be cleaned with Shower Foam or other approved solution daily.
- Any surface visibly contaminated with blood or OPIMs are to be cleaned and disinfected as soon as possible.

#### D. Laundry

The district staff will use Standard Precautions with all soiled or contaminated laundry. Any contaminated items which can be laundered will be bagged at the site of the contamination and handled as little as possible. If the items are wet, leak-proof containers shall be used. Such items shall not be sorted or rinsed at the site of the contamination. The bags shall be deposited in the appropriately labeled receptacle in the building or given to the parent at the end of the day if student personal property.

Any employee who comes into contact with contaminated items or laundry shall wear gloves and other personal protective equipment as deemed necessary or appropriate for protection. Receptacles will then be decontaminated with the district approved disinfectant.

#### E. Potential Infectious Equipment and Handling Procedures

- Sharps are defined as any instrument, device or material capable of producing a puncture or laceration. This includes lancets, syringes, needles, X-Acto knives, knife blades, glass, etc.
  - Sharps will not be bent, recapped, removed, sheared, or purposely broken.
  - Place immediately in red sharps container. Maize will utilize the mail order/return for sharps containers. Sharps containers are located in the nurse's office. When full, they will be returned in the box provided by the sharps container company.
  - Sharps will be released into an impervious container using the "no touch" technique. For example, hold X-acto knife over the opening of appropriate container and unscrew, letting blade fall into container.
  - Broken glass will be swept into dustpan and disposed of in a puncture resistant container. The dustpan and broom will need to be decontaminated and trash double bagged.
- Contaminated Equipment - Equipment Contaminated with Blood
  - Rinse with water.
  - Clean with a district approved disinfectant or other manufactured suggested bactericidal product.
  - Contaminated disposable equipment will be discarded in an impervious container.
- Blood Spills - Cleaning and Disinfecting
  - Wear disposable gloves during entire clean-up.
  - Use disposable towels to absorb spills. Place towels in a plastic bag.
  - Using clean disposable towels, wipe and clean soiled areas with district provided cleanser. Again place the towels in a plastic bag. Spray surface with a district approved disinfectant and allow to air dry.
  - Remove gloves from top down so that gloves will be removed inside out.
  - Put gloves in plastic bag with used disposable towels and seal bag. Place bag in plastic lined trash can. Any blood or bodily fluids should be dry and then they are able to be disposed of in the regular waste.
  - Wash hands thoroughly.

- Vomitus/Sputum - Cleaning and Disinfecting
  - Wear disposable gloves during entire procedure.
  - Cover vomitus with district approved absorbent material. Follow manufacturer's instructions.
  - Place material in a plastic bag.
  - Tools used during procedure should be placed in a separate plastic bag until they can be properly disinfected.
  - Wash area with district provided cleanser. Spray surface with a district approved disinfectant. If area is on carpeting, use an appropriate disinfectant suitable for carpeting.
  - If necessary, use disposable towels to blot up solution and dispose in plastic bag.
  - Put gloves in a plastic bag, tie shut and take directly to trash dumpster.
  - Wash hands thoroughly.
- Urine/Feces - Cleaning and Disinfecting
  - Wear disposable gloves during entire clean-up.
  - Use disposable towels to absorb the spill. Place the towels in a plastic bag.
  - Using clean disposable towels, wipe and clean soiled areas with district provided disinfectant. Put gloves in a plastic bag with used disposable towels and seal bag and take directly to trash dumpster.
  - Wash hands thoroughly.
- Feminine Hygiene Products
  - Discarded feminine hygiene products are not considered within the definition of regulated waste. However, special care should be used when handling these products and waste containers at all times. This includes the wearing of appropriate gloves.
  - Feminine hygiene waste products will be discarded into waste containers which are properly lined with a plastic bag. These plastic bags will be tied, placed in another plastic bag and disposed of daily and the containers disinfected on a daily basis. Follow previous explained procedures for cleaning and disinfecting if visible blood is present.

### 3. Hepatitis B. Vaccine

All personnel in the increased risk of exposure category will be offered the Hepatitis B Vaccine. Additionally, employees who work where special circumstances exist, such as biting or scratching, or employees with medical conditions such as severe skin disease that might facilitate transmission will be offered the Hepatitis B Vaccine.

Persons who render first aid only as a collateral duty, responding solely to injuries from workplace incidents (generally at the location where the incident occurs), will be offered the vaccine when an accidental injury occurs and possible blood contamination is transferred to mouth, eyes, nose or open skin, upon recommendation of their physician. Exposure will be reported to the nurse and principal immediately, a Post-Exposure Evaluation Form completed, and the incident will be reported by telephone and then in writing to the Supervisor. That employee will be notified to seek medical management within 48 hours.

### 4. Training

A. Training for new employees will include an explanation of:

1. The OSHA standard for Bloodborne Pathogens.
2. Epidemiology and symptomatology of bloodborne disease.
3. Modes of transmission of bloodborne pathogens.
4. This Exposure Control Plan, (i.e. points of the plan, lines of responsibility, how the plan will be implemented, etc.)
5. Procedures which might cause exposure to blood or other potentially infectious materials at this facility.
6. Control methods which will be used at the facility to control exposure to blood or other potentially infectious materials.
7. Personal protective equipment available at each facility.
8. Post exposure evaluation and follow-up.
9. Signs and labels used at the facility.
10. Hepatitis B Vaccine program at this facility.

Time will be allowed for questions and answers.

B. All new employees will be trained prior to initial assignment. Annual updates will be conducted for all returning employees.

C. Records

- Training records will be maintained for the previous three years of training and will included:



- Dates of all training sessions.
- Designated Formal or Review training.
- Name and job title of instructor
- Name and job titles of employees attending the training session.
- Medical records pertaining to vaccination or exposure evaluations will be retained for the duration of employment plus 30 years.

### Hepatitis B Vaccination Policy

Those at occupational risk of Hepatitis B viral (HBV) infection have been identified by the U.S. Centers for Disease Control. Persons at substantial risk of HBV infection who are demonstrated or judged likely to be susceptible should be vaccinated. Staff of nonresidential day-care programs (e.g., schools, sheltered workshops for the developmentally disabled) attended by known HBV carriers have a risk of HBV infection comparable to that among health-care workers and therefore should be vaccinated.

The risk in institutional environments is associated with blood exposure, bites, contact with skin lesions, and other infective secretions. Persons in casual contact even with carriers in settings such as schools and offices are at minimal risk of HBV infections, and vaccine is not routinely recommended for them. Unless special circumstances exist, such as biting or scratching or medical conditions such as severe skin disease that might facilitate transmission, vaccination is not indicated.

Only medical personnel and those persons who are identified under the category of “increased risk” will be offered the Hepatitis B vaccine free of charge by the school district. This does not negate the recommendation that all concerned persons should seek their physician’s advice and arrange with them for obtaining the Hepatitis B vaccine when needed as they do with the Diphtheria/Tetanus vaccine.

## HEPATITIS B VACCINE DECLINATION FORM

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring Hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Employee

HEPATITIS B VACCINE ACCEPTANCE FORM

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to myself.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Employee

FIRST AID INCIDENT REPORT

1. Date and time of first aid:

2. Names of all first aid providers:

3. Description of the accident or incident, and the circumstances surrounding it, which resulted in the need for first aid procedures:

4. Did an exposure incident occur? YES or NO

(An exposure incident occurs when there is specific mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials. Parenteral contact means the piercing of mucous membranes or the skin barrier through needle sticks, human bites, cuts, abrasions, etc.)

5. Post-exposure evaluation and follow-up (were) (were not) offered.

(If the affected employee believes that an exposure incident has occurred, the employee should be offered post-exposure evaluation and follow-up and the post-exposure evaluation and follow-up form should also be completed.)

6. The affected employee was offered the full Hepatitis B immunization series on \_\_\_\_\_ .  
date and time

(NOTE: The Hepatitis B vaccine must be offered as soon as possible, but in no event later than 24 hours after the incident occurs. The vaccine must be made available whenever a first aid incident occurs, whether or not an exposure incident has occurred.)

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Form completed by \_\_\_\_\_ Date \_\_\_\_\_  
School Nurse or Building Administrator Signature

POST-EXPOSURE EVALUATION AND FOLLOW-UP REPORT

- 1. Name of the employee who had an exposure incident.
  
- 2. Date, time and place of the exposure incident.
  
- 3. A description of the circumstances under which the exposure incident occurred:
  
  
- 4. A description of the route(s) of the employee's exposure:

5. Information on the source individual:

The identity of the source individual (is) (is not) known.

The source individual (is) (is not) known to be infected with HBV or HIV.

The school district, through \_\_\_\_\_ sought the consent of the source individual to blood testing. The source individual (did) (did not) consent to blood testing.

The source individual (did) (did not) consent to having the results of the blood test released to the school district and to the affected employee. \_\_\_\_\_ made the results of the source individual's blood test available to the affected employee on \_\_\_\_\_.

6. \_\_\_\_\_ was informed of his/her right to post-exposure evaluation and follow-up by \_\_\_\_\_ on \_\_\_\_\_. \_\_\_\_\_ was informed that \_\_\_\_\_ would perform the evaluation at \_\_\_\_\_, at the expense of the district, and that \_\_\_\_\_ would arrange an appointment for the evaluation. \_\_\_\_\_ (declined) (accepted) the offer and the appointment (was) (was not) made.

7. \_\_\_\_\_ offered \_\_\_\_\_ post-exposure prophylaxis in accordance with current recommendations of the U.S. Public Health Service on \_\_\_\_\_.

8. \_\_\_\_\_ offered \_\_\_\_\_ counseling with \_\_\_\_\_ concerning precautions to take during the period after the exposure incident. Such counseling also included information on potential illnesses. \_\_\_\_\_ was instructed to report any related experiences to \_\_\_\_\_.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Form completed by \_\_\_\_\_ Date \_\_\_\_\_  
School Nurse or Building Administrator Signature

## Exhibit IV - Board Policy

### Media-Center Material Review Committee (MCMRC)

Each building's site council will serve as the **Media-Center Material Review Committee** (if needed). Their purpose will be to **consider the suitability of media-center material** for use by students in grades pre K-12. The MCMRC will consider only concerns which are filed with the principal or chairperson and which are accompanied by the Request for Reconsideration of Library Materials form filled out by the person or persons issuing the concern. The committee will not be limited to, but will use the following criteria in making its recommendations as to the suitability of material.

1. Overall purpose
2. Timeliness or permanence
3. Importance of subject matter
4. Quality of the writing and production
5. Readability and popular appeal
6. Authoritativeness
7. Reputation and significance of the author, artist, composer, producer, and publisher
8. Age of students at which they will normally use the material

The MCMRC should keep in mind that it is a *recommending* body. Its findings should be submitted in writing to the building principal with a copy going to the person or persons initiating the concern. The building principal will then make a decision concerning the questionable material. It should be understood that any decision made by the principal may be appealed to the superintendent and/or the Board of Education.

**EXHIBIT V -- BOARD POLICY**  
**FAMILY AND MEDICAL LEAVE PLAN**

Family and medical leave as required by federal law shall be granted for a period of not more than 12 weeks during a 12-month period. For purposes of this policy, a 12-month period shall be defined as a fiscal year beginning on July 1 and ending the following June 30. Spouses who are eligible for FMLA leave and are both employed by the district may be limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken for birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement, or to care for the employee's parent with a serious health condition.

Leave is available because of:

1. the birth of a son or daughter of the employee and to care for the son or daughter
2. the placement of a son or daughter with the employee for adoption or foster care
3. the need to care for a spouse, son, daughter or parent of the employee because of a serious health condition
4. a serious health condition of the employee that prevents the employee from performing the job functions. (Leave for reason 1 or 2 must be taken within 12 months of birth or placement.)
5. any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to achieve active duty) in support of a contingency operation; and
6. the need to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member. Eligible employees are, for reason (6) only, entitled to a combined total of 26 workweeks of leave during a 12-month period.

(Leave for reasons 1 or 2 must be taken within 12 months of the date of birth or placement of the child.)

The leave shall normally be unpaid leave. However, if the employee has any paid vacation, personal, sick or disability leave that is available for use because of the reason for the leave, the paid leave shall be used concurrently with the annual family and medical leave. The Superintendent will notify the employee prior to or during the leave period that the leave has been designated as paid family and medical leave.

The employee is eligible for family and medical leave upon completion of 12 months of service in the District and employed at least 1250 hours during the preceding year.

During the period of any unpaid family and medical leave the Board shall continue to pay the employer's share of the cost of group health benefits in the same manner as paid immediately prior to the leave. Any employee portion of the cost shall be paid by the employee to the Clerk of the Board on the payroll date or other time as the employee and Superintendent may agree. The Board may terminate group health coverage if the employee payment is not received within 30 days of the due date.

When leave is foreseeable, the employee shall give written notice 30 days in advance. If leave is not foreseeable, notice will be given as soon as practicable.

Upon the employee providing notice of need for leave, the employer will notify the employee of:

- A. The reasons that leave will count as family and medical leave.
- B. Any requirements for medical certification.
- C. Employer requirement of substituting paid leave.
- D. Requirements for premium payments for health benefits and employee responsibility for repayment if employer pays employee share.
- E. Right to be restored to same or equivalent job.
- F. Any employer required fitness-for-duty certifications.

The Superintendent may require an instructional employee to continue leave until the end of a semester if the leave begins more than five (5) weeks before the end of a semester, lasts more than three (3) weeks and the return would occur during the last three (3) weeks of the semester.

Leave for reason 1 or 2 must be taken within 12 months of the date of birth or placement of the child. Family leave for reasons 1 or 2 may not be used intermittently or on a part-time basis without the prior approval of the superintendent.

If the leave is for a reason other than the employee's serious health conditions or for a qualifying exigency as described in section (5) above, the Superintendent may require an instructional employee to continue leave until the end of a semester, if:

- A. The leave begins in the last five (5) weeks of a semester, will last more than two (2) weeks and the return to work would occur in the last two (2) weeks of a semester, or

B. The leave begins in the last three (3) weeks of a semester, and lasts more than five (5) days.



## **Exhibit VI Copyright Guidelines**

It is the intent of the Maize School District to adhere to the provisions of the U.S. Copyright Law (Title 17, United States Code, Section 101, et. seq.) and other relative federal legislation and guidelines related to the duplication, retention and use of copyrighted materials. Employees who willfully disregard copyright laws are in violation of BOE policy and do so at their own risk and assume all liability.

Copyright policy is applied to all copyrighted materials, including print, videos and/or off-air recording, logos, illustrations, graphics, photographs, digital images, music, and computer software. Educational use exempts certain performances and displays from copyright infringement. All of the following criteria must be satisfied for face-to-face teaching, also called an educational exemption, to apply:

- The showing must be made by, at the direction of, or under the actual supervision of an instructor.
- The movie must directly relate to the curriculum and be of material assistance to the content being taught.
- The showing must take place in a classroom setting with only the enrolled students attending.
- The movie being used must be a legitimate copy, lawfully made under the Copyright Act and not taped from a legitimate copy or taped from television.

Fair use permits certain use of copyrighted material, without permission of the copyright holder, that ordinarily would be considered copyright infringement. when the following four factors are met:

1. The purpose and character of use, including whether such use is of a commercial nature or is for nonprofit educational purposes (how it will be used).
2. The nature of the copyrighted work (various formats, e.g. textbooks, workbooks, tests, poetry, etc.).
3. Amount of copyrighted work used (usually 10 percent limit).
4. Effect on the potential market for or value of the copyrighted work (Will the owner suffer unreasonable financial loss?).

Assuming the use is for classroom instruction, the guidelines below explain what is permitted and prohibited for each format.

### **I. Printed Materials/Graphics**

#### **a. Permitted**

##### **i. Single copies at the request of an individual teacher of:**

1. a chapter of a book.
2. an article from a magazine or newspaper.
3. a short story, short essay, or short poem, whether or not from a collective work.
4. a chart, graph, diagram, drawing, cartoon, or picture from a book, magazine, or newspaper.

##### **ii. Multiple copies at the request of a teacher for classroom use (not to exceed one copy per pupil in a course) of:**

1. a complete poem if less than 250 words.
2. an excerpt from a longer poem, but not to exceed 250 words.
3. a complete article, story, or essay of less than 2,500 words.
4. an excerpt from a larger printed work, not to exceed 10 percent of the whole or 1,000 words, whichever is less.
5. one chart, graph, diagram, cartoon, or picture per book or magazine issue.

#### **b. Prohibited**

- i. Copying more than one work or two excerpts from a single author during one class term.
- ii. Copying more than three works from a collective work or periodical volume during one class term.
- iii. More than nine sets of multiple copies for distribution to students in one class term.
- iv. Copying used to create or replace or substitute for anthologies or collective works.
- v. Copying of “consumable” works, such as workbooks, standardized tests, answer sheets, etc.
- vi. Copying/enlarging without permission (e.g. photographs, greeting cards, etc.).

### **II. Sheet and Recorded Music**

#### **a. Permitted**

- i. Emergency copies for an imminent performance are permitted, provided they are replacing purchased copies and replacement is planned.

- ii. Multiple copies (one per pupil of excerpts not constituting an entire performance unit or more than 10 percent of the total work may be made for academic purposes other than performances).
  - iii. Purchased sheet music may be edited or simplified provided the character of the work isn't distorted or lyrics added or altered.
  - iv. A single copy of a recorded performance by students may be retained by the institution or individual teacher for evaluation or rehearsal purposes.
  - v. A single copy of recordings of copyrighted music owned by the institution for constructing exercises or examinations and retained for same.
- b. Prohibited
- i. Copying to replace or substitute for anthologies or collections.
  - ii. Copying from works intended to be "consumable."
  - iii. Copying for purpose of performance except for Permitted No. 1 (referenced above).
  - iv. Copying to substitute for purchase of music.
  - v. Copying without inclusion of copyright notice on the copy.

### III. Audiovisual/Multimedia Materials

#### a. Permitted

- i. Creating a slide or overhead transparency series from multiple sources as long as creation does not exceed 10 percent of photographs in one source (book, magazine, filmstrip, etc.) unless the source forbids photographic reproduction.
- ii. Creating a single overhead transparency from a single page of a "consumable" workbook.
- iii. Reproducing selected slides from a series if reproduction does not exceed 10 percent of the total nor excerpting "the essence."
- iv. Excerpting sections of a film for a local videotape (not to be shown over cable) if excerpting does not exceed 10 percent of the total nor "the essence" of the work.
- v. Stories or literary excerpts may be narrated on tape and duplicated, as long as the tape is not available for sale.
- vi. Multimedia projects created for educational purposes may be used for teaching courses (face-to-face instruction) for a period up to two years. Use beyond that requires permission from each copyrighted portion incorporated in the production.
- vii. The following portion limitations apply:
  - 1. 10 percent or 3 minutes whichever is less of motion media.
  - 2. 10 percent or 1000 words whichever is less of text material.
  - 3. 10 percent, but no more than 30 seconds of music and lyrics from an individual musical work; photographs used in its entirety but no more than five images by an artist or photographer.

#### b. Prohibited

- i. Duplication of tapes unless reproduction rights were given at time of purchase. 2. Reproduction of musical works or conversion to another format (e.g., record to tape).
- ii. Reproduction of commercial "ditto masters," individually or in sets (including multimedia kits), if available for sale separately.
- iii. Reproduction of any AV work in its entirety.
- iv. Conversion of one media format to another (e.g., film to videotape) unless permission is secured.
- v. Educators and students are advised to exercise caution in using digital material downloaded from the Internet in multimedia projects, because there is a mix of works protected by copyright and works in the public domain on the network. Access to works on the Internet does not automatically mean that these can be reproduced and reused without permission or royalty payment.

### IV. Computer Software

#### A. Permitted

- 1. One copy made for archival purposes only to be held in case the working copy is destroyed or no longer functions.

#### B. Prohibited

- 1. Creation of any new copies of copyrighted programs for any purpose other than one permitted above.
- 2. Installing single use programs on more than one computer.

3. Installing site license programs on more sites than allowed by license.
4. Leaving preview software on the computer after return of program.

#### V. Video/Off-Air Recording

##### A. Permitted

1. Public performance is permitted only when all four of these requirements is met:
  - a. The performance must be presented by instructors or pupils.
  - b. The performance must occur in the course of face-to-face teaching.
  - c. The performance must take place in a classroom or similar place for instruction.
  - d. The performance must be of a legally acquired copy of the work.
2. A broadcast program may be recorded off-air simultaneously with transmission and retained by a nonprofit educational institution for 45 calendar days after date of recording.
3. Off-air recordings may be used once by individual teachers for relevant classroom activities and once for necessary reinforcement during the first 10 consecutive school days after recording.
4. After the first 10 school days, recordings may be used up to the end of the 45-day retention period for teacher evaluation purposes only (e.g., to determine if the program should be purchased for the curriculum).
5. Such recordings may be made only at the request of and used by individual teachers. No broadcast program may be recorded more than once for the same teacher.
6. Such recordings need not be used in their entirety but may not be altered or edited and must include the copyright notice on the program as recorded.

##### B. Prohibited

1. Off-air recording in anticipation of teacher requests.
2. Using the recording for instruction after the 10-day use period.
3. Holding the recording for weeks or indefinitely because:
  - a. units needing the program concepts aren't taught within the 10-day use period
  - b. an interruption or technical problems delayed its use
  - c. another teacher wishes to use it... or any other supposed "legitimate" educational reason.

**On occasion, a special notice is provided with some materials specifically prohibiting reproduction of any kind. Permission to use any part of such works must be secured in writing from the author or producer. In no case shall any district employee or student use district equipment for duplication which would prevent or circumvent sale of copyrighted materials.**

## **Exhibit VII Homeless Student Regulations**

### **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; or 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

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 non-homeless 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:

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 conducting 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 case of an unaccompanied youth, ensure that the district homeless student liaison assists in placement or enrollment decisions under this 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 Academic Records

The enrolling school shall 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 school district and in a manner consistent with the Family Educational Rights and Privacy Act. See Article I, Section 21.

#### Enrollment Disputes

If a dispute arises over eligibility, school selection, or enrollment in a 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 educational 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.

#### 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.

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, as outlined in FERPA.

#### Contact Information

Nothing shall prohibit 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 was last enrolled, including a 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
- 5) 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 youths 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 inter-district activities, with other local educational agencies. 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 seq.), 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:

Position: Associate Superintendent for Teaching and Learning

E-mail: kduling@usd266.com

Address: 905 W. Academy Ave., Maize, KS 67101

Telephone: (316) 722-0614

The district shall inform school personnel, service providers, and advocates working with homeless families of the duties of this liaison.

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 education 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;
- 8) the parent or guardian of a homeless child or youth, and any unaccompanied 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;
- 9) school personnel providing services under these regulations receive professional development and other support; and
- 10) unaccompanied youths:
  - a. are enrolled in school;
  - b. have opportunities to meet the same challenging state academic standards as Kansas establishes for other children and youth; and
  - c. 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 inquiries 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 homeless 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 coordination 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.

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

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 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.

**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 student liaison. If the complaint is not promptly resolved, you may complain in writing to the district 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 superintendent of the formal complaint and the result.

## **Exhibit VIII Foster Care Student Regulations**

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.

### 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.

The District has designated the following staff person as the District foster care liaison:

Position: Associate Superintendent for Teaching and Learning

E-mail: kduling@usd266.com

Address: 905 W. Academy Ave., Maize, KS 67101

Telephone: (316) 722-0614

### 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.

## Exhibit IX

The policies of Board of Education of U.S.D. No. 266 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 Compliance Coordinator: Mr. Richard Bell, 905 W Academy Ave., Maize, KS 67101. [rbell@usd266.com](mailto:rbell@usd266.com) (316) 722-0614

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: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Racial Harassment <input type="checkbox"/> Sex <input type="checkbox"/> Sexual Harassment <input type="checkbox"/> Disability <input type="checkbox"/> Religion <input type="checkbox"/> Age <input type="checkbox"/> Genetic Information <input type="checkbox"/> Harassment on the basis of _____; <p style="text-align: center;">OR</p> <input type="checkbox"/> 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: <ul style="list-style-type: none"> <li>● Who was the person engaging in the conduct?</li> <li>● Who was the conduct directed toward?</li> <li>● What was the nature of the conduct?</li> <li>● When did it occur?</li> <li>● Where did it occur?</li> <li>● What effect did the incident have on you? What effect did it have on the person allegedly targeted?</li> </ul>	_____ _____ _____ _____ _____ _____ _____ _____ _____ _____ Attach additional sheets if necessary.
Were there any witnesses to this incident?	<input type="checkbox"/> Yes <input type="checkbox"/> 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 make and be interviewed and/or testify as to your knowledge of the matter? <input type="checkbox"/> Yes <input type="checkbox"/> No	