

# GERNER FAMILY EARLY EDUCATION CENTER STAFF HANDBOOK 2021-22



---

Park Hill School District

---

Building Successful Futures • Each Student • Every Day

## Table of Contents

PARK HILL VISION, MISSION AND VALUES .....	9
PROHIBITION AGAINST DISCRIMINATION, HARASSMENT, AND RETALIATION .....	9
General Rule .....	9
Additional Prohibited Behavior .....	10
Boy Scouts of America Equal Access Act .....	10
School Nutrition Programs .....	10
Interim Measures .....	10
Consequences and Remedies .....	11
Definitions.....	11
Compliance Officer .....	12
Public Notice.....	13
Reporting .....	14
Student-on-Student Harassment.....	14
Investigation .....	14
Grievance Process Overview .....	15
Grievance Process.....	15
Confidentiality and Records .....	16
Training .....	17
SEXUAL HARASSMENT UNDER TITLE IX .....	17
Reporting Sexual Harassment or Title IX Retaliation.....	18
Notice of the Policy against Discrimination on the Basis of Sex.....	18
Retaliation Prohibited.....	19
Intake and Classification of Reports .....	19
Procedures Prior to or without a Formal Complaint .....	19
Students Receiving Special Education Services .....	20
The Formal Complaint Process .....	20
Process upon Filing of a Formal Complaint .....	20
Notice to the Parties.....	21
Range of Possible Disciplinary Sanctions and Remedies .....	21
Interim Action.....	22
Emergency Removal .....	22
Administrative Leave .....	22
Investigating a Formal Complaint.....	22

Consolidation .....	22
Investigation Process and Scope .....	22
Dismissal of the Formal Complaint.....	23
Designation and Duties of Decision-Maker .....	24
Procedures of the Decision-Maker and Party Questions and Answers.....	24
Preponderance of the Evidence Standard.....	24
Decision-Maker's Findings and Resulting Remedies .....	25
Finality of the Title IX Decision .....	25
Disciplinary Matters and Implementation of Discipline and Remedies .....	25
Appeals of the Determinations of Responsibility in the Title IX Decision .....	25
Initiating an Appeal of a Title IX Decision—Time, Contents and Assignment .....	25
Conduct of the Appeal.....	26
Process for Informal Resolution of Formal Complaints.....	26
Training .....	27
Records .....	27
Confidentiality .....	28
Definitions Applicable to this Policy .....	28
WORKPLACE ACCIDENTS AND INJURIES .....	30
Reporting .....	31
Use of Leave.....	31
Medical Providers .....	32
Reasonable Accommodations (Light Duty) .....	32
Loss of Benefits.....	32
FAMILY EDUCATIONAL RIGHTS AND PRIVACY (FERPA) .....	32
Definitions.....	33
Health Information .....	33
Parent and Eligible Student Access .....	33
Directory Information.....	34
Law Enforcement Access .....	35
Children's Division Access.....	35
Military and Higher Education Access .....	35
Volunteer Access .....	35
Records Retention .....	35
USE OF DISTRICT TECHNOLOGY RESOURCES.....	36
Definitions.....	36

Authorized Users .....	36
User Privacy .....	37
Technology Administration .....	37
Content Filtering and Monitoring.....	37
Online Safety, Security and Confidentiality.....	38
Closed Forum.....	38
Inventory and Disposal .....	39
Violations of Technology Usage Policies and Procedures .....	39
Damages .....	39
No Warranty/No Endorsement .....	39
STAFF CONDUCT .....	40
STAFF/STUDENT RELATIONS .....	41
Definitions.....	41
General .....	42
Absolute Prohibitions .....	42
Exceptions to this Policy .....	42
Failure to Maintain Boundaries .....	43
Electronic Communication .....	44
Consequences.....	45
Reporting .....	45
Training .....	45
STAFF USE OF COMMUNICATION DEVICES .....	45
Definitions.....	46
General Use .....	46
Use in Vehicles.....	46
Use of District-Provided Communication Devices.....	47
Personal Use of District-Provided Communication Devices.....	47
REPORTING AND INVESTIGATING CHILD ABUSE/NEGLECT .....	48
Definitions.....	48
Public School District Liaison .....	49
Training .....	49
For Board Members.....	49
For Employees .....	49
For Students.....	49
Reporting Child Abuse and Neglect .....	50

Reporting Allegations of Sexual Misconduct by a School Employee.....	50
Investigating Child Abuse and Neglect .....	51
Harassment, Spanking or Protection of Persons or Property by District Staff .....	51
Referral to the Office of Child Advocate for Children's Protection and Services .....	51
Information from the Children's Division .....	51
Immunity .....	52
BULLYING .....	52
General .....	52
Definitions.....	52
Designated Officials .....	53
Reporting Bullying .....	53
Investigation .....	53
Consequences.....	54
Policy Publication.....	54
Training and Education .....	55
Discipline Reporting and Records .....	56
Reporting to School Staff.....	56
Reporting to Law Enforcement Officials.....	57
Reporting Third-Degree Assault .....	58
Student Discipline Records .....	58
Confidentiality .....	58
Liability.....	58
Seclusion, Isolation and Restraint .....	59
Purpose .....	59
Policy Applicability .....	59
Definitions.....	59
Use of Time-Out.....	61
Use of Aversive Interventions.....	61
Use of Seclusion, Isolation and Restraint .....	62
Seclusion .....	62
Isolation .....	62
Physical Restraint.....	62
Mechanical Restraint.....	63
Chemical Restraint.....	63
Emergency Situation Follow-ups .....	63

Positive Behavior Supports.....	63
Training.....	64
Records .....	64
Notice to Parents/Guardians .....	64
Students with Disabilities .....	65
REFERENCES FOR CURRENT & FORMER DISTRICT EMPLOYEES.....	65
Definitions.....	65
Obtaining References for Applicants to the District.....	65
District Response to a Request for a Reference .....	66
Content of Reference Disclosure .....	66
Information Provided as Required by Law .....	66
Information Provided with Consent from the Employee or Former Employee .....	67
Disclosing Allegations of Sexual Misconduct.....	67
Prohibition against Assisting Employees, Contractors or Agents Accused of Sexual Misconduct .....	68
Recordkeeping.....	68
Notice .....	69
Immunity .....	69
USE OF TOBACCO PRODUCTS AND IMITATION TOBACCO PRODUCTS.....	69
CRIMINAL BACKGROUND CHECKS .....	69
Definitions.....	70
Employees.....	70
Drivers.....	70
Volunteers .....	71
Contracted Services .....	71
Payment.....	71
Updating Information .....	71
Ongoing Background Checks .....	72
District Notification.....	72
Reporting Requirements .....	72
Consequences.....	73
EMPLOYEE ASSISTANCE PROGRAM (EAP) .....	73
PHYSICAL MANAGEMENT OF CLASSROOM .....	75
Bulletin Boards.....	75
Energy Conservation.....	75
Security .....	75

Cleanliness .....	75
Food/Drinks .....	75
FACULTY EXPECTATIONS.....	76
Hours of Employment.....	76
Faculty Meetings .....	76
GENERAL RESPONSIBILITIES.....	76
Supervision of Students.....	76
Arrival and Dismissal Duties .....	76
Hall and Restroom Supervision .....	76
Lunchroom/Playground Supervision .....	77
Telephone Calls.....	77
Mailboxes, Voicemail, and E-mail.....	77
Informal Discussions/Student Information .....	77
Professional Appearance .....	77
Identification Badges .....	77
Teacher Supervision/Evaluation .....	78
GENERAL PROCEDURES.....	78
Supplies and Equipment.....	78
Custodians .....	78
Student Dismissal .....	78
Releasing Students from Room at Dismissal .....	78
Assemblies .....	78
Field Trips.....	79
Use of Private Vehicles to Transport Students.....	79
Guidelines for the Health Room.....	79
Student Medication .....	80
Inclement Weather Guidelines.....	80
The Library Media Center (LMC) .....	80
CAFETERIA/PLAYGROUND .....	80
Nutrition Services .....	80
Outdoor Play Time .....	81
REPORTS AND RECORD KEEPING .....	81
Lesson Plans.....	81
Grading and Reporting .....	81
Permanent Records – Cumulative and Discipline Files.....	81

Communication Logs .....	81
COMMUNICATIONS AND PUBLIC RELATIONS.....	82
Parent Conferences/Communication .....	82
Parent-Teacher Association and Other School Related Events.....	82
Attorney Contacts.....	82
SUBSTITUTE MANAGEMENT .....	82
Substitute Teachers .....	82
Providing Evaluation and Feedback for Substitutes .....	83
Substitute Teaching Within the Building .....	83
Leaves .....	83
Block Out Dates .....	83
Emergency Leave .....	83
willSub© Quick Reference Guide .....	84
CLASSROOM ACTIVITIES.....	85
Park Hill Visual Media Guidelines .....	85
End of Year Planning.....	85
STUDENT DISCIPLINE.....	85
CRISIS RESPONSE.....	86
ASBESTOS ISSUE UPDATE.....	88



## **PARK HILL VISION, MISSION AND VALUES**

### **Vision**

Building Successful Futures • Each Student • Every Day

### **Mission**

Through the expertise of an engaged staff, the Park Hill School District provides a relevant education in a safe, caring environment to prepare each student for success in life.

### **Values**

Student-Focused  
Integrity  
High Expectations  
Continuous Improvement  
Visionary Leadership  
Equity

## **PROHIBITION AGAINST DISCRIMINATION, HARASSMENT, AND RETALIATION**

(Board Policy AC, Updated 11/14/2019)

### **General Rule**

The Park Hill Board of Education is committed to maintaining a workplace and educational environment that is free from discrimination and harassment in admission or access to, or treatment or employment in, its programs, services, activities and facilities. In accordance with law, the district strictly prohibits discrimination and harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by applicable law. The Park Hill School District is an equal opportunity employer.

The Board also prohibits:

1. Retaliatory actions including, but not limited to, acts of intimidation, threats, coercion or discrimination against those who:
  - a. Make complaints of prohibited discrimination or harassment.
  - b. Report prohibited discrimination or harassment.
  - c. Participate in an investigation, formal proceeding or informal resolution, whether conducted internally or outside the district, concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing discrimination, harassment or retaliatory actions.
3. Discrimination, harassment or retaliation against any person because of such person's association with a person protected from discrimination or harassment in accordance with this policy.

All employees, students and visitors must promptly report to the district for investigation any incident or behavior that could constitute discrimination, harassment or retaliation in accordance with this

policy. If a student alleges sexual misconduct on the part of any district employee to any person employed by the district, that person will immediately report the allegation to the Children's Division (CD) of the Department of Social Services in accordance with state law. In accordance with this policy and as allowed by law, the district will investigate and address discrimination, harassment and retaliation that negatively impact the school environment, including instances that occur off district property or are unrelated to the district's activities.

### **Additional Prohibited Behavior**

Behavior that is not unlawful or does not rise to the level of illegal discrimination, harassment or retaliation might still be unacceptable for the workplace or the educational environment. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation or perceived sexual orientation.

### **Boy Scouts of America Equal Access Act**

As required by law, the district will provide equal access to district facilities and related benefits and services and will not discriminate against any group officially affiliated with the Boy Scouts of America, the Girl Scouts of the United States of America or any other youth group designated in applicable federal law.

### **School Nutrition Programs**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices and employees, and institutions participating in or administering USDA programs (including the district), are prohibited from discriminating based on race, color, national origin, sex, disability, age or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the USDA. These programs include the National School Lunch Program, the School Breakfast Program and the Summer Food Service Program.

Any person or representative alleging discrimination based on a prohibited basis has the right to file a complaint within 180 days of the alleged discriminatory action with the USDA Office of the Assistant Secretary for Civil Rights or the district's compliance officer using the process outlined in policy EF.

### **Interim Measures**

When a report is made or the district otherwise learns of potential discrimination, harassment or retaliation, the district will take prompt action to protect the alleged victim, including implementing interim measures. For example, the district may alter a class seating arrangement, provide additional supervision for a student or suspend an employee pending an investigation. The district will take prompt steps to prevent retaliation against the alleged victim, any person associated with the alleged victim, or any witnesses or participants in the investigation. These steps may include, but are not limited to, notifying students, employees and others that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment or retaliation have occurred.

## **Consequences and Remedies**

If the district determines that discrimination, harassment or retaliation have occurred, the district will take prompt, effective and appropriate action to address the behavior, prevent its recurrence and remedy its effects.

Employees who violate this policy are subject to discipline, up to and including employment termination. Students who violate this policy will be subject to discipline, which may include suspension or expulsion. Patrons, contractors, visitors or others who violate this policy may be prohibited from district property or otherwise restricted while on district property. The Superintendent or designee will contact law enforcement or seek a court order to enforce this policy when necessary or when actions may constitute criminal behavior.

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

In accordance with law and district policy, any person suspected of abusing or neglecting a child will be reported promptly to the CD.

Remedies provided by the district will attempt to minimize the burden on the victim. Such remedies may include, but are not limited to: providing additional resources such as counseling, providing access to community services, assisting the victim in filing criminal charges when applicable, moving the perpetrator to a different class or school, providing an escort between classes, or allowing the victim to retake or withdraw from a class. The district may provide additional training to students and employees, make periodic assessments to make sure behavior complies with district policy, or perform a climate check to assess the environment in the district.

## **Definitions**

*Compliance Officer* - The individual responsible for implementing this policy, including the acting compliance officer when he or she is performing duties of the compliance officer.

*Discrimination* - Conferring benefits upon, refusing or denying benefits to, or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by applicable law, or based on a belief that such a characteristic exists.

*Grievance* - A verbal or written report (also known as a complaint) of discrimination, harassment or retaliation made by a grievant to the compliance officer.

*Harassment* - A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment.

Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by applicable law or based on a belief that such a characteristic exists:

graffiti; display of written material, pictures or electronic images; name calling, teasing or taunting; insults, derogatory remarks or slurs; jokes; gestures; threatening, intimidating or hostile acts; physical acts of aggression, assault or violence; theft; or damage to property.

*Sexual Harassment* - A form of discrimination, as defined above, on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the district's programs and activities or the conditions of employment. Sexual harassment may occur between members of the same or opposite sex. The district presumes a student cannot consent to behavior of a sexual nature with an adult regardless of the circumstance.

Behaviors that could constitute sexual harassment include, but are not limited to:

1. Sexual advances and requests or pressure of any kind for sexual favors, activities or contact.
2. Conditioning grades, promotions, rewards or privileges on submission to sexual favors, activities or contact.
3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact.
4. Graffiti, name calling, slurs, jokes, gestures or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching or rubbing.
6. Comments about an individual's body, sexual activity or sexual attractiveness.
7. Physical sexual acts of aggression, assault or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking) against a person's will or when a person is not capable of giving consent due to the person's age, intellectual disability or use of drugs or alcohol.
8. Gender-based harassment and acts of verbal, nonverbal, written, graphic or physical conduct based on sex or sex stereotyping, but not involving conduct of a sexual nature.

*Working Days* - Days on which the district's business offices are open.

### **Compliance Officer**

The Board designates the following individual to act as the district's compliance officer:

Assistant Superintendent for Human Resources  
7703 NW Barry Road  
Kansas City, MO 64153  
816.359.4040

In the event the compliance officer is unavailable or is the subject of a report that would otherwise be made to the compliance officer, reports should instead be directed to the acting compliance officer which is the:

Executive Director for Quality & Evaluation  
7703 NW Barry Road  
Kansas City, MO 64153  
816.359.6804

The compliance officer or acting compliance officer will:

1. Coordinate district compliance with this policy and the law.
2. Receive all grievances regarding discrimination, harassment and retaliation in the Park Hill School District.
3. Serve as the district's designated Title IX, and Americans with Disabilities Act (ADA) coordinator, as well as the contact person for compliance with other discrimination laws.
4. Investigate or assign persons to investigate grievances; monitor the status of grievances to ensure that additional discrimination, harassment and retaliation do not occur; and recommend consequences.
5. Review all evidence brought in disciplinary matters to determine whether additional remedies are available, such as separating students in the school environment.
6. Determine whether district employees with knowledge of discrimination, harassment or retaliation failed to carry out their reporting duties and recommend disciplinary action, if necessary.
7. Communicate with law enforcement to determine whether any reported crimes constitute potential discrimination, harassment or retaliation.
8. Oversee discrimination, harassment or retaliation grievances, including identifying and addressing any patterns or systemic problems and reporting such problems and patterns to the Superintendent or the Board.
9. Seek legal advice when necessary to enforce this policy.
10. Report to the Superintendent and the Board, upon request, aggregate information regarding the number and frequency of grievances and compliance with this policy.
11. Make recommendations regarding changing this policy or the implementation of this policy.
12. Coordinate and institute training programs for district staff and supervisors as necessary to meet the goals of this policy, including instruction in recognizing behavior that constitutes discrimination, harassment and retaliation.
13. Periodically review student discipline records to determine whether disciplinary consequences are applied uniformly.
14. Perform other duties as assigned by the Superintendent.

### **Public Notice**

The Superintendent or designee will publicize the district's policy prohibiting discrimination, harassment and retaliation and disseminate information on how to report discrimination, harassment and retaliation. Notification of the district's policy will be posted in a public area of each building used for instruction or employment or open to the public. Information will also be distributed annually to employees, parents/guardians and students as well as to newly enrolled students and newly hired employees. District bulletins, catalogs, application forms, recruitment material and the district's website will include a statement that the Park Hill School District does not discriminate in its programs, services, activities, facilities or with regard to employment. The district will provide information in alternative formats when necessary to accommodate persons with disabilities.

## **Reporting**

Students, employees and others may attempt to resolve minor issues by addressing concerns directly to the person alleged to have violated this policy, but they are not expected or required to do so. Any attempts to voluntarily resolve a grievance will not delay the investigation once a report has been made to the district.

Unless the concern is otherwise voluntarily resolved, all persons must report incidents that might constitute discrimination, harassment or retaliation directly to the compliance officer or acting compliance officer. All district employees will instruct all persons seeking to make a grievance to communicate directly with the compliance officer.

Even if the potential victim of discrimination, harassment or retaliation does not make a grievance, district employees are required to report to the compliance officer any observations, rumors or other information regarding actions prohibited by this policy. If a verbal grievance is made, the person will be asked to submit a written complaint to the compliance officer or acting compliance officer. If a person refuses or is unable to submit a written complaint, the compliance officer will summarize the verbal complaint in writing. A grievance is not needed for the district to take action upon finding a violation of law, district policy or district expectations. Even if a grievance is not directly made, if the compliance officer otherwise learns about possible discrimination, harassment or retaliation, including violence, the district will conduct a prompt, impartial, adequate, reliable and thorough investigation to determine whether unlawful conduct occurred and will implement the appropriate interim measures if necessary.

## **Student-on-Student Harassment**

Building-level administrators are in a unique position to identify and address discrimination, harassment and retaliation between students, particularly when behaviors are reported through the normal disciplinary process and not through a grievance. Administrators have the ability to immediately discipline a student for prohibited behavior in accordance with the district's discipline policy. Administrators will report all incidents of discrimination, harassment and retaliation to the compliance officer and will direct the parent/guardian and student to the compliance officer for further assistance. The compliance officer may determine that the incident has been appropriately addressed or recommend additional action. When a grievance is made, the investigation and complaint process detailed below will be used.

## **Investigation**

The district will promptly investigate all grievances. All persons are required to cooperate fully in the investigation. The district compliance officer or other designated investigator may utilize an attorney or other professionals to conduct the investigation.

In determining whether alleged conduct constitutes discrimination, harassment or retaliation, the district will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred and all other relevant information. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. If, after investigation, school officials determine that it is more likely than not (the preponderance of the

evidence standard) that discrimination, harassment or other prohibited behavior has occurred, the district will take prompt corrective action.

### **Grievance Process Overview**

1. If a person designated to hear a grievance or appeal is the subject of the grievance, the compliance officer may designate an alternative person to hear the grievance, or the next highest step in the grievance process will be used. For example, if the grievance involves the Superintendent, the compliance officer may designate someone outside the district to hear the grievance in lieu of the Superintendent, or the grievance may be heard directly by the Board.
2. An extension of the investigation and reporting deadlines may be warranted if extenuating circumstances exist as determined by the district's compliance officer. The person making the complaint will be notified when deadlines are extended. If more than twice the allotted time has expired without a response, the appeal may be taken to the next level.
3. Failure of the person making the grievance to appeal within the timelines given will be considered acceptance of the findings and remedial action taken.
4. To the extent permitted by law, the district will investigate all grievances, even if an outside enforcing agency such as the Office for Civil Rights, law enforcement or the CD is also investigating a complaint arising from the same circumstances.
5. The district will only share information regarding an individually identifiable student or employee with the person making the grievance or other persons if allowed by law and in accordance with Board policy.
6. Upon receiving a grievance, district administrators or supervisors, after consultation with the compliance officer, will implement interim measures as described in this policy if necessary to prevent further potential discrimination, harassment or retaliation during the pending investigation.

### **Grievance Process**

1. Level I - A grievance is made with the district's compliance officer. The compliance officer may, at his or her discretion, assign a school principal or other appropriate supervisor to conduct the investigation when appropriate.

Regardless of who investigates the grievance, an investigation will commence immediately, but no later than five working days after the compliance officer receives the grievance. The compliance officer or designee shall conduct a prompt, impartial, adequate, reliable and thorough investigation, including the opportunity for the person making the grievance and other parties involved to identify witnesses and provide information and other evidence. The compliance officer or designee will evaluate all relevant information and documentation relating to the grievance.

Within 30 working days of receiving the grievance, the compliance officer will complete a written report that summarizes the facts and makes conclusions on whether the facts

constitute a violation of this policy based on the appropriate legal standards. If a violation of this policy is found, the compliance officer will recommend corrective action to the Superintendent to address the discrimination, harassment or retaliation; prevent recurrence; and remedy its effects. If someone other than the compliance officer conducts the investigation, the compliance officer or acting compliance officer will review and sign the report. The person who made the grievance, the victim if someone other than the victim made the grievance, and any alleged perpetrator will be notified in writing, within five working days of the completion of the report, in accordance with law and district policy, regarding whether the district's compliance officer or designee determined that district policy was violated.

2. Level II - Within five working days after receiving the Level I decision, the person making the grievance, the victim if someone other than the victim made the grievance, or any alleged perpetrator may appeal the compliance officer's decision to the Superintendent by notifying the Superintendent in writing. The Superintendent may, at his or her discretion, designate another person (other than the compliance officer) to review the matter when appropriate.

Within ten working days, the Superintendent will complete a written decision on the appeal, stating whether a violation of this policy is found and, if so, stating what corrective actions will be implemented. If someone other than the Superintendent conducts the appeal, the Superintendent will review and sign the report before it is given to the person appealing. A copy of the appeal and decision will be given to the compliance officer or acting compliance officer. The person who initially made the grievance, the victim if someone other than the victim made the grievance, and any alleged perpetrator will be notified in writing, within five working days of the Superintendent's decision, regarding whether the Superintendent or designee determined that district policy was violated.

3. Level III - Within five working days after receiving the Level II decision, the person making the grievance, the victim if someone other than the victim made the grievance, or any alleged perpetrator may appeal the Superintendent's decision to the Board by notifying the Board secretary in writing. The person making the grievance and the alleged perpetrator will be allowed to address the Board, and the Board may call for the presence of such other persons deemed necessary. The Board will issue a decision within 30 working days for implementation by the administration. The Board secretary will give the compliance officer or acting compliance officer a copy of the appeal and decision. The person who made the grievance, the victim if someone other than the victim made the grievance, and the alleged perpetrator will be notified in writing, within five working days of the Board's decision, in accordance with law and district policy, regarding whether the Board determined that district policy was violated. The decision of the Board is final.

### **Confidentiality and Records**

To the extent permitted by law and in accordance with Board policy, the district will keep confidential the identity of the person making a grievance and any grievance or other document that is generated or received pertaining to grievances. Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out disciplinary measures. The district will disclose information to the district's attorney, law enforcement, the CD and others when necessary to enforce this policy or when required by law. In implementing this policy, the district will comply with state and federal laws regarding the confidentiality of student and employee records.



Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The district will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions, in accordance with the Missouri Secretary of State's retention manuals and as advised by the district's attorney.

## **Training**

The district will provide training to employees on identifying and reporting acts that may constitute discrimination, harassment or retaliation. The district will instruct employees to make all complaints to the district's compliance officer or acting compliance officer and will provide current contact information for these persons. The district will inform employees of the consequences of violating this policy and the remedies the district may use to rectify policy violations. All employees will have access to the district's current policy, required notices and complaint forms. The district will provide additional training to any person responsible for investigating potential discrimination, harassment or retaliation. The district will provide information to parents/guardians and students regarding this policy and will provide age-appropriate instruction to students.

## **Sexual Harassment Under Title IX**

(Board Policy ACA, Adopted 11-12-2020)

The Park Hill School District does not discriminate on the basis of sex in its education programs and activities, including employment and admissions, in accordance with Title IX of the Education Amendments of 1972 (Title IX). All forms of sex-based discrimination are prohibited in the district, but this policy focuses exclusively on sexual harassment as defined in Title IX that occurs within the education programs and activities of the district. However, the district will respond promptly to investigate and address any report or complaint of sexual harassment.

"Sexual harassment under Title IX" is conduct on the basis of sex within the scope of the district's education programs or activities (as defined in this policy) that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8) or "stalking" as defined in 34 U.S.C. 12291(a)(30).

See the "Definitions Applicable to this Policy" section at the end of this document for definitions of other terms applicable to this policy.

In creating this policy, the district does not relieve any person under the district's jurisdiction from the consequences for violations of other policies and rules of the 2 district meant to establish an

environment conducive to teaching, learning, support services, work and the social and emotional well-being and development of the students entrusted to the district.

If a student alleges sexual misconduct on the part of any district employee to any person employed by the district, that person will immediately report the allegation to the Children's Division (CD) of the Department of Social Services in accordance with state law and district policy. Moreover, nothing in the policy precludes the mandatory or voluntary reporting of any suspected criminal activity to the appropriate law enforcement agency at any time.

### **Reporting Sexual Harassment or Title IX Retaliation**

Any person may report sexual harassment regardless of whether the person is the alleged victim (complainant). However, Board members and employees must immediately report to the Title IX coordinator any incident or behavior that could constitute sexual harassment or retaliation as defined in this policy. Reports may be made at any time, including during nonbusiness hours, by using the telephone number, email address or office address listed below.

The Board authorizes the following individual(s) to serve as the Title IX coordinator(s) for the Park Hill School District, and to coordinate and implement the district's efforts to comply with the requirements of Title IX.

Assistant Superintendent for Human Resources  
7703 NW Barry Road  
Kansas City, MO 6415  
816-359-4040

In the event the Title IX coordinator is unavailable or is the respondent to a complaint, reports should instead be directed to the compliance officer or alternate compliance officer listed in policy AC.

### **Notice of the Policy against Discrimination on the Basis of Sex**

The district will provide notice of the district's prohibition on discrimination on the basis of sex under district policy and Title IX to students, parents/guardians, employees, applicants for admission and employment, and all unions or professional associations holding collective bargaining or professional agreements with the district. The notice will:

1. Include the name or title, office address, email address and phone number of the Title IX coordinator;
2. Include information on the district's grievance procedures and grievance process;
3. State that the requirement not to discriminate extends to admission and employment; and
4. Direct inquiries to the Title IX coordinator or the assistant secretary for civil rights at the U.S. Department of Education.

The district's policy prohibiting discrimination on the basis of sex and the contact information of the Title IX coordinator(s) will be prominently displayed on the district's website and in each handbook or course catalog.

## **Retaliation Prohibited**

No person employed by or associated with the district will intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding or hearing under Title IX. While the law allows individuals to refuse to participate in a Title IX investigation, proceeding or hearing, district policy and the law require that employees immediately report to the Title IX coordinator any knowledge of an allegation of sexual harassment under Title IX, and employees can be reprimanded or disciplined for failing to do so.

Intimidation, threats, coercion or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment under Title IX but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment under Title IX, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. Complaints alleging retaliation must be filed with the Title IX coordinator.

Charging an individual with violating other district policies by making a materially false statement in bad faith in the course of the grievance proceeding is not retaliation. But making a statement that is not consistent with the ultimate decision of the decisionmaker or appellate-decision maker is not, in and of itself sufficient to conclude that the statement was materially false and made in bad faith.

## **Intake and Classification of Reports**

The Title IX coordinator will receive and review all reports of sexual harassment even if a formal complaint has not been filed. The context of behavior can make a difference between conduct falling within the technical definition of sexual harassment under Title IX and conduct of a sexual nature that is offensive or hostile in itself, but which does not constitute harassment within that definition. District policies prohibit both but, for purposes of its Title IX obligations, the district must specially address cases within the definition under this special, limited-scope policy.

If the Title IX coordinator determines that the report concerns conduct that does NOT involve sexual harassment under Title IX as that term is defined in this policy or did not occur in the district's education program or activity, the Title IX coordinator will use the grievance process in policy AC or forward the complaint to the individual responsible for implementing policy AC.

## **Procedures Prior to or without a Formal Complaint**

When the Title IX coordinator has actual knowledge of an allegation of sexual harassment under Title IX in an education program or activity of the district, the Title IX coordinator will promptly contact the complainant and:

1. Provide information about the supportive measures available to the complainant and inform the complainant that he or she may receive supportive measures without filing a formal complaint.
2. Consider the complainant's wishes with respect to supportive measures and implement appropriate supportive measures.
3. Explain to the complainant the process for filing a formal complaint.

## **Students Receiving Special Education Services**

In the case of all reports of sexual harassment, if the complainant or respondent has an individualized education program (IEP) in place, the Title IX coordinator will consult with the appropriate special education administrator(s) for assistance in determining the appropriate supportive measures based on the special needs of the student.

If the district determines that a student's specific circumstances, including disabilities, prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein, the district will pursue such measures as are available under district policy and law. Such measures will be designed to restore or preserve all students' equal access to the district's education programs or activities.

## **The Formal Complaint Process**

Nothing in this process will interfere with any legal right of a parent/guardian to act on behalf of a complainant, respondent or party including, but not limited to, filing a formal complaint. If a student who is not an eligible student pursuant to the Federal Education Rights and Privacy Act (FERPA) files a formal complaint, the parent/guardian of the complainant will be notified of the complaint with the complainant's consent.

The complainant may file a formal complaint or choose not to file a formal complaint and simply receive the supportive measures.

If the complainant does not file a formal complaint, the Title IX coordinator may sign a formal complaint initiating the grievance process. The Title IX coordinator will do so only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances.

If no formal complaint is filed by the complainant or signed by the Title IX coordinator, no disciplinary action will be taken against the respondent on the grounds of sexual harassment under Title IX.

## **Process upon Filing of a Formal Complaint**

The district's grievance process will provide a prompt and equitable resolution of complaints and will:

1. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent;
2. Comply with Title IX regulations before imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent;
3. Require a decision-maker to objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and not make credibility determinations based on a person's status as a complainant, respondent or witness;
4. Require that all Title IX coordinators, investigators, those responsible for facilitating informal resolution processes and decision-makers not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;

5. Presume that the respondent is not responsible for the conduct until a determination of responsibility is made at the conclusion of the grievance process;
6. Follow stated timelines unless the district temporarily delays the grievance process for good cause (including, but not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of a disability) and notify the parties in writing of the reason for a delay, if any; and
7. Not require, allow, rely upon or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

### **Notice to the Parties**

When the complainant files a formal complaint, written notice will be provided to all known parties and will include:

1. Notice of the grievance process, including any informal resolution process that is available and the timeline for such process.
2. Notice of the allegations of sexual harassment under Title IX made by the complainant with sufficient details known at the time and with sufficient time to allow the respondent to prepare before the initial interview. At a minimum, the details will include the identities of the parties involved in the incident, if known, the conduct and the date and location of the alleged incident if known.
3. A statement that the respondent is presumed not responsible for the conduct and that a determination of responsibility will be made at the conclusion of the grievance process.
4. A statement that parties may have an advisor of their choice, who may be an attorney.
5. A statement that the parties and their advisors will have an equal opportunity to inspect and review any evidence that is directly related to the allegations raised in the formal complaint, including evidence upon which the district does not intend to rely, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
6. Notice of any provision in the district's discipline code that prohibits knowingly making a false statement or providing false information during the grievance process.
7. Notice that retaliation of any kind against any person who has made a report or complaint, or against any person who testifies, assists, participates or refuses to participate in any manner into an investigation, proceeding or hearing under this policy, is prohibited.

If in the course of the investigation of sexual harassment under Title IX the district decides to investigate allegations about the complainant or respondent that were not in the initial notice, notice of the additional allegations will be provided to all known parties.

### **Range of Possible Disciplinary Sanctions and Remedies**

An appropriate disciplinary response for an employee found responsible for sexual harassment in this grievance process may include any suitable response available for the discipline of employees under Board policy or applicable law.

An appropriate disciplinary response for a student for sexual harassment in this grievance process may include any suitable response available for the discipline of students under Board policy or applicable law.

Remedies may also include the imposition upon a responsible respondent of any nondisciplinary measures appropriate to effecting a remedy for sexual harassment, such as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant's right to access the district's education programs and activities.

## **Interim Action**

### **Emergency Removal**

The district may remove the respondent from the district's education programs and activities prior to the start or completion of the grievance procedure on an emergency basis provided that the district:

1. Performs an individualized safety and risk analysis;
2. Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
3. Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision may not be construed to modify any rights under federal disability laws.

### **Administrative Leave**

The district may place an employee respondent on administrative leave during the pendency of the grievance process in accordance with Board policy and law. This provision may not be construed to modify any rights under federal disability laws.

## **Investigating a Formal Complaint**

### **Consolidation**

Formal complaints may be consolidated as to allegations of sexual harassment under Title IX against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### **Investigation Process and Scope**

After the formal complaint is filed and the investigation is complete, the investigator will provide an investigative report to the decision-maker. The investigation may be conducted by someone other than the Title IX coordinator. The investigator will gather evidence sufficient to reach a determination of responsibility or nonresponsibility and may not require the parties to do so.

During the investigation and the grievance process, the district will:

1. Provide equal opportunity to present witnesses, including fact and expert witnesses, and all evidence, including inculpatory and exculpatory evidence.
2. Not restrict the parties from discussing the allegations under investigation or gathering and presenting relevant evidence.
3. Provide the same opportunity for parties to have others, including an advisor of their choice, present during any grievance proceedings and related meetings, though the district may restrict the extent to which advisors may participate as long as the rules apply to both parties.
4. Provide written notice to parties who are invited or expected to participate of the date, time, location, participants and purpose of all hearings, investigative interviews or other meetings with sufficient time for the parties to prepare to participate.
5. Obtain written, voluntary consent before accessing records, such as medical records or counseling notes, that a physician, psychiatrist, psychologist or other recognized professional or paraprofessional made or maintained in connection with the provision of treatment to the party. If the party is at least 18 years old or is enrolled in postsecondary education, the party can sign on his or her own behalf. Otherwise, a parent/guardian must sign on the party's behalf. This notice must advise the person to whom it is given that these records, or portions of them, may be given to the respondent if they are directly related to the allegations in the formal complaint.
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes evidence upon which the district does not intend to rely in reaching a determination of responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source.
7. Send to each party and the party's advisor, if any, the evidence subject to inspection and review prior to completion of the investigative report and within 20 business days of the parties receiving notice of the formal complaint. The evidence may be sent in an electronic format or hard copy. The parties will be given at least ten business days, as required by law, to submit a written response, which the investigator will consider prior to the completion of the report.

Create an investigative report that fairly summarizes relevant evidence, reaches any necessary conclusions about the credibility of the complainant, respondent, or other witnesses, and send it in an electronic or hard copy format to each party and their advisors, if any, for their review and written response. The investigative report must be sent no later than ten business days prior to the time of determination of responsibility by the decision-maker, as required by law.

### **Dismissal of the Formal Complaint**

If the district determines that the allegations, even if proved, would not constitute sexual harassment under Title IX as defined in this policy, did not occur in the district's education program or activity, or were not committed against a person in the United States, the formal complaint will be dismissed. The dismissal does not mean that a complaint cannot be made under another district policy or that any misbehavior will not be addressed under another policy or the district's code of conduct. The district may dismiss a formal complaint or any allegations in a formal complaint at any time if:

1. The complainant notifies the Title IX coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations in the formal complaint;
2. The respondent is no longer enrolled in or employed by the district; or
3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination of responsibility as to the merits of the formal complaint or allegations therein.

If the formal complaint or any of its allegations is dismissed, the district will notify the parties simultaneously. A party may appeal the dismissal of a formal complaint or any of its allegations by submitting a written notification of appeal to the Title IX coordinator within five business days of receiving the notice of the dismissal. If the Title IX coordinator or the investigator dismissed the complaint or an allegation, the dismissal will be heard by the decision-maker. If the decision-maker dismissed the complaint or an allegation, the dismissal will be heard by the appellate decision-maker. The appeal is limited to the following bases:

1. There was a procedural irregularity that affected the outcome.
2. There is new evidence that was not reasonably available at the time of the dismissal that could affect the outcome of the matter.
3. The Title IX coordinator, investigator or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome of the matter.
4. That the dismissal is based on a manifest error of fact or law.

### **Designation and Duties of Decision-Maker**

The Title IX coordinator will designate someone to serve as the decision-maker to determine whether the respondent is responsible for sexual harassment under Title IX. The decision-maker may be a district administrator, attorney or another appropriate adult. The person designated cannot have been part of the investigation.

### **Procedures of the Decision-Maker and Party Questions and Answers**

After the parties receive the final investigative report, each party may submit to the decision-maker any written, relevant questions that the party wants asked of any party or witness. Each party will receive the answers to the questions and will be allowed time to submit limited follow-up questions.

The decision-maker may exclude a question that is not relevant. The party who submitted the question will receive an explanation as to why the question was judged not relevant. Questions or evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant other than to show that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

### **Preponderance of the Evidence Standard**

The decision-maker may find the respondent is responsible for the alleged sexual harassment under Title IX only when the evidence shows that the complainant's allegations are more likely true than not.



## **Decision-Maker's Findings and Resulting Remedies**

Within 20 business days after the closing of the questions period, including follow-up questions, the decision-maker will provide a written Title IX decision that includes:

1. The allegations potentially constituting sexual harassment under Title IX;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits and other methods used to gather other evidence and hearings held;
3. Findings of fact supporting the determination, including if appropriate determinations of witness credibility;
4. Conclusions regarding the application of the facts to the standard for sexual harassment under Title IX;
5. A statement of and rationale for the result as to each allegation, including a determination of responsibility, any disciplinary actions on the district will impose against the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided to the complainant; and
6. The procedures and permissible bases for the complainant and respondent to appeal.

The written Title IX decision will be provided to the parties simultaneously, and a copy will be provided to the Title IX coordinator.

## **Finality of the Title IX Decision**

If an appeal is filed, the Title IX decision becomes final on the date that the district provides the parties with the written determination of the result of the appeal. If an appeal is not filed, the Title IX decision becomes final on the date on which an appeal would no longer be considered timely.

## **Disciplinary Matters and Implementation of Discipline and Remedies**

The Title IX coordinator is responsible for effective implementation of any remedies, including coordination with the district's disciplinary authorities in the imposition of actions taken against the respondent.

## **Appeals of the Determinations of Responsibility in the Title IX Decision**

### **Initiating an Appeal of a Title IX Decision—Time, Contents and Assignment**

Either party may appeal the determination(s) of responsibility, the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Title IX coordinator in writing within five business days after the parties receive the written Title IX decision from the decision-maker. Appeals must be based on one or more of the following:

1. A procedural irregularity that affected the outcome of the matter.
2. New evidence that was not reasonably available at the time of the determination and that could affect the outcome of the matter.

3. The Title IX coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome of the matter.
4. The decision was based on a manifest error of fact or law.

The party who files the appeal will state the basis or bases for the appeal in writing. If there are multiple determinations of responsibility, the appeal should specify which ones are affected by the appeal. Appeals filed for any reason other than those listed above will not be heard.

If an appeal is filed, the Title IX coordinator will:

1. Assign the appeal to an appellate decision-maker who is not the same person as the initial decision-maker, the investigator or the Title IX coordinator.
2. Notify other parties in writing.
3. Implement the appeals process equally to all parties.
4. Give all parties the opportunity to submit a written statement in support of or challenging the outcome within five business days after receiving the notice of appeal.

Written statements and other written documents pertaining to the appeal will be shared with all parties.

### **Conduct of the Appeal**

The appellate decision-maker will review the findings of the initial decision-maker and review the written statements filed by the parties supporting or opposing the appeal. Within ten business days after the close of the period for parties to file their written statements supporting or opposing the appeal, the appellate decision-maker will issue a written decision describing the result of the appeal and the rationale for the result. That decision will be transmitted to all parties and to the Title IX coordinator simultaneously. The appellate decision-maker may refer an appealed issue back to a prior point in the grievance process for correction.

### **Process for Informal Resolution of Formal Complaints**

After a formal complaint has been filed and at any time prior to reaching a determination of responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. If a party requests the use of an informal resolution process, the district will provide the parties a written notice that:

1. Discloses the allegations and the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
2. Discloses that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;
3. Discloses any consequences resulting from participating in the informal resolution process, including the records that, with voluntary written consent from the parties, will be maintained or could be shared; and
4. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process may not be used to resolve allegations that an employee is responsible for sexual harassment under Title IX against a student. If the informal resolution process does not resolve the formal complaint 30 business days after both parties consented to use the process, the Title IX coordinator will resume the grievance process unless both parties again consent to continue using the informal resolution process.

## **Training**

Title IX coordinators, investigators, decision-makers and any person designated to facilitate an informal resolution process, should the district offer one, will receive training on the following:

1. The definition of sexual harassment under Title IX as used in this policy.
2. The scope of the district's education programs and activities.
3. How to conduct the investigation and grievance process, including determination of responsibility for sexual harassment, appeals, and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
5. Issues of relevance necessary to create an investigative report that fairly summarizes the relevant evidence.
6. 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.

The district will not use training materials that rely on sex stereotypes. All training materials used by the district will promote impartial investigations and adjudications of formal complaints of sexual harassment under Title IX. These training materials must be publicly available on the district's website or, if the district does not maintain a website, the materials must be available upon request for inspection by members of the public.

## **Records**

The district will maintain the following records for seven years:

1. Records of each investigation of sexual harassment under Title IX, including any determination of responsibility, any disciplinary sanctions imposed on the respondent and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom;
4. All materials used to train Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process;
5. Documentation if the district did not provide a complainant with supportive measures and the reasons why such a response was not clearly unreasonable in light of the known circumstances; and
6. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment under Title IX. These records must document the basis for the conclusion and that the district's response was not deliberately indifferent.

The district may add documentation of additional steps taken by the district that were not initially provided in conjunction with the initial complaint filed.

### **Confidentiality**

Except as required by law, as permitted by FERPA , or to carry out the purposes of Title IX, including the conduct of any investigation, hearing or judicial proceeding arising thereunder, the district will keep confidential the identity of:

1. Any individual who has made a report or filed a formal complaint of sexual harassment under Title IX;
2. Any complainant;
3. Any individual who has been reported to be the perpetrator of sex discrimination;
4. Any respondent; and
5. Any witness.

The district must maintain as confidential any supportive measures provided to the complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

### **Definitions Applicable to this Policy**

The following definitions are intended for use only for the purposes of this policy.

*Actual Knowledge* – Notice of sexual harassment under Title IX or notice of allegations of sexual harassment under Title IX to the district's Title IX coordinator or to any district official who has the authority to institute corrective measures on behalf of the district or to any employee of the district, except where the only district official or employee with actual knowledge is also the respondent.

*Business Days* – Days (full or partial) on which the district's business offices are open.

*Complainant* – An individual who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX coordinator who signs a formal complaint is not considered a complainant.

*Dating Violence* – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

*Determination of Responsibility* – A formal finding of a decision-maker on each allegation of sexual harassment contained in a formal complaint that the respondent did or did not engage in conduct constituting sexual harassment under Title IX based on a preponderance of the evidence.

*Domestic Violence* – Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Missouri; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Missouri.

*Education Program or Activity* – Any part of the district-sponsored instructional program, including extracurricular activities, or employment in the district, including locations, events or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

*Formal Complaint* – A document or electronic submission filed by the complainant or signed by the Title IX coordinator alleging sexual harassment under Title IX against a respondent and requesting that the district investigate the allegations. When a complainant files a formal complaint, the document or electronic submission must have the complainant's physical or digital signature or otherwise indicate the complainant's identity. A formal complaint may be filed only by a complainant participating in or attempting to participate in the district's education programs or activities.

*Informal Resolution Process* – Alternative dispute resolution methods designed to resolve allegations of sexual harassment without completing the formal complaint process. The purpose of the process is to restore or preserve equal access to the district's education programs or activities for all parties. Such a process may be offered by the Title IX coordinator after a formal complaint has been filed and after consultation with the district's attorney as to whether an informal resolution process will be sufficient to meet the district's Title IX obligations.

*Investigative Report* – The report of the investigator of a formal complaint.

*Party/Parties* – Complainant(s) and respondent(s).

*Remedies* – Upon a final determination of responsibility, remedies are actions taken to restore or preserve equal access to the district's education programs or activities. These may include continued or new supportive measures but may also include imposition of more burdensome requirements, limitations and conditions upon the respondent, as well as disciplinary action against the respondent, including suspension, expulsion, or termination of employment.

*Report* – Information provided by a complainant or any other person to the Title IX coordinator when that information indicates, suggests or alleges misconduct. This includes the intake information obtained by the Title IX coordinator prior to the filing of a formal complaint.

*Respondent* – An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.

*Sexual Assault* – This includes all behaviors constituting forcible or nonforcible sexual offenses within the scope of the Federal Bureau of Investigation's national uniform criminal incident reporting system. At present these classifications include any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of consent. Sexual assault specifically includes:

1. Rape (Except Statutory Rape) – The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
2. Sodomy – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
3. Sexual Assault with an Object – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
4. Fondling – The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
5. Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Missouri law.
6. Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent pursuant to Missouri law.

*Stalking* – 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 suffer substantial emotional distress.

*Supportive Measures* – Nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, safety escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

*Title IX Decision* – The comprehensive decisional document of the independent decisionmaker concluding the Grievance Process, as may be amended or affected by the results of an appeal.

*Voluntary Consent* – Consent given freely and without coercion.

## **WORKPLACE ACCIDENTS AND INJURIES**

(Board Policy GBEA, updated 3-26-2015)

An employee of the Park Hill School District who is injured, killed or who is exposed to and contracts any occupational disease arising out of and in the course of employment is eligible for compensation in

accordance with this policy and the Missouri Workers' Compensation Law. The District will not retaliate against an employee who exercises his or her rights under the Workers' Compensation Law.

### **Reporting**

Immediate notification of employee injuries is essential in effectively treating our employees and returning the employee to work.

When an employee is injured, the following steps should be taken immediately:

1. If the injury is serious and/or life threatening, contact 911.
2. For any injury that requires any medical attention, report the injury to the Office of the Assistant Superintendent of Business Services at 359-4020.
3. For injuries that do not require immediate medical treatment, go to the nearest school health room. The Nurse will notify the District Office.

An employee must also report all injuries immediately to his or her immediate supervisor by completing the District's incident report form. The District expects incident forms to be completed within 72 hours. If the nature of the injury or illness is such that the employee cannot immediately submit the completed incident form, the employee's supervisor will assist the employee in completing the form as soon as possible, but no later than 30 days after the injury or illness. Employees who fail to promptly report an injury or illness arising out of and in the course of employment may jeopardize their ability to receive compensation and other benefits pursuant to law and this policy.

Upon receiving a report of an injury or illness, the supervisor will immediately forward the report to the executive administrative assistant for Business Services at District Office. Business Services will promptly forward a copy of the report to the District's workers' compensation insurance carrier and will be responsible for keeping the carrier informed of the employee's status.

### **Use of Leave**

The District does not permit the use of paid leave for absences during the period when the employee receives workers' compensation wage benefits. Because by law an employee will not receive workers' compensation wage benefits for the first three (3) days of absence if the total absence is less than 14 days, the District will apply available paid leave for those days. However, the employee will only receive compensation for those days once the District knows that the employee will not receive workers' compensation wage benefits for those days.

Employees who are absent due to an illness or injury compensable under workers' compensation and who are receiving such compensation will not lose seniority or any accumulated paid leave due to the absence. However, the employee will not continue to accumulate paid leave during the absence.

Employees are required to use accumulated paid leave to receive medical treatment, evaluation or to attend physical rehabilitation during work time. If paid leave has been exhausted and the employee must be absent during work time to receive medical treatment, evaluation or to attend physical rehabilitation in conjunction with a work-related injury or illness, the employee may be granted unpaid leave.

## **Medical Providers**

The District will designate medical providers to be used in the administration of workers' compensation claims and treatment. A list of District-designated providers will be available to employees upon request. If the employee chooses to use his or her own provider, the employee is responsible for all costs associated with the provision of those services.

## **Reasonable Accommodations (Light Duty)**

If an employee is released back to work after a workplace accident, but has restrictions that cannot be reasonably accommodated in his/her regular position, then every effort will be made to offer work in an area where restrictions can be reasonably accommodated. Light duty work may be in a different type of job or in a different building. If light duty work is offered but the employee refuses to do the work, then workers' compensation benefits will not be paid. The employee has the option of utilizing personal paid leave, if desired, or being off work and unpaid.

## **Loss of Benefits**

An injury caused by the failure of employees to use safety devices provided by the District or obey rules adopted by the District for the safety of employees will result in the reduction of benefits payable under this policy and pursuant to law.

Violation of the District's Drug-Free Workplace policy or any other District policy, procedure or rule relating to the use of alcohol or non-prescribed controlled substances will result in a reduction or loss of benefits if the injury was sustained in conjunction with the use of alcohol or non-prescribed controlled substances.

The Board authorizes post-injury testing for non-prescribed controlled substances or alcohol in accordance with Board policy and law. Refusal to submit to the test will result in the loss of benefits.

An employee is disqualified from receiving temporary total disability workers' compensation benefits during any period of time in which the employee receives unemployment benefits.

Temporary, partial or total disability workers' compensation benefits are not payable if an employee is terminated from employment for misconduct post-injury.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY (FERPA)**

The Family Education Rights & Privacy Act (FERPA) provides for the privacy of educational records and ensures access to educational records by parents and students. All employees of the Park Hill School District are expected to maintain confidentiality of student education records as prescribed by law and as prescribed by Policy JO and Regulation JO-R.

Policy JO (Updated 2/6/2020)

In order to provide students with appropriate instruction and educational services, it is necessary for



the Park Hill School District to maintain extensive and sometimes personal information about students and families. These records must be kept confidential in accordance with law, but must also be readily available to district personnel who need the records to effectively serve district students.

The superintendent or designee will provide for the proper administration of student records in accordance with law, develop appropriate procedures for maintaining student records, and standardize procedures for the collection and transmittal of necessary information about individual students throughout the Park Hill School District. The superintendent and building principals will develop a student records system that includes protocols for releasing student education records. Principals are responsible for maintaining and protecting student education records in each school. The superintendent or designee will make arrangements so that all district employees are trained annually on the confidentiality of student education records, as applicable for each employee classification.

### **Definitions**

*Eligible Student* – A student or former student who has reached age 18 or is attending a postsecondary school.

*Parent* – A biological or adoptive parent of a student, a guardian of a student, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

*Student* – Any person who attends or has attended a school in the school district and for whom the district maintains education records.

### **Health Information**

Student health information is a type of student record that is particularly sensitive and protected by numerous state and federal laws. Student health information shall be protected from unauthorized, illegal or inappropriate disclosure by adherence to the principles of confidentiality and privacy. The information shall be protected regardless of whether the information is received orally, in writing or electronically and regardless of the type of record or method of storage.

### **Parent and Eligible Student Access**

All parents may inspect and review their student's education records, seek amendments, consent to disclosures and file complaints regarding the records as allowed by law unless a court order, statute or legally binding document prohibits such access. The parents' rights relating to education records transfer from the parent to the student once the student becomes an eligible student; however, parents maintain some rights to inspect student records even after a student turns 18. The district will extend the same access to records to either parent, regardless of divorce, custody or visitation rights, unless the district is provided with evidence that the parent's rights to inspect records have been legally modified.

If a parent or eligible student believes an education record related to the student contains information that is inaccurate, misleading or in violation of the student's privacy, the parent or eligible student may use the appeals procedures created by the superintendent or designee to request that the district amend the record.

The district will annually notify parents and eligible students of their rights in accordance with law.

### **Directory Information**

Directory information is information contained in an education record of a student that generally would not be considered harmful or an invasion of privacy if disclosed without the consent of a parent or eligible student. The district will designate the types of information included in directory information and release this information without first obtaining consent from a parent or eligible student unless a parent or eligible student notifies the district in writing as directed. Parents and eligible students will be notified annually of the information the district has designated as directory information and the process for notifying the district if they do not want the information released.

Even if parents or eligible students notify the district in writing that they do not want directory information disclosed, the district may still disclose the information if required or allowed to do so by law. For example, the district may require students to disclose their names, identifiers or district e-mail addresses in classes in which they are enrolled, or students may be required to wear, publicly display or disclose a student identification card or badge that exhibits information that is designated as directory information.

The school district designates the following items as directory information.

*General Directory Information* – The following information the district maintains about a personally identifiable student may be disclosed by the district to the school community through, for example, district publications, or to any person without first obtaining written consent from a parent or eligible student:

Student's name; date of birth; parents' names; grade level; enrollment status (e.g., full-time or part-time); student identification number; user identification or other unique personal identifier used by the student for the purposes of accessing or communicating in electronic systems as long as that information alone cannot be used to access protected educational records; participation in district sponsored or district-recognized activities and sports; weight and height of members of athletic teams; athletic performance data; dates of attendance; degrees, honors and awards received; artwork or course work displayed by the district; schools or school districts previously attended; and photographs, videotapes, digital images and recorded sound unless such records would be considered harmful or an invasion of privacy.

*Limited Directory Information* – In addition to general directory information, the following information the district maintains about a personally identifiable student may be disclosed to: parent groups or booster clubs that are recognized by the Board and are created solely to work with the district, its staff, students and parents and to raise funds for district activities for the purpose of encouraging membership or participation in the group or club; parents of other students enrolled in the same school as the student whose information is released when the release is for the purpose of facilitating communication between parents; governmental entities including, but not limited to, law enforcement, the juvenile office and the Children's Division (CD) of the Department of Social Services for official governmental purposes:

The student's address, telephone number and e-mail address and the parents' addresses, telephone numbers and e-mail addresses.

The district may require a person or entity that requires limited directory information to certify in writing that the information will not be redisclosed without the prior written consent of the parent or eligible student.

### **Law Enforcement Access**

The district may report or disclose education records to law enforcement and juvenile justice authorities if the disclosure concerns law enforcement's or juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed must comply with applicable restrictions set forth in federal law.

If the district reports a crime committed by a student with a disability as defined in the Individuals with Disabilities Education Act (IDEA), the district will transmit copies of the special education and disciplinary records to the authorities to whom the district reported the crime as allowed by law.

Law enforcement officials also have access to directory information and may obtain access to student education records in emergency situations as allowed by law. Otherwise, law enforcement officials must obtain a subpoena or consent from the parent or eligible student before a student's education records will be disclosed.

### **Children's Division Access**

The district may disclose education records to representatives of the CD when reporting child abuse and neglect in accordance with law. Once the CD obtains custody of a student, CD representatives may also have access to education records in accordance with law. CD representatives may also have access to directory information and may obtain access to student education records in emergency situations, as allowed by law.

### **Military and Higher Education Access**

The district will disclose the names, addresses and telephone numbers of secondary school students to military recruiters or institutions of higher education as required by law. However, if a parent, or a secondary school student who is at least 18, submits a written request, the district will not release the information without first obtaining written consent from the parent or the student. The district will notify parents, and secondary school students who are at least 18, that they may opt out of these disclosures.

### **Volunteer Access**

District staff will not allow volunteers to access student records unless the volunteer has completed a criminal background check and the district has determined that the volunteer should have access. A volunteer who has completed a criminal background check may access student education records only under the supervision of staff members and when necessary to assist the district.

### **Records Retention**

The district shall retain all student in accordance with applicable federal and state law, as well as the current version of the Missouri Secretary of State's Public School Records Retention Schedule and General Records Retention Schedule.

## **USE OF DISTRICT TECHNOLOGY RESOURCES**

(Board Policy EHB – updated May 9, 2019)

The Park Hill School District's technology exists for the purpose of enhancing the educational opportunities and achievement of district students. Research shows that students who have access to technology improve achievement. In addition, technology assists with the professional enrichment of the staff and Board and increases engagement of students' families and other patrons of the district, all of which positively impact student achievement. The district will periodically conduct a technology census to ensure that instructional resources and equipment that support and extend the curriculum are readily available to teachers and students.

The purpose of this policy is to facilitate access to district technology and to create a safe environment in which to use that technology. Because technology changes rapidly and employees and students need immediate guidance, the superintendent or designee is directed to create procedures to implement this policy and to regularly review those procedures to ensure they are current.

### **Definitions**

For the purposes of this policy and related procedures and forms, the following terms are defined:

*Technology Resources.* Technologies, devices and services used to access, process, store or communicate information. This definition includes, but is not limited to: mobile phones, computers, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, Internet, electronic mail, electronic communications devices and services, including wireless access, multi-media resources, hardware and software. Technology resources may include technologies, devices and services provided to the district by a third party.

*User.* Any person who is permitted by the district to utilize any portion of the district's technology resources including, but not limited to, students, employees, School Board members and agents of the school district.

*User Identification (ID).* Any identifier that would allow a user access to the district's technology resources or to any program including, but not limited to, e-mail and Internet access.

*Password.* A unique word, phrase or combination of alphabetic, numeric and non-alphanumeric characters used to authenticate a user ID as belonging to a user.

### **Authorized Users**

The district's technology resources may be used by authorized students, employees, School Board members and other persons approved by the Superintendent or designee, such as consultants, legal

counsel and independent contractors. All users must agree to follow the district's policies and procedures and sign or electronically consent to the District's User Agreement or another document, into which the terms of EHB and EHB-AP1 are incorporated prior to accessing or using District technology resources, unless excused by the Superintendent or designee. Use of the district's technology resources is a privilege, not a right. No potential user will be given an ID, password or other access to district technology if he or she is considered a security risk by the Superintendent or designee.

### **User Privacy**

A user does not have a legal expectation of privacy in the user's electronic communications or other activities involving the district's technology resources, including, but not limited to, voicemail, telecommunications, e-mail and access to the Internet or network drives. By using the district's network and technology resources, all users are consenting to having their electronic communications and all other use monitored by the district. A user ID with e-mail access will only be provided to authorized users on condition that the user consents to interception of or access to all communications accessed, sent, received or stored using district technology.

Electronic communications, downloaded material and all data stored on the district's technology resources, including files deleted from a user's account, may be intercepted, accessed, monitored or searched by district administrators or their designees at any time in the regular course of business. Such access may include, but is not limited to, verifying that users are complying with district policies and rules and investigation of potential misconduct. Any such search, access or interception shall comply with all applicable laws. Users are required to return district technology resources to the district upon demand including, but not limited to, mobile phones, laptops and tablets.

### **Technology Administration**

The Board directs the Superintendent or designee to assign trained personnel to maintain the district's technology in a manner that will protect the district from liability and will protect confidential student and employee information retained on or accessible through district technology resources.

Administrators of district technology resources may suspend access to and/or availability of the district's technology resources to diagnose and investigate network problems or potential violations of the law or district policies and procedures. All district technology resources are considered district property. The district may remove, change or exchange hardware or other technology between buildings, classrooms or users at any time without prior notice. Authorized district personnel may install or remove programs or information, install equipment, upgrade any system or enter any system at any time.

### **Content Filtering and Monitoring**

The district will monitor the online activities of users, including minors, and operate a technology protection measure (content filter) on the network and all district technology with Internet access, as required by law. In accordance with law, the content filter will be used to protect against access to visual depictions that are obscene or harmful to minors or are child pornography. Content filters are not foolproof, and the district cannot guarantee that users will never be able to access offensive materials using district equipment. Evading or disabling, or attempting to evade or disable a content

filter installed by the district is prohibited.

The Superintendent, designee or the district's technology administrator may fully or partially disable the district's content filter to enable access for an adult for bona fide research or for other lawful purposes. In making decisions to fully or partially disable the district's content filter, the administrator shall consider whether the use will serve a legitimate educational purpose or otherwise benefit the district.

Students, employees, or other users may request that the district review or consider adjusting the content filter to allow or block access to a website or specific content.

### **Online Safety, Security and Confidentiality**

In addition to the use of a content filter, the district will take measures to prevent minors from using district technology to access inappropriate matter or materials harmful to minors on the Internet. Such measures shall include, but are not limited to, supervising and monitoring student technology use, careful planning when using technology in the curriculum, and instruction on appropriate materials. The Superintendent, designee and/or the district's technology administrator will develop procedures to provide users guidance on which materials and uses are inappropriate, including network etiquette guidelines.

All minor students will be instructed on safety and security issues, including instruction on the dangers of sharing personal information about themselves or others when using e-mail, social media, chat rooms or other forms of direct electronic communication. Instruction will also address cyber bullying awareness and response and appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms.

The instruction will occur in the district's computer courses, courses in which students are introduced to the computer and the Internet, or courses that use the Internet in instruction. Students are required to follow all district rules when using district technology resources and are prohibited from sharing personal information online unless authorized by the district.

All district employees must abide by state and federal law and Board policies and procedures when using district technology resources to communicate information about personally identifiable students to prevent unlawful disclosure of student information or records.

All users are prohibited from using district technology to gain unauthorized access to a technology system or information; connect to other systems in evasion of the physical limitations of the remote system; copy district files without authorization; interfere with the ability of others to utilize technology; secure higher level of privilege without authorization; introduce computer viruses, hacking tools, or other disruptive/destructive programs onto district technology; or evade or disable a content filter.

### **Closed Forum**

The district's technology resources are not a public forum for expression of any kind and are to be considered a closed forum to the extent allowed by law. The district's webpage will provide information about the school district, but will not be used as an open forum.

All expressive activities involving district technology resources that students, parents/guardians and members of the public might reasonably perceive to bear the imprimatur of the district and that are designed to impart particular knowledge or skills to student participants and audiences are considered curricular publications. All curricular publications are subject to reasonable prior restraint, editing and deletion on behalf of the school district for legitimate pedagogical reasons. All other expressive activities involving the district's technology are subject to reasonable prior restraint and subject matter restrictions as allowed by law and Board policies.

### **Inventory and Disposal**

The district will regularly inventory select district technology resources. Technology resources that are no longer needed will be disposed of in accordance with law and district policies and procedures related to disposal of surplus policy.

### **Violations of Technology Usage Policies and Procedures**

A consistently high level of personal responsibility is expected of all users granted access to the district's technology resources. Use of the district's technology resources in a disruptive, manifestly inappropriate or illegal manner shall not be tolerated.

Any violation of district policies or procedures regarding technology usage may result in temporary, long-term or permanent suspension of user privileges and/or other discipline. User privileges may be suspended pending investigation into the use of the district's technology resources.

Employees may be disciplined or terminated, and students suspended or expelled, for violating the district's technology policies and procedures. Any attempted violation of the district's technology policies or procedures, regardless of the success or failure of the attempt, may result in the same discipline or suspension of privileges as that of an actual violation. The district will cooperate with law enforcement in investigating any unlawful use of district's technology resources.

### **Damages**

All damages incurred by the district due to a user's intentional or negligent misuse of the district's technology resources, including loss of property and staff time, may be charged to the user. The Superintendent and designee have the authority to contact legal authorities in regard to damage to district technology.

### **No Warranty/No Endorsement**

The district makes no warranties of any kind, whether expressed or implied, for the services, products or access it provides. The district's technology resources are available on an "as is, as available" basis. The district is not responsible for loss of data, delays, nondeliveries, misdeliveries or service interruptions. The district does not endorse the content nor guarantee the accuracy or quality of information obtained using the district's technology resources.

## **STAFF CONDUCT**

(Board Policy GBCB, updated 11-14-2019)

The Park Hill Board of Education expects every employee to act professionally, ethically and responsibly; use good judgment; and do what is necessary to maintain a safe learning environment and positive relations with students, parents/guardians, coworkers and the public. In addition to expectations in other Board policies and directives from supervisors, district expectations for employees include, but are not limited to, the following:

1. Become familiar with, enforce and follow all applicable Board policies, and regulations, administrative procedures, other directions given by district administrators and supervisors and state and federal laws.
2. Maintain courteous and professional relationships with students, parents/guardians, other district employees and the public. Transmit constructive criticism to the particular school administrator or supervisor who has the administrative responsibility to address the concern. Employees will not be disciplined for speech that is protected by law and are encouraged to share concerns with their supervisors.
3. Actively participate in professional development and obtain information necessary to effectively perform the employee's job duties.
4. Conduct all official business in a professional and timely manner. Meet deadlines set by the district, administrative staff and supervisors. Conduct business with the appropriate designated person or department.
5. Care for, properly use and protect school property. Immediately report all dangerous building conditions to the building supervisor and take action to rectify the situation in order to protect the safety of students and others. Take appropriate action to prevent loss of theft of district property, and immediately report loss or theft of district property.
6. Attend all meetings called by supervisors or the district administration, unless excused. Arrive at work and leave work at the time specified by the district or as directed by a supervisor, and follow district policies, procedures and directives regarding absences. All nonexempt employees must receive permission from a supervisor prior to working overtime.
7. Maintain records as required by law, Board policy and procedure, and do not destroy records unless authorized to do so. Keep all student records, medical information and other legally protected information confidential. Submit all required documents, information, data or reports at the time requested. Employees must not falsify records, create misleading records or compromise the accuracy and security of district data.
8. Properly supervise all students. The Board expects all students to be under assigned adult supervision at all times during school and during any school activity. Employees must not leave students unsupervised except as necessary to handle an emergency situation.
9. Obey all safety rules, including rules protecting the safety and welfare of students.



10. Communicate clearly and professionally. Employees will not use profanity and will not raise their voices unless necessary. Written communication must be grammatically correct. Employees will not be disciplined for speech that is protected by law and are encouraged to share concerns with their supervisors.
11. Dress in a professional manner that does not interfere with the educational environment and as directed by administrators or supervisors.
12. Other than commissioned law enforcement officers, school employees shall not perform strip searches, as defined in state law, of students, except in situations where an employee reasonably believes that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others and a commissioned law enforcement officer is not immediately available.
13. School employees shall not direct a student to remove an emblem, insignia or garment, including a religious emblem, insignia or garment, as long as such emblem, insignia or garment is worn in a manner that does not promote disruptive behavior.
14. State law prohibits teachers from participating in the management of a campaign for the election or defeat of a member of the Board of Education that employs such teacher.
15. Employees will not use district funds or resources to advocate, support or oppose any ballot measure or candidate for public office.
16. Unless otherwise allowed by law, employees may not engage in political campaigning during the working day or during times when they are performing their official duties.
17. Employees will not represent their personal opinions as the opinions of the district and, when necessary to avoid confusion, are required to clearly indicate when they are speaking or writing as an individual and not a representative of the district.

## **STAFF/STUDENT RELATIONS**

(Board Policy GBH, adopted 3-26-2015)

### **Definitions**

*Educational Purpose:* A reason associated with the staff member's duties in the district including, but not limited to: counseling, the treatment of a student's physical injury, or coordination of an extracurricular activity, depending on the staff member's job description.

*Staff Member:* For the purposes of this policy, a staff member is any individual employed by the district, including part-time and substitute employees and student teachers.

*Student:* Individuals currently enrolled in the Park Hill School District.

## **General**

Staff members are expected to maintain courteous and professional relationships with students. All staff members have a responsibility to provide an atmosphere conducive to learning through consistently and fairly applied discipline and the maintenance of physical and emotional boundaries with students. These boundaries must be maintained regardless of the student's age, the location of the activity, whether the student allegedly consents to the relationship or whether the staff member directly supervises the student. Maintaining these boundaries is an essential requirement for employment in the district.

Although this policy applies to the relationships between staff members and district students, staff members who inappropriately interact with any child may be disciplined or terminated when the district determines such action is necessary to protect students.

## **Absolute Prohibitions**

There are some interactions between staff members and students that are never acceptable and are absolutely prohibited including, but not limited to:

1. Touching, caressing, fondling or kissing students in a sexual or sexually intimate manner.
2. Dating a student or discussing or planning a future romantic or sexual relationship with a student. The district may use as evidence, in considering whether a violation of this provision has occurred, if a staff member begins a dating or sexual relationship with a student immediately after graduation or immediately after a student has left the district.
3. Making sexual advances toward a student or engaging in a sexual relationship with a student.
4. Engaging in any conduct that constitutes illegal harassment or discrimination as defined in policy AC or that could constitute a violation of that policy if pervasive.
5. Engaging in any conduct that violates Board policies, regulations or procedures or constitutes criminal behavior.

## **Exceptions to this Policy**

The goal of this policy is to protect students from harm and staff members from allegations of misconduct by requiring staff members to maintain professional boundaries with students. The district does not intend to interfere with or impede appropriate interactions between staff members and students.

An emergency situation or an educational purpose might justify deviation from some of the professional boundaries set out in this policy. Likewise, staff members might be related to students or have contact with students outside the school environment through friends, neighborhood or community activities, or participation in civic, religious or other organizations. These contacts might justify deviation from some of the standards set in this policy, but under no circumstance will an educational or other purpose justify deviating from the "Absolute Prohibitions" section of this policy.

The staff member must be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that he or she has maintained an appropriate relationship with the student. To avoid confusion, the district encourages staff members to consult with their supervisors

prior to engaging in behaviors or activities that might violate professional boundaries as defined in this policy.

### **Failure to Maintain Boundaries**

This policy includes a list of staff conducts which are absolutely prohibited. In addition to those specific conducts, the Board wants to ensure that its students and staff are protected from situations in which an appearance of impropriety may arise, even if no absolutely prohibited conduct occurs. For instance, the following is a nonexclusive list of potential situations in which a staff member may fail to maintain professional physical and emotional boundaries, if no exception applies or no educational purpose exists.

- Being alone with a student in a room with a closed or locked door or with the lights off. Note that counselors or others who need to work with students confidentially may need to meet with a student with a closed office door, but such practice should be discussed with their supervisors to ensure it is the appropriate manner of meeting with students.
- Associating with students in any setting where students are provided, are consuming or are encouraged to use or consume alcohol, tobacco, drugs or any other product or service prohibited to minors.
- Communicating with students about sexual topics verbally or by any form of written, pictorial or electronic communication.
- Discussing the staff member's personal problems with or in the presence of students.
- Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
- Being present when students are fully or partially nude.
- Sending students on personal errands.
- Allowing a student to drive the staff member's vehicle.
- Providing a student (other than the staff member's children, stepchildren or other children living in the staff member's home) transportation in the staff member's personal vehicle without a supervisor's approval, unless another staff member or the student's parent/guardian is also present in the vehicle.
- Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
- Giving gifts to individual students (as opposed to giving gifts of nominal value to all members of a class, for example).

- Frequently pulling a student from another class or activity to be with the staff member.

### **Electronic Communication**

Staff members are encouraged to communicate with students and parents/guardians for educational purposes using a variety of effective methods, including electronic communication. As with other forms of communication, staff members must maintain professional boundaries with students while using electronic communication regardless of whether the communication methods are provided by the district or the staff member uses his or her own personal electronic communication devices, accounts, webpages or other forms of electronic communication.

The district's policies, regulations, procedures and expectations regarding in-person communications at school and during the school day also apply to electronic communications for educational purposes, regardless of when those communications occur. Staff communications must be professional, and student communications must be appropriate. Staff members may only communicate with students electronically for educational purposes between the hours of 6:00 a.m. and 10:00 p.m. Staff members may use electronic communication with students only as frequently as necessary to accomplish the educational purpose.

1. When communicating electronically with students for educational purposes, staff members must use district-sponsored, accounts and forms of communication (such as computers, phones, telephone numbers, e-mail addresses and district-sponsored webpages or social networking sites), when available. If district-sponsored, accounts and forms of communication are unavailable, staff members communicating electronically with students must do so in accordance with number two below. Staff members may communicate with students using district-sponsored forms of communication without first obtaining supervisor approval. These communications may be monitored. With district permission, staff members may establish websites or other accounts on behalf of the district that enable communications between staff members and students or parents/guardians. Any such website or account is considered district sponsored and must be professional and conform to all district policies, regulations and procedures.
2. A staff member's supervisor may authorize a staff member to communicate with students using the staff member's personal telephone numbers, addresses, webpages or accounts (including, but not limited to, accounts used for texting) to organize or facilitate a district-sponsored class or activity if the communication is determined necessary or beneficial, if a district-sponsored form of communication is not available, and if the communication is related to the class or activity. The district will provide notification to the parents/guardians of students participating in classes or activities for which personal electronic communications have been approved. Staff members may be required to send the communications simultaneously to the supervisor if directed to do so. Staff members are required to provide their supervisors with all education-related communications with district students upon request.
3. The district discourages staff members from communicating with students electronically for reasons other than educational purposes. When an electronic communication is not for educational purposes, the section of this policy titled "Exceptions to This Policy" applies, and if concerns are raised, the staff member must be prepared to demonstrate that the communications are appropriate. This policy does not limit staff members from communicating with their children,

stepchildren or other persons living within the staff member's home who happen to be students of the district.

### **Consequences**

Staff members who violate this policy will be disciplined, up to and including termination of employment. Depending on the circumstances, the district may report staff members to law enforcement and the Children's Division (CD) of the Department of Social Services for further investigation, and the district may seek revocation of a staff member's license(s) with the Department of Elementary and Secondary Education (DESE).

### **Reporting**

Any person, including a student, who has concerns about or is uncomfortable with a relationship or activities between a staff member and a student should bring this concern immediately to the attention of the principal, counselor or staff member's supervisor. If illegal discrimination or harassment is suspected, the process in policy AC will be followed.

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy. Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports. The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

### **Training**

The district will provide training to district staff that includes current and reliable information on identifying signs of sexual abuse in children and potentially abusive relationships between children and adults. The training will emphasize legal reporting requirements and cover how to establish an atmosphere where students feel comfortable discussing matters related to abuse.

## **STAFF USE OF COMMUNICATION DEVICES**

(Board Policy GBCC, adopted 6-25-2015)

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

## **Definitions**

*Communication Device:* Any mobile telephone, personal digital assistant, pager, tablet, laptop or other portable device that sends, receives or retrieves calls, text messages, e-mail, other electronic communications or data, or provides access to the Internet.

*Use/Using:* Dialing, answering or talking on the phone; sending, reading or responding to a text, e-mail or other communication; opening and viewing pictures or digital recordings; opening and listening to music or audio communications; continuously checking a communication device; or any activity with a communication device that interferes with the employee's job duties or appropriate supervision of students. An employee is considered to be using a device even when the use is hands-free.

## **General Use**

The district prohibits employees from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee's supervisor. This prohibition applies regardless of whether the communication device used is owned by the employee or provided by the district.

Employees are responsible for keeping communication devices secure and, if possible, password protected.

Supervision of students is a priority in the district, and employees who are responsible for supervising students must concentrate on that task at all times. Employees shall not use communication devices when they are responsible for supervising students unless any of the following conditions occur:

1. The device is being used to instruct the students being supervised at the time.
2. The use is necessary to the performance of an employment-related duty.
3. The use is consistent with a supervisor's guidelines for limited, personal use of communication devices.
4. There is an emergency.

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

## **Use in Vehicles**

Regardless of other provisions of this policy and in accordance with law, employees shall not use communication devices when:

1. Driving district-provided vehicles, regardless of whether the vehicle is owned, leased or otherwise obtained for district use in a district activity.

2. Operating any vehicle in which a student is being transported when the transportation is provided as part of the employee's job.
3. Supervising students who are entering or exiting a vehicle, crossing thoroughfares or otherwise safely reaching their destinations when such supervision is part of the employee's job.

The district will make an exception to the rules in this section when the communication device is used to:

1. Report illegal activity.
2. Summon medical or other emergency help.
3. Prevent injury to a person or property.
4. Relay necessary, time-sensitive information to a dispatcher with a device permanently affixed to the vehicle, in the manner allowed by law.
5. Play music, as long as the employee operating the vehicle does not turn on, select or otherwise manipulate the device while operating the vehicle or supervising students as described above.
6. Obtain directions from a global positioning or navigational system, as long as the system is being used in association with the employee's job and adequate safety precautions are taken.

Even in these situations, employees should first take all possible safety precautions before using communication devices.

### **Use of District-Provided Communication Devices**

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

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

### **Personal Use of District-Provided Communication Devices**

Personal use of district-provided communication devices is permissible as long as the use does not exceed the limits of the applicable plan. An employee whose use exceeds plan limitations will be required to reimburse the district for all expenses beyond those covered by the plan and may have

privileges suspended or revoked unless the employee can show that all use was for employment-related duties and the device was not used for personal reasons. The amount of personal use of a communication device or service paid for under E-Rate can be no greater than the cost allocation submitted in the request for the E-Rate discount.

## **REPORTING AND INVESTIGATING CHILD ABUSE/NEGLECT**

(Board Policy JHG, updated 4-16-2020)

The Park Hill School District and its Board members and employees will take action to protect students and other children from harm including, but not limited to, abuse and neglect, and will respond immediately when discovering evidence of harm to a child. Board members and employees must cooperate fully with investigations of child abuse and neglect. The district prohibits discrimination, negative job action or retaliation against any person who in good faith reports alleged child abuse or neglect, including alleged misconduct by another district employee.

Employees failing to follow the directives of this policy or state or federal law will be subject to discipline including, but not limited to, termination, and may be subject to criminal prosecution. Board members who fail to follow this policy and applicable law may be subject to adverse action by the Board and criminal prosecution.

### **Definitions**

*Abuse* – Any physical injury, sexual abuse or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody and control or by any other person, except that discipline including spanking, administered in a reasonable manner, shall not be construed as abuse. Physical injury, sexual abuse and emotional abuse are defined by the Children's Division (CD) of the Department of Social Services in 13 C.S.R. 35-31.010.

*Child* – Any person under 18 years of age.

*Mandated Reporter* – Employees, officials, School Board members and others with care, custody and control of children in the district.

*Neglect* – The failure to provide, by those responsible for the care, custody and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical or any other care necessary for the child's well-being.

*Sexual Misconduct* – Engaging in any conduct with a student, on or off district property, that constitutes the crime of sexual misconduct involving a child under § 566.083, RSMo.; illegal sexual harassment as defined in policy AC, as determined by the district; or child abuse involving sexual behavior, as determined by the Children's Division (CD) of the Department of Social Services.

*Those Responsible for the Care, Custody and Control of the Child* – Includes, but is not limited to, any person exercising supervision over a child for any part of a 24-hour day and school personnel, contractors and volunteers who establish a relationship with a student through the school or through



school-related activities, even if the alleged abuse or neglect occurred outside school hours or off school grounds.

### **Public School District Liaison**

The superintendent shall designate a specific person or persons to serve as the public school district liaison(s) and forward that information to the local division office of the CD. The liaison(s) shall develop protocols in conjunction with the chief investigator of the local division office to ensure information regarding the status of a child abuse or neglect investigation is shared with appropriate school personnel.

The liaison(s) will also serve on multidisciplinary teams used in providing protective or preventive social services along with law enforcement, the juvenile officer, the juvenile court and other agencies, both public and private.

### **Training**

#### **For Board Members**

Board members will participate in training on identifying signs of sexual abuse in children and danger signals of abusive relationships between children and adults as required by law.

#### **For Employees**

The superintendent or designee shall implement annual training necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Such training shall:

1. Provide current and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults.
2. Emphasize how to establish an atmosphere of trust so that students feel that their school has concerned adults with whom they feel comfortable discussing matters related to abuse.
3. Emphasize that all mandatory reporters shall, upon finding reasonable cause, directly and immediately report suspected child abuse or neglect. These reports must be made even if the person suspected of abusing the child is another mandated reporter, such as another school employee.
4. Emphasize that no supervisor or administrator may impede or inhibit any reporting under state law.
5. Emphasize that no person making a report in accordance with law shall be subject to any sanction, including any adverse employment action, for making such a report.

#### **For Students**

In accordance with policy IGAEB, the district will provide trauma-informed, developmentally appropriate training to students in grades 6-12 on identifying and reporting sexual abuse.

### **Reporting Child Abuse and Neglect**

The Board of Education requires mandated reporters to comply with the state child abuse and neglect laws. Mandated reporters acting in their official capacities who know or have reasonable cause to suspect that a child has been subjected to abuse or neglect or is being subjected to conditions or circumstances that would reasonably result in abuse or neglect must directly and immediately make a report to the CD, including any report of excessive absences that may indicate educational neglect. No internal investigation shall be initiated until such a report has been made, and even then the investigation may be limited by law if the report involves sexual misconduct by a school employee.

Mandated reporters who make such reports to the CD must notify the school principal or designee that a report has been made. The employee may complete the report with the assistance of the school principal or designee at the time of the report. In no event shall the employee wait more than 24 hours to notify the school principal or designee. The employee making the report must complete the Park Hill School District Hotline Information form and forward it to the school principal or designee. The principal or designee will notify the superintendent or designee and the district liaison(s) about the report within 24 hours. The school principal or designee may also notify law enforcement or the juvenile office when appropriate. Mandated reporters who have reason to believe that a victim of abuse or neglect is a resident of another state or was injured as a result of an act that occurred in another state may make a report to the child protection agency with the authority to receive such reports, pursuant to law, in the other state in addition to notifying the Missouri CD pursuant to this policy.

The reporting requirements are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. Employees who make a report in accordance with law shall not be subject to any sanction, including any adverse employment action, for making such a report. Further, the superintendent and other district administrators shall ensure that employees mandated by law to make a report have immediate and unrestricted access to the communication technology necessary to make an immediate report. Employees shall also be temporarily relieved of other work duties for the time required to make a mandated report.

Absent extraordinary circumstances or a determination that disclosure is otherwise in the best interest of the child, employees of the district shall not contact the child's family or any other person suspected of abuse or neglect to disclose the fact that a hotline call was made.

### **Reporting Allegations of Sexual Misconduct by a School Employee**

The district takes all allegations of sexual misconduct seriously, regardless of the source. However, an allegation of sexual misconduct by a school employee is particularly serious. In accordance with law, if a student reports alleged sexual misconduct on the part of a school district employee to an employee of this district, the employee who receives the report and the superintendent shall immediately report the allegation to the CD as set forth in law, regardless of whether the employee or superintendent has reasonable cause to suspect abuse.

The CD will investigate all allegations of sexual misconduct involving district employees. The district may investigate the allegations for the purpose of making employment decisions.

### **Investigating Child Abuse and Neglect**

In general, the CD investigates reports of child abuse and neglect. However, state statute requires the district to initially investigate allegations of child abuse by district employees in situations other than sexual misconduct to ensure that the allegations are not made for the purpose of harassing district staff.

When the CD receives a child abuse report alleging that an employee of the district has abused a student in situations other than those involving sexual misconduct, the report shall be immediately referred to the superintendent (or the president of the School Board in situations concerning the superintendent), who will conduct an initial investigation. If the initial investigation determines that the report relates to a spanking by a certificated district employee or the use of reasonable physical force against a student for the protection of persons or property by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the report will be investigated as detailed below in accordance with law. All other reports of any nature will be immediately returned to the CD for investigation.

### **Harassment, Spanking or Protection of Persons or Property by District Staff**

If a report to the CD relates to a spanking by a certificated district employee or the use of reasonable physical force against a student for the protection of persons or property by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the superintendent, Board president or a designee of either will notify law enforcement of the county in which the alleged incident occurred. The district will jointly investigate the matter with the law enforcement officer.

Once the investigation is concluded, the law enforcement officer and the investigating district personnel will issue separate reports of their findings, no later than seven days after the district receives notice of the allegation from the CD. The reports must contain a statement of conclusion as to whether the preponderance of evidence supports a finding that the alleged incident of child abuse is substantiated or unsubstantiated. The Board will consider the separate reports and will issue its findings and conclusions, if any, within seven days after receiving the last of the two reports. The findings and conclusions will be made as required by state law and will be sent to the CD.

### **Referral to the Office of Child Advocate for Children's Protection and Services**

If the CD determines that a report of child abuse or neglect is unsubstantiated, the district or a district employee may request that the report be referred to the Office of Child Advocate for Children's Protection and Services for additional review.

### **Information from the Children's Division**

In accordance with law, as mandated reporters district employees reporting child abuse and neglect are entitled upon request to information on the general disposition of a report of child abuse or neglect and may receive findings and information concerning the case at the discretion of the CD. The CD will

also notify the district when a student is under judicial custody or when a case is active regarding a student.

Any information received from the CD will be kept strictly confidential in accordance with law and will be shared only with district employees who need to know the information to appropriately supervise the student or for intervention and counseling purposes. All written information received by any public school district liaison or the district shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). Information received from the CD will not be included in the student's permanent record.

### **Immunity**

In accordance with law, any person who in good faith reports child abuse or neglect; cooperates with the CD or any law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state in reporting or investigating child abuse or neglect; or participates in any judicial proceeding resulting from the report will be immune from civil or criminal liability.

Any person who is not an employee of the district and who in good faith reports to a district employee a case of alleged child abuse by any district employee will be immune from civil or criminal liability for making such a report or for participating in any judicial proceedings resulting from the report.

## **BULLYING**

(Board Policy JFCF, updated 1-26-2017)

### **General**

In order to promote a safe learning environment for all students, the Park Hill School District prohibits all forms of bullying. The district also prohibits reprisal or retaliation against any person who reports an act of bullying among or against students.

### **Definitions**

*Bullying* – In accordance with state law, bullying is defined as intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying typically involves a real or perceived imbalance of power and may consist of, but is not limited to: intentional physical actions, including violence, gestures, theft, or property damage; oral, written, or electronic communication, including name-calling, put-downs, extortion, or threats; or threats of reprisal or retaliation for reporting such acts.

*Cyberbullying* – A form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. The

district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when cyberbullying does not involve district property, activities or technology resources, the district may impose consequences or discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

*School Day* – A day on the school calendar when students are required to attend school.

### **Designated Officials**

The principal of each building is hereby designated as the individual to receive and investigate reports of bullying. Each building principal shall designate at least two teachers or administrators in the building who are authorized to receive and investigate reports of bullying in the principal's absence or at the principal's discretion.

The Director of Student Services will serve as the districtwide antibullying coordinator. The antibullying coordinator will receive all completed investigative reports from all buildings and analyze the reports to identify any information that would inform the district's antidiscrimination and/or antibullying education and training programs. In addition, the antibullying coordinator will assist in making any relevant reports to the extent required by applicable law.

### **Reporting Bullying**

School employees, substitutes or volunteers are expected to intervene to prevent student bullying, take appropriate action to address the offender's behavior, assist the victim and report the incident to the building principal or designee for further investigation and action. Any school employee, substitute or volunteer who witnesses or has firsthand knowledge of bullying of a student must report the incident to the building principal or designee as soon as possible, but no later than two school days after the incident.

Students who have been subjected to bullying, or who have witnessed or have knowledge of bullying, are encouraged to promptly report such incidents to a school employee. Any school employee receiving such a report shall promptly notify the building principal or designee.

If the bullying incident involves students from more than one district building, the report should be made to the principal or designee of the building in which the incident took place or, if more appropriate, to the principal or designee of the building attended by the majority of the participants in the incident.

### **Investigation**

Within two school days of receiving a report of bullying, the principal or designee will initiate an investigation of the incident. Reports that involve students from multiple buildings will be investigated cooperatively by the principals of each building involved, or those principals may request that the district's antibullying coordinator conduct the investigation. If at any time during the investigation the principal or designee determines that the bullying involves illegal discrimination, harassment or retaliation as described in policy AC, the principal or designee will report the incident to the compliance

officer designated in that policy, who may assist in the investigation. If the alleged bullying involves a special education student or a student with disabilities, the principal or designee will also notify the special education director. The investigation shall be completed within ten school days of the date the report of bullying was received unless good cause exists to extend the investigation. Upon completion of the investigation, the principal or designee will decide whether bullying or harassment occurred and, if so, whether additional discipline is warranted in accordance with the district's student discipline guidelines. The principal or designee will complete a written report regarding the investigation and outcome and send a copy of the completed report to the district's antibullying coordinator. The principal or designee will document the report in the appropriate school file(s). All reports will be kept confidential in accordance with applicable law.

If the incident involved allegations of illegal discrimination or harassment, the principal's decision may be appealed in accordance with policy AC. Student discipline may be appealed when allowed by law in accordance with Board policy.

The principal or other appropriate district staff will work with victims and their families to access resources and services to help them deal with any negative effects that resulted from the incident.

### **Consequences**

Students who participate in bullying or who retaliate against anyone who reports bullying will be disciplined in accordance with the district's discipline guidelines. Such discipline may include detention, in-school suspension, out-of-school suspension, expulsion, removal from participation in activities, exclusion from honors and awards, and other consequences deemed appropriate by the principal or superintendent. The district will also contact law enforcement when required by law and may notify social media companies of inappropriate online activity if appropriate.

Even in situations where the district does not have jurisdiction to discipline a student for bullying, such as when the acts take place off campus and there is an insufficient nexus to the district, the principal or designee will take appropriate actions to assist student victims. Such actions may include, but are not limited to, contacting the parents/guardians of the victim and the alleged perpetrators, communicating that this behavior is not allowed on district grounds or at district activities, notifying the appropriate district staff to assist the victim, and taking additional action when appropriate, such as notifying law enforcement or social media companies of inappropriate online activity.

District employees and substitutes who violate this policy may be disciplined or terminated. Discipline may include suspension with or without pay, a negative evaluation, prohibition from being on district property or at district activities, mandated training or other appropriate remedial action. Volunteers who violate this policy will no longer be permitted to volunteer.

### **Policy Publication**

The district shall annually notify students, parents/guardians, district employees, substitutes and volunteers about this policy and the district's prohibition against bullying. A copy of this policy shall be included in student handbooks and posted on the district's website.

## **Training and Education**

The district's antibullying coordinator will provide information and appropriate training designed to assist employees, substitutes and volunteers who have significant contact with students in identifying, preventing and responding to incidents of bullying.

The district will provide education and information about bullying and this policy to students every year. The principal of each school, in consultation with school counselors and other appropriate school employees, will determine the best methods for facilitating the discussion. Methods may include, but are not limited to: assemblies; homeroom presentations; class meetings; team or club meetings; special presentations by counselors, social workers or mental health professionals; and open-house events. When practical, parents/guardians will be invited to attend.

In addition to educating students about the content of this policy, the district will inform students of:

1. The procedure for reporting bullying.
2. The harmful effects of bullying.
3. Any initiatives the school or district has created to address bullying, including student peer-to-peer initiatives.
4. The consequences for those who participate in bullying or engage in reprisal or retaliation against those who report bullying.

School counselors, social workers, mental health professionals, school psychologists or other appropriate district staff will educate students who are victims of bullying about how to overcome the negative effects of bullying including, but not limited to:

1. Cultivating the student's self-worth and self-esteem.
2. Teaching the student to defend him- or herself assertively and effectively without violence.
3. Helping the student develop social skills.
4. Encouraging the student to develop an internal locus of control.

## **Additional School Programs and Resources**

The Board directs the superintendent or designee to implement programs and other initiatives to address bullying, respond to such conduct in a manner that does not stigmatize the victim, and make resources or referrals available to victims of bullying. Such initiatives may include educating parents/guardians and families on bullying prevention and resources.

## **Discipline Reporting and Records**

(Board Policy JGF, updated 3-9-2017)

In compliance with state law, the Park Hill Board of Education establishes explicit channels of communication between teachers, administrators, law enforcement officials and other schools concerning acts of school violence and other behaviors that endanger the welfare or safety of students, staff or patrons of the district. The purpose of this policy is to designate specific actions committed by students that must be reported to teachers, administrators and/or law enforcement officials as well as those actions that must be documented in a student's discipline record.

### **Definitions**

The following definitions and terms apply to this policy:

*Act of School Violence/Violent Behavior* – The exertion of physical force by a student with the intent to do serious physical injury to another person while on school property, including while on school transportation in service on behalf of the district or while involved in school activities.

*Need to Know* – Relates to school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties.

*School or District Property* – Property utilized, supervised, owned, rented, leased or controlled by the school district including, but not limited to, school playgrounds, parking lots, school transportation and any property on which any school activity takes place.

*Serious Physical Injury* – Physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of any part of the body.

*Serious Violation of District Discipline Policy* – One or more of the following acts if committed by a student enrolled in the district:

1. Any act of school violence/violent behavior.
2. Any offense that occurs on district property, on district transportation or at any district activity and that is required by law to be reported to law enforcement officials.
3. Any offense that results in an out-of-school suspension for more than ten school days.

### **Reporting to School Staff**

School administrators shall report acts of school violence to all teachers at the attendance areas in which the involved students are educated and to other school district employees with a need to know the information to adequately supervise the students and to protect themselves or others. In addition, any portion of a student's individualized education program (IEP) that is related to demonstrated or potentially violent behavior shall be provided to any teachers and other district employees with a need to know the information.



The superintendent or designee will inform district employees with a need to know of any criminal act committed or allegedly committed by a student in the district that is reported to the district by a juvenile officer or an employee of the Children's Division (CD) of the Department of Social Services, sheriff, chief of police or other appropriate law enforcement entity in accordance with state law. Such reports shall not be used as the sole basis for denying educational services to a student.

### **Reporting to Law Enforcement Officials**

School administrators are required by law to report certain crimes to law enforcement. In an effort to support timely and accurate reporting, the Board encourages all employees who have information about any criminal act to share that information with their supervisors. The Board expects employees to share information regarding serious criminal acts, and employees must report criminal acts when required by law and Board policy.

Any crime listed in this section, or any act that if committed by an adult would be a crime listed in this section, that is committed on school property, on any school transportation or at any school activity must be reported by the appropriate school administrator to the appropriate law enforcement entity as soon as reasonably practical. The following criminal acts are subject to this reporting requirement:

1. First- or second-degree murder under §§ 565.020, .021, RSMo.
2. Voluntary manslaughter under § 565.023, RSMo.
3. Involuntary manslaughter in the first or second degree under §§ 565.024, .027, RSMo.
4. First- or second-degree kidnapping under §§ 565.110, .120, RSMo.
5. First-, second- or third-degree assault under §§ 565.050, .052, .054, RSMo.
6. Rape in the first or second degree under §§ 566.030, .031, RSMo.
7. Sodomy in the first or second degree under §§ 566.060, .061, RSMo.
8. Burglary in the first or second degree under §§ 569.160, .170, RSMo.
9. Robbery in the first degree under § 570.023, RSMo.
10. Possession of a weapon under chapter 571, RSMo., 18 U.S.C. § 921
11. Manufacture of a controlled substance under § 579.055, RSMo.
12. Delivery of a controlled substance under § 579.020, RSMo.
13. Arson in the first degree under § 569.040, RSMo.
14. Property damage in the first degree under § 569.100, RSMo.
15. First-, second- or third-degree child molestation under §§ 566.067, .068, .069, RSMo.
16. Sexual misconduct involving a child pursuant to § 566.083, RSMo.
17. Sexual abuse in the first degree pursuant to § 566.100, RSMo.
18. First-degree harassment under § 565.090, RSMo.
19. First-degree stalking under § 565.225, RSMo.

Nothing in this policy prevents school administrators from reporting other potential crimes to law enforcement.

If the district is aware that a student who is suspended for more than ten days or expelled is under court jurisdiction, the superintendent shall notify the appropriate division of the juvenile or family court of the suspension or expulsion.

All employees shall immediately report to the principal any incident that constitutes a crime, including

any incident in which a person is believed to have committed an act that if committed by an adult would be first-, second- or third-degree assault, rape in the second degree or sodomy in the second degree against a student or school employee, while on school property, school transportation or at school activities. Employees shall also inform the principal if a student is discovered to possess a controlled substance or weapon in violation of the district's policy. The principal shall immediately report these listed offenses to the appropriate law enforcement entity and the superintendent. However, if the district has entered into an agreement with law enforcement regarding the reporting of third-degree assaults, the district will report third-degree assaults to law enforcement in accordance with that agreement.

School districts may report or disclose education records to law enforcement entities and juvenile justice authorities if the disclosure concerns the law enforcement entity's or juvenile justice authority's ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed must comply with applicable restrictions set forth in state and federal law.

### **Reporting Third-Degree Assault**

The superintendent and the appropriate local law enforcement entity may develop a written agreement outlining the procedure for reporting any incident in which a student is believed to have committed an act that if committed by an adult would be third-degree assault. If such an agreement exists in the district, the principal or designee shall report third-degree assaults to the appropriate local law enforcement entity in accordance with the agreement.

### **Student Discipline Records**

The Board of Education directs the superintendent or designee to compile and maintain records of any serious violation of the district's discipline policy for each student enrolled in the district. Such records shall be made available to all district employees with a need to know and shall be provided to any school district in which the student subsequently attempts to enroll within five business days of receiving the request, in accordance with state law. If a student is placed in another school by the CD, the records will be transferred to the new school within two business days after notification by the CD. Personally identifiable student records will only be released or destroyed in accordance with state and federal law.

Pursuant to Department of Secondary and Elementary Education (DESE) data reporting requirements, the district shall report rates and durations of, and reasons for, student suspensions of ten days or longer and expulsions.

### **Confidentiality**

Any information received by a school district employee relating to the conduct of a student shall be received in confidence and used for the limited purpose of assuring that good order and discipline are maintained in the schools.

### **Liability**

Teachers and authorized district personnel, including volunteers selected with reasonable care by the district, shall not be civilly liable when acting in accordance with the Board's policies, including the

Board's discipline policies, or when reporting acts of school violence or threatened acts of school violence to the appropriate supervisor or other person, pursuant to law and district policy.

## **Seclusion, Isolation and Restraint**

(Board Policy JGGA, updated 6-11-2020)

### **Purpose**

Through the adoption of this policy, the Board of Education expects to:

1. Promote safety and prevent harm to students, school personnel and visitors in the school district.
2. Approach the use of discipline and behavior-management techniques with dignity and respect.
3. Provide school personnel with clear guidelines about the use of seclusion, isolation and restraint on district property or at any district function or event.
4. Provide parents/guardians information about state guidelines and district policies related to the use of discipline, behavior management, behavior interventions and responses to emergency situations.
5. Promote the use of no aversive behavioral interventions, including positive behavioral support techniques.

### **Policy Applicability**

This policy applies to all district personnel. District personnel assigned to facilities not located on district premises (hospitals, detention centers, juvenile facilities and mental health facilities) will follow the policies and procedures for the facilities or programs where they work.

The terms of any written agreement between the district and any facility that provides services to district students will require that facility to have a policy on the use of seclusion, isolation and restraint that complies with state and federal law.

Parent/Guardians who consent to their child receiving services by facilities not located on district premises also consent to the use of that facility's seclusion, isolation and restraint policy.

### **Definitions**

*Assistive Technology Device:* Any item, piece of equipment or product system that is used to increase, maintain or improve the functional capacities of a student with a disability.

*Aversive Behavioral Intervention or Aversive Intervention:* An intervention that is intended to inflict pain or discomfort upon a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as: contingent application of noxious, painful or intrusive stimuli or activities; any form of noxious, painful or intrusive spray, inhalant or tastes; or other similar interventions. The term does not include such interventions as voice control limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions. Corporal punishment administered in accordance with state law is not an aversive intervention for the purpose of this policy.

*Behavioral Intervention:* An individualized instructional and environmental support that teaches students appropriate behaviors to replace problem behaviors. Behavioral interventions are guided by a functional behavioral assessment (FBA) that identifies the communicative intent of problem behavior and takes into consideration any known medical, developmental or psychological limitation(s) of the student.

*Behavior Intervention Plan (BIP):* A plan that sets forth specific behavior interventions for a specific student who displays chronic patterns of problem behavior. Behavior Management: Comprehensive, school-wide procedures applied in a proactive manner that constitute a continuum of strategies and methods to support and/or alter behavior in all students.

*Chemical Restraint:* Administration of a drug or medication to manage a student's behavior that is not a standard treatment and dosage for the student's medical condition.

*Confinement:* The act of preventing a student from leaving an enclosed space.

*Discipline:* Consequences for violating the district's student code of conduct.

*Emergency Situation:* A situation in which a student's behavior poses a serious, probable threat of imminent physical harm to self or others or destruction of property.

*Functional Behavior Assessment:* A formal assessment to identify the function or purpose the behavior serves for the student so that classroom interventions and behavior support plans can be developed to improve behavior. The assessment could include observations and charting of the behavior and interviews with family, teachers and the student to determine the frequency, antecedent and response of the targeted behavior.

*Individualized Education Program (IEP):* A student's Individualized Education Program as defined by the Individuals with Disabilities Education Act (IDEA).

*Isolation:* The confinement of a student alone in an enclosed space without locking hardware. Isolation does not include supervised in-school suspension, detention or time-out used as disciplinary consequences in accordance with the district's student discipline code.

*Law Enforcement Officer:* Any public servant having both the power and duty to make arrests for violations of local, state or federal law.

*Locking Hardware:* Mechanical, electrical or other material devices used to lock a door or to prevent

egress from a confined area. Locking hardware does not include magnetic devices that are used to temporarily secure a door and can be engaged only by continuously pressing a button adjacent to the door.

*Mechanical Restraint:* A device or physical object that the student cannot easily remove that restricts a student's freedom of movement or normal access to a portion of his or her body. This includes, but is not limited to: straps, duct tape, cords or garments. The term does not include assistive technology devices.

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

*Physical Restraint:* The use of person-to-person physical contact to restrict the free movement of all or a portion of a student's body. It does not include briefly holding a student without undue force for instructional or other purposes, briefly holding a student to calm the student, taking a student's hand to transport him or her for safety purposes, physical escort, or intervening in a fight.

*Positive Behavior Supports:* A range of instructional and environmental supports to teach students pro-social alternatives to problem behavior and allow them multiple opportunities to practice pro-social skills and receive high rates of positive feedback.

*Restraint:* See the definitions for *chemical restraint*, *mechanical restraint* and *physical restraint*.

*School or District Employee or Personnel:* Any person employed by the district, volunteering for the district or performing services on behalf of or at the direction of the district. "School or District Employee or Personnel" may include persons working with students as independent contractors or on behalf of an independent contractor, or persons employed by another agency who are providing educational or related services to students.

*Seclusion:* The confinement of a student alone in an unattended enclosed space from which the student is physically prevented from leaving by locking hardware.

*Section 504 Plan:* A student's individualized plan as defined by Section 504 of the Rehabilitation Act of 1973.

*Time-Out:* Brief removal from sources of positive reinforcement that does not meet the definition of seclusion or isolation. The purpose of time-out is to separate the student from the attention of staff and other students.

### **Use of Time-Out**

Nothing in this policy is intended to prohibit the use of time-out as defined in this policy.

### **Use of Aversive Interventions**

Aversive interventions will be used only in accordance with this policy. District personnel shall never use aversive interventions that compromise health and safety.

## **Use of Seclusion, Isolation and Restraint**

### **Seclusion**

Seclusion, as defined in this policy, is prohibited except in an emergency situation while awaiting the arrival of law enforcement officers as provided for in state law.

### **Isolation**

Isolation, as defined in this policy, shall be used only:

1. In an emergency situation, or
2. When less restrictive measures have not effectively de-escalated the situation and the school has a plan for how to respond in such situations, or
3. With parental approval as specified in a student's IEP, Section 504 plan or other agreed-upon plan to address a student's behavior.

Isolation shall never be used as a form of punishment or for the convenience of district personnel.

A student in isolation must be monitored by district personnel who are in close proximity and able to see and hear the student at all times. Monitoring shall be face to face unless personal safety is significantly compromised, in which case technology-supported monitoring may be utilized. The total time in isolation is to be reasonably calculated based on the age of the student and the circumstances and is not to exceed 40 minutes without a reassessment of the situation and consultation with parents/guardians or administrative staff, unless otherwise specified in an IEP, Section 504 plan or other parentally agreed-upon plan to address a student's behavior.

The space in which the student is isolated should be specifically constructed for that purpose or be a normal-sized meeting room or classroom commonly found in a school setting with standard lighting, ventilation, heating, cooling and ceiling height and that is free of objects that could cause harm to the student.

### **Physical Restraint**

Physical restraint, as defined in this policy, shall be used only:

1. In an emergency situation, or
2. When less restrictive measures have not effectively de-escalated the situation and the school has a plan for how to respond in such situations, or
3. With parental approval as specified in a student's IEP, Section 504 plan or other agreed-upon plan to address a student's behavior.

Physical restraint, as defined in this policy, will:

1. Be used only for as long as necessary to resolve the actual risk of danger or harm that warranted the use of physical restraint.
2. Be no greater than the degree of force necessary to protect the student or other persons from imminent bodily injury or to protect property.
3. Not place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat that restricts breathing.
4. Be done only by district personnel trained in the proper use of physical restraint.

District personnel who use physical restraint shall only use restraint methods in which they have received district-approved training. Further, district personnel who use physical restraint may only do so in the presence of at least one additional adult who is in the line of sight unless no other adult is immediately available due to an unforeseeable emergency situation.

Physical restraints should never be used as a form of punishment or for the convenience of district personnel.

### **Mechanical Restraint**

Mechanical restraint shall be used only as specified in a student's IEP or Section 504 plan with two exceptions:

1. Vehicle safety restraints shall be used according to state and federal regulations.
2. Mechanical restraints employed by law enforcement officers in school settings should be used in accordance with appropriate professional standards and applicable policies.

### **Chemical Restraint**

Chemical restraints shall never be used by district personnel.

### **Emergency Situation Follow-ups**

Following any emergency situation involving the use of seclusion, isolation or restraint, a meeting shall occur as soon as possible but no later than two school days after the emergency situation. The meeting shall include, at a minimum, a discussion of the events that led to the emergency and why the de-escalation efforts were not effective; any traumatic reactions on the part of the student, other students or school personnel; what, if anything, could have been done differently; and an evaluation of the process. All staff members directly involved with the emergency situation will be included in the meeting, which will be scheduled and led by the building principal or designee.

### **Positive Behavior Supports**

The Superintendent or designee is responsible for implementing the district-wide use of appropriate positive behavior supports designed to support or alter behavior in all students.

## **Training**

The Superintendent or designee shall ensure that appropriate district personnel are informed about policies and procedures involving the use of seclusion, isolation and restraint.

In addition to the information provided to all district personnel, those who utilize seclusion, isolation or restraint will receive annual training in:

1. The appropriate use of physical restraint.
2. Professionally accepted practices in physical management and use of restraints.
3. The best way to explain the proposed restraint methods to students and parents/guardians.
5. The appropriate use of isolation.
6. The appropriate use of seclusion.

## **Records**

The Superintendent or designee will maintain records documenting the use of seclusion, isolation and restraint showing when they were used and the reason for use; the duration of the use; names of district personnel involved; whether students or school personnel were injured; the name and age of the student; whether the student has an IEP, Section 504 plan or BIP; when the parents/guardians were notified; and any other documentation required by federal or state law.

## **Notice to Parents/Guardians**

Except as otherwise specified in a student's IEP or Section 504 plan, following an emergency situation involving the use of seclusion, isolation or restraint, the parent/guardian of the student shall be notified through verbal or electronic means of the incident as soon as possible, but no later than the end of the day of the incident.

The parent/guardian shall receive a written report of the emergency situation within five school days of the incident unless the parent/guardian has agreed to receive such reports on a quarterly basis. The written incident report shall include all of the following:

1. Date, time of day, location, duration and description of the incident and interventions.
2. Event(s) that led up to the incident.
3. Nature and extent of any injury to the student, when applicable.
4. Name of an employee the parent/guardian can contact regarding the incident.
5. Plan to prevent the need for future use of seclusion, isolation or restraint.



## **Students with Disabilities**

If the IEP or Section 504 plan of a student with a disability includes the use of seclusion, isolation, restraint or aversive behavior intervention:

1. The IEP or Section 504 plan must specify the conditions under which seclusion, isolation, restraint or aversive behavior intervention may be used.
2. The IEP or Section 504 plan must include steps to eliminate the need for the use of seclusion, isolation, restraint or aversive behavior intervention.
3. Any use of seclusion, isolation, restraint or aversive behavior intervention must be limited to what is set forth in the IEP or Section 504 plan.

Before adding the use of seclusion, isolation, restraint or aversive behavior intervention to an IEP or Section 504 plan, the student must have undergone appropriate assessments including, but not limited to, an FBA, and the student must have a BIP in place.

## **REFERENCES FOR CURRENT & FORMER DISTRICT EMPLOYEES**

(Board Policy GBLB, updated 2-6-2020)

### **Definitions**

*Employee* – Any staff member, student teacher or intern of the Park Hill School District.

*Former Employee* – Any person who was previously employed by or was a student teacher or intern in the district or who is currently employed but will no longer be an employee, student or intern in the district in the near future.

*Potential Employer* – Another school district, charter school, business, organization, or person seeking to hire a current or former employee or screening the current or former employee for a volunteer position, internship or other activity.

*Reference* – Information regarding the employment of, or services provided by, a current or former employee including, but not limited to, specific information regarding dates of employment or service, salary, job duties, performance or character.

*Sexual Misconduct* – Engaging in any conduct with a student, on or off district property, that constitutes the crime of sexual misconduct involving a child under § 566.083, RSMo.; illegal sexual harassment as defined in policy AC, as determined by the district; or child abuse involving sexual behavior, as determined by the Children's Division (CD) of the Department of Social Services.

### **Obtaining References for Applicants to the District**

The Board directs the superintendent or designee to verify the background of all applicants for district employment, including requesting references from persons or entities that previously employed the applicant.

As required by law, before offering employment to any teacher who is or was employed by a Missouri school district or charter school, the superintendent or designee will contact the Department of Elementary and Secondary Education to determine the school districts or charter schools that previously employed the applicant. Minimally, the superintendent or designee shall request information about the applicant's previous job performance from the most recent school district or charter school.

### **District Response to a Request for a Reference**

The district will maintain information about current and former employees as confidential within the limits of the law. Only the superintendent or individuals specifically designated by the superintendent may respond on behalf of the district to a reference request for a current or former employee. District employees must direct reference requests to the superintendent or designee. Upon request, employees will assist the superintendent or designee with the preparation of accurate reference information.

Employees other than the superintendent or designee may provide personal references, but by doing so, they are acting in their individual capacities and not as employees of the district. Employees providing personal references may not use district letterhead or otherwise indicate that the reference is sponsored by the district, but they may identify the working relationship they have or had with the current or former employee. The district will not endorse any reference provided outside the directives of this policy and is not responsible for providing legal advice or protection for unauthorized employees who provide references. In accordance with federal law, district employees, contractors and agents are prohibited from writing personal references or otherwise providing assistance in obtaining a new job to any other school employee, contractor or agent who has been accused of sexual misconduct regarding a minor or student, as discussed later in this policy.

### **Content of Reference Disclosure**

#### **Information Provided as Required by Law**

In accordance with law, the following information about employees or former employees will be provided to any entity or person upon request:

1. Names
2. Positions
3. Salaries
4. Lengths of service

In addition, information on allegations of sexual misconduct will be disclosed to public schools or charter schools as detailed below.

### **Information Provided with Consent from the Employee or Former Employee**

Unless otherwise required under this policy or by law, before providing a reference for a current or former employee, the superintendent or designee will verify that the employee consents to the release of further information. The district may obtain a blanket consent from the employee when the employee leaves the district, contact the employee when a request is made or rely on written consent provided through the application process. Even with consent, unless otherwise authorized by the Board or the district's attorney, or unless the disclosure is otherwise required by law, the superintendent or designee may provide only the following factual information when requested, without offering opinions or commentary on job performance:

1. A description of the employee's job duties when employed.
2. Additional district-sponsored committees, activities or duties the employee volunteered for or was designated to perform.
3. Honors and awards received by the employee.
4. Factual information on work performance.
5. Whether the employee resigned or was nonrenewed or terminated. Based on documentation in the personnel file, potential employers will be notified if the employment was ended due to the financial condition of the district, a decrease in enrollment or reorganization of the department, school or district.
6. When requested, a "yes" or "no" answer to a question about whether the district would re-employ the current or former employee if an appropriate position existed or whether the superintendent would recommend re-employment.
7. Allegations and findings of sexual misconduct with a student as required or allowed below.

### **Disclosing Allegations of Sexual Misconduct**

In accordance with state law, when another school district or charter school requests a reference or information regarding a former employee of the district, the district must provide information regarding allegations of sexual misconduct with a student or child as detailed in numbers one through three of this section. The former employee is not required to consent to the release of information prior to the superintendent or designee releasing the information in numbers one through three of this section. Information on allegations of sexual misconduct will be shared in the following situations:

1. *Allegations of Criminal Sexual Misconduct* - If a potential public or charter school employer requests a reference regarding a former employee whose job involved contact with children, the district will, in accordance with state law, notify the potential public or charter school employer if the employee was terminated, nonrenewed or allowed to resign in lieu of termination as a result of allegations of criminal sexual misconduct involving a child as defined by § 566.083, RSMo., or as a result of such allegations being substantiated by the State of Missouri's Child Abuse and Neglect Review Board. The district will provide due process to the former employee prior to disclosing the information to the extent required by law.

2. *Allegations of Sexual Misconduct Sustained by the Children's Division* - If a potential public or charter school employer contacts the district for a reference for any former employee about whom the CD has investigated allegations of sexual misconduct with a student and reached a finding of substantiated, the district will provide the results of the CD investigation to the potential public or charter school employer regardless of whether the employee's job involved contact with children.
3. *Violation of Board Policy Related to Sexual Misconduct* – If any public or charter school contacts the district about a former employee, the district will provide the public or charter school information about any violation of Board policy if the violation related to sexual misconduct with a student where the Board, after a contested case due process hearing, determined that the former employee actually violated the policy.

### **Prohibition against Assisting Employees, Contractors or Agents Accused of Sexual Misconduct**

In accordance with law, district employees, contractors and agents who know or have probable cause to believe that an individual who has served as a district employee, contractor or agent has engaged in sexual misconduct with a minor or student in violation of law are prohibited from writing personal references for or otherwise providing assistance to those individuals in obtaining a new job.

This prohibition does not apply to the routine transmission of administrative and personnel files when that is part of the current employee's, contractor's or agent's duties. In addition, this prohibition does not apply if the information was properly reported to law enforcement and other relevant state, federal and local authorities, and:

1. The investigation was officially closed without action; or
2. The prosecutor or law enforcement entity determined there was insufficient information to establish probable cause; or
3. The individual was charged and acquitted or otherwise exonerated of the alleged misconduct; or
4. The case or investigation remains open and no charges have been filed and no indictment has been issued within four years of the date on which the alleged misconduct was reported to law enforcement.

### **Recordkeeping**

When the district is contacted for a reference for a current or former employee, the superintendent or designee will document the date, the name of the person and entity requesting the information, the person responding to the request, the method of disclosure, the information provided and, when applicable, the consent received.

In accordance with law, if the district responds to any requests in writing, the district will forward a copy of the written reference to the current or former employee at the employee's last known address.

## **Notice**

The district will notify all current employees of this policy. The superintendent or designee will provide notification of the existence of this policy to all potential employers who contact the district for a reference. The notification must also include a statement that the district's responses are limited to the scope of this policy. The district will provide copies of the policy to former employees upon request.

## **Immunity**

Any district employee who is permitted under this policy to respond to requests for references regarding former employees and who communicates only the information authorized by this policy in good faith and without malice is entitled by law to immunity against any civil action for damages brought by the former employee arising out of the communication of such information. District employees responding to requests for references in accordance with this policy may request the attorney general to defend them if sued.

## **USE OF TOBACCO PRODUCTS AND IMITATION TOBACCO PRODUCTS**

(Board Policy AH, adopted 1-11-2018)

To promote the health and safety of all students and staff and to promote the cleanliness of district property, the district prohibits all employees, students and patrons from smoking or using tobacco products, electronic cigarettes or imitation tobacco or cigarette products in all district facilities, on district transportation and on all district grounds, including but not limited to outdoor smoking by adults on the parking lots surrounding the buildings in the district. This prohibition extends to all facilities the district owns, contracts for or leases to provide educational services, before and after school care, transportation services or early childhood development services to children. This prohibition may also extend to private residences during the period of time during which homebound instruction or other educational services are provided to a Park Hill student.

Students and employees who violate this policy are subject to discipline in accordance with applicable Board policies. Employees may be terminated for repeated violations. Visitors who violate this policy may be asked to leave or may face other consequences in accordance with district policies and procedures.

## **CRIMINAL BACKGROUND CHECKS**

(Board Policy GBEBC, revised June 11, 2020)

The Park Hill School District is committed to providing a safe environment for students to learn. As part of this effort, in accordance with this policy, the district will require criminal background checks of employees as well as certain volunteers and others working on district property. The Board directs the superintendent or designee to develop procedures and practices consistent with this policy.

## **Definitions**

Criminal Background Check – A search of all of the following:

1. Federal Bureau of Investigation's (FBI) criminal history files
2. The Missouri State Highway Patrol's (MSHP) criminal history database and sexual offender registry
3. The Family Care Safety Registry (FCSR) or the central registry of child abuse and neglect of the Children's Division (CD) of the Department of Social Services
4. Missouri Case.net; and
5. Other databases required by law or by the district.

Driving Records – Traffic-related offenses contained in the Missouri Department of Revenue's databases.

Rap Back – A program designed to provide school districts automatic criminal history updates about individuals who have been previously fingerprinted. "Rap" is an acronym for "record of arrest and prosecution." Rap Back is available on the state and federal level.

## **Employees**

Generally, the district will conduct criminal background checks in accordance with applicable law on all new employees authorized to have contact with students prior to the employees working with students; however, the district may forgo a criminal background check when:

1. A teacher is employed to work on a part-time or substitute basis within one year of having retired from the Park Hill School District.
2. An employee or potential employee has had a background check conducted by another Missouri public school within the past year and the district receives a copy of the background check directly from the other district or obtains electronic access to the previous background check.
3. An employee or potential employee has successfully completed a criminal background check, including a check of the FCSR, as part of the professional license application process within one year prior to employment.

In order to participate in Rap Back, the district must conduct its own background checks and may not use any of the above exceptions. Any employment offer is contingent upon the satisfactory outcome of any district-required criminal background checks. The district has the sole and absolute discretion to determine whether the outcome is satisfactory.

## **Drivers**

The district will conduct a criminal background check on all bus drivers the district employs. The district may allow bus drivers to operate district transportation pending the results of the criminal background check.

If the district contracts for student transportation services, the contract will require the transportation company to conduct background checks on the company's employees who will have contact with district students. Persons whose background check indicates that they have exhibited behavior that is violent or harmful to children or adults will be excluded from providing transportation services for the district.

### **Volunteers**

The district will conduct a criminal background check on all individuals volunteering in positions where they may be periodically left alone with students or have access to student records. Volunteers who chaperone students on overnight trips or are sponsors or coaches of district-sponsored activities must satisfactorily complete a criminal background check.

The district is not required to conduct a background check on volunteers who have had a background check conducted by another Missouri public school within the past year if the district receives a copy of the background check directly from the other district or obtains electronic access to the previous background check.

In addition to the volunteers who are required by law to receive a full background check, the superintendent or designee may require other volunteers to undergo a background check or the district may conduct a search of the MSHP's criminal history database and the FCSR or the CD's central registry of child abuse and neglect.

### **Contracted Services**

If the district contracts with another person or entity to provide services to students, the district may include in the contract a requirement that a criminal background check be conducted on any person who will have regular contact with students. Staff members of an early childhood education program that is under contract with the district will undergo criminal background checks as required by law.

### **Payment**

In general, applicants for employment and volunteers are responsible for the cost of the criminal background check, but the district may later reimburse the person at the district's discretion. However, when an applicant has had a background check conducted by another Missouri public school within the past year and the district receives a copy of the background check directly from the other district or obtains electronic access to the previous background check, the district will not require an additional background check as a condition of employment unless the district pays the cost.

The district will pay the expenses associated with conducting and renewing criminal background checks for current employees. In cases where the district requires independent contractors to conduct criminal background checks, payment for the background checks will be determined by the contract.

### **Updating Information**

The district reserves the right to require any employee or volunteer to submit to additional criminal background checks at the district's expense or to rerun background checks at any time. The district will provide the Department of Elementary and Secondary Education (DESE) the relevant personnel

information necessary to conduct postemployment background checks as allowed by law.

The district may update all criminal background checks required under this policy at least every five years if the person is still volunteering or working for the district or working on district property. The district may check the driving records of all drivers of district transportation every six months. Any employee refusing to submit to a background check may be disciplined or terminated. The district may decline to utilize the services of volunteers or contractors who refuse to participate.

### **Ongoing Background Checks**

The district may participate in the state and federal Rap Back programs, which automatically notify the district when a district employee is arrested for a reportable offense after the district has conducted an initial background check under the program. Once notified, the superintendent or designee is authorized to take appropriate action as allowed by law and district policy, including but not limited to discussing the incident with the employee and contacting the district's attorney regarding any legal concerns.

### **District Notification**

As a condition of continuing to work within the district, all employees and other persons required to submit to a criminal background check pursuant to this policy must notify the district if they are charged, convicted, plead guilty to or are otherwise found guilty of any misdemeanor or felony, regardless of the imposition of sentence. This notification must be made as soon as possible, but no later than five business days after the event, and is in addition to any reporting requirement established by law.

### **Reporting Requirements**

The superintendent or designee shall immediately provide written notice to the State Board of Education and the attorney general upon learning that a certificated employee has pled guilty to or was found guilty of any offense that would authorize the State Board to seek discipline of or revoke a teaching certificate.

In accordance with law, the district will notify the Public School Retirement System (PSRS), the Public Education Employee Retirement System (PEERS) or any other relevant state retirement system when an employee or former employee is charged with or convicted of any of the following crimes committed in direct connection with or directly related to the employee's or former employee's duties as an employee with the district when the charge or conviction is a felony:

1. Stealing under Section 570.030, RSMo., when the offense involved money, property or services valued at \$5,000 or more;
2. Receiving stolen property under Section 570.080, RSMo., as it existed before January 1, 2017, when such offense involved money, property or services valued at \$5,000 or more;
3. Forgery under Section 570.090, RSMo.;
4. Counterfeiting under Section 570.103, RSMo.;



5. Bribery of a public servant under Section 576.010, RSMo.;
6. Acceding to corruption under Section 576.020, RSMo.; or
7. Any substantially similar offense under federal law.

Confidentiality Information received by the district pursuant to a criminal background check is confidential. Except as allowed by law, the district will use this information only for the district's internal purposes in determining the suitability of an applicant, employee, volunteer or other worker on district property. The district will keep this information in a location that is accessible only to persons who need to know the information to carry out their responsibilities with the district. Upon written request, any person submitting to a criminal background check may receive a copy of the background check information received by the district during the time period the district has access to the information.

Pursuant to state law and upon the written request of an employee or former employee, the district may transfer a criminal background check to another school district within one year of receiving the background check.

Pursuant to state and federal law, information submitted to the MSHP for background checks will be shared with state and national Rap Back criminal background check programs if the district opts to use these programs. The information, including fingerprints, shall be retained by the state central repository and the FBI and shall be searched against other fingerprints on file, including latent fingerprints. Applicant fingerprints, while retained, may continue to be compared against other fingerprints submitted to or retained by the FBI, including latent fingerprints.

### **Consequences**

The superintendent or designee is directed to exclude from employment or to take action to terminate individuals whose criminal background checks reveal that they have exhibited behavior that is violent or harmful to children or adults and may take adverse action, including but not limited to termination, against any employee or exclude any applicant if the background check reveals behavior that would make him or her unsuitable for the position in the discretion of the superintendent or designee. A person whose background check reveals behavior that would make the person unsuitable to volunteer in the district will not be allowed to volunteer. Employees who fail to keep background check results confidential as required by law or this policy or who violate any portion of this policy or district procedure will be subject to disciplinary action up to and including termination.

## **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

All employees are eligible to receive services through Park Hill Employee Assistance Program. The focus of the program is to help the employee through circumstances for which he/she may be seeking direction. Short-term counseling is available for:

Relationships, marital or family  
Stress, anxiety, depression, grief, loss, or other similar concerns  
Alcohol or drug problems  
Work-related problems

Employee Assistance Information may be obtained from the Human Resource Department or by calling St. Luke's E.A.P. at (816) 931-3073. All contacts and visits are confidential.

## **PHYSICAL MANAGEMENT OF CLASSROOM**

Teacher attention to the following guidelines will create more attractive rooms and extend the life of materials and equipment:

### **Bulletin Boards**

Bulletin boards, both inside and outside the classroom, should be maintained and reflect direct connections to the Early Learning Standards, and school and district goals. Classroom rules and procedures for fire, tornado, earthquake, and lock down drills must be posted near the door in the classroom.

### **Energy Conservation**

Please make every effort to conserve energy and reduce waste by shutting off lights and computers, and reducing other consumption whenever possible within the parameters of comfort and safety. Exterior doors and windows should not be propped open in an attempt to control temperatures, since this offsets energy management efforts and negatively impacts the safety of our building.

### **Security**

Classroom doors are to be closed and locked anytime the room is not in use for extended periods of time such as field trips, all-school assemblies, and after school. Personal and professional items such as keys, purses, money, cell phones, laptops, plan books, and grade books should be secured to prevent theft and maintain confidentiality.

### **Cleanliness**

Cleanliness of the room is a shared responsibility. The custodian will clean your room at night; however, routine cleanliness during the school day should be maintained by having students pick up trash from the floor and under desks. Teachers and Associate Teachers should sweep classrooms throughout the day to prevent accumulation of food and debris on the floors. Chairs should be stacked at the end of each day to facilitate cleaning. An orderly and attractive environment will help students develop good organization skills and enhance their sense of pride. It is important that students maintain a neat work area on top of their desks at all times. Tape is not to be used on doors, walls, furniture, light fixtures or carpeting. Windows, including door windows, should be free of visual obstructions.

A bleach mixture will be made up each Monday by a staff member. The bleach mixture will be tested with litmus strips. One staff member from each classroom will need to fill their spray bottle with the bleach solution to clean tabletops. Spray bottles should be stored and washed in compliance with applicable regulations.

### **Food/Drinks**

Faculty should exercise professional judgment regarding their use of food or drink in the classroom. The Park Hill School District Wellness Committee provides a list of healthy snacks and food alternatives for consideration. If a student suffers from a food allergy, notification must be posted outside the classroom, and the classroom teacher must work to comply with the terms of the Food, Allergy Management Policy and Guidelines, as well as the student's Food Allergy Action Plan. The teacher must work to ensure all foods in the classroom are safe. Teachers are also responsible for notifying substitute teachers about students with food allergies.

Reference: Board Policy JHCF; JHCF-R

Please do not eat food in front of the children outside of scheduled lunch and snack breaks. Outside food should not be brought in and eaten in front of the children. Staff should eat their lunch in the staff lounge during their scheduled break or staff may eat the school lunch with the children during the classroom lunch time. Chewing gum is not permitted by students or staff except for special occasions.

## **FACULTY EXPECTATIONS**

### **Hours of Employment**

Scheduled work time reflects student contact hours.

Certified staff are to arrive at their building by 8:15 a.m. each morning and to remain until 3:55 p.m. or until the last bus leaves, whichever is later. All certified staff are to stay until all buses have left.

Support Staff should clock in after all personal belongings have been put away and are ready to work at the scheduled time. Staff should not gather personal belongings and prepare to leave for the day until after clocking out at the end of their scheduled time.

### **Faculty Meetings**

Faculty meetings will be held after school for majority of the meetings scheduled; attendance and promptness are required. All faculty meetings will be scheduled through and called by the building administrator. As per the negotiated agreement, these meetings may total up to four (4) additional hours per month.

Tuition preschool lead teachers should attend the monthly faculty meetings to keep up to date with curriculum and programming information. All efforts will be made to ensure classroom coverage is available during that time and staff should remain on the clock for the meetings.

## **GENERAL RESPONSIBILITIES**

### **Supervision of Students**

It is important for students to be properly supervised at all times. As a general rule, do not leave students unattended. Students should be within sight and sound at all times. Classes/groups must maintain district designated ratios.

Students in the Tuition Preschool Program must stay in ratio for NAEYC guidelines. If the class is not in ratio, the teacher should contact the administrator to make staffing arrangements. Staff should not work over their allotted time to maintain ratio without administrator approval.

### **Arrival and Dismissal Duties**

Certified staff and specified support staff are to be at their duty position to receive students no later than at 8:35 a.m. The same guidelines apply to the release of students at 3:40 p.m. Greeting students in the morning helps set the tone for the day and maximize their learning time. Classroom teachers and specified support staff are responsible for walking students to the school buses. Other staff members may have assigned arrival and dismissal duties.

### **Hall and Restroom Supervision**

### *Hall Behavior*

Each teacher has the responsibility to help maintain good hall behavior. Students should, to the extent practical, be under adult supervision in all areas of the building.

### *Restroom Behavior*

As a general rule, students should be escorted to the restroom and supervised.

### **Lunchroom/Playground Supervision**

Each teacher has the responsibility to help maintain good lunchroom and playground behavior through discussion of expectations with students.

*Lunchroom:* Staff are expected to participate in meal times with the children as part of NAEYC family-style eating guidelines. Staff should be modeling and encouraging students to serve at the table and demonstrate respectful eating behavior.

*Playground:* Staff should be supervising children on the playground at all times. Staff should be strategically spaced out on the playground to ensure the safety of all students. Staff should not be in groups talking or on cell phones during supervision of children.

### **Telephone Calls**

Classroom telephones and personal cell phones should be turned off or put on vibrate mode during instructional time and should not be used during the school day when students are present, except for emergencies.

### **Mailboxes, Voicemail, and E-mail**

Each certified staff member and lead preschool teacher has a mailbox, voicemail, and an e-mail address. All areas should be checked three times a day (morning, mid-day, end of the day), and mailboxes should be cleaned out daily. **All staff members should check their email at least once a day to stay up to date with communication.** See district policy EHB—Staff Use of Technology and EHB-R—Staff Use of Technology for specific guidelines in the use of e-mail.

### **Informal Discussions/Student Information**

Discussions about students and students' families must be handled professionally. This is especially important to remember during informal conversations. Cumulative records, observation notes, progress notes, assessment rating data, and other materials which contain information directly relating to a student are confidential. Please use your professional judgment in handling situations which affect student privacy.

### **Professional Appearance**

It is expected that all faculty dress appropriately and professionally. Your professional appearance is an example for your students. Neatness and proper dress encourage students to follow your example. Shorts, sweat suits, flip-flops, and other casual attire are not considered professional dress. Jeans may be worn only on designated "Spirit Days," which are announced by the building administrator.

### **Identification Badges**

Employees, substitute teachers, guests and all other individuals who are not enrolled students, shall wear personal identification badges while in school district facilities. Employees of the Park Hill School District shall be provided individual picture identification badges, which must be worn daily.

Identification badges shall be clearly visible at all times. Report any adult or visitor not wearing an I.D. badge to the office or building security. An employee who needs a temporary badge for the day may secure one from an Administrative Assistant. Substitute teachers shall sign in the office and receive an identification badge. Upon leaving, substitute teachers shall sign out and return the identification badge. New employees shall be given an "Authorization for I.D. Badge" from the Human Resources Department. In the event the I.D. badge is lost or stolen, employees are expected to immediately report the incident to the Data Center at 359-5000 so appropriate security measures can be taken. Employees will be required to pay a nominal replacement fee for lost or stolen I.D. badges.

### **Teacher Supervision/Evaluation**

The Park Hill School District has an Evaluation of Professional Staff policy. The purpose of the Evaluation of Professional Staff policy is to improve instruction and increase student learning. Please refer to policy GCN, Evaluation of Professional Staff, for specific details. Certified Teaching Staff and Tuition Lead Teachers will be evaluated using the NEE (Network for Educator Effectiveness) process

## **GENERAL PROCEDURES**

### **Supplies and Equipment**

Teachers will be allocated money to spend on classroom supplies and equipment. If additional items are desired to support instruction or engage learners in elements of the Missouri Early Learning Standards, teachers may submit a supply request directly to the building administrator. Remember to order for the number of students, not number of teachers. Ordered materials will be distributed as soon after their arrival as possible.

### **Custodians**

Custodians are an important part of our school. Any work over and above the routine should be requested in advance and in writing to the Head Custodian.

### **Student Dismissal**

Teachers are responsible for assuring all students follow their designated dismissal routine. Teachers are to supervise students through the completion of bus and car loading. Do not detain students at dismissal time, as bus routes are delayed. It is the teacher's responsibility to make sure every designated bus rider gets on the bus. In case of a late bus, students are to stay in their room or other designated area until the bus is called or other directions given. Permission from parents must be produced in order for a child to not follow regular dismissal procedures. Classroom teachers are responsible for contacting parents of students who miss the bus and for supervision of these students until the parent arrives.

### **Releasing Students from Room at Dismissal**

Students will be released only to a parent/guardian or someone authorized by the parent/guardian. A parent/guardian must sign children out in the office. The student will be escorted to the office by a staff member to meet his/her parents. Do not release a student to anyone without checking with the office.

### **Assemblies**

Please review building expectations before attending each assembly. The teacher responsible for instruction will supervise students and monitor behavior. Teachers should model and encourage appropriate audience behavior.

### **Field Trips**

Field trips are to be taken in accordance with Board of Education Policy IICA. The supervision of students will be the responsibility of certified staff member(s) sponsoring the activity. Park Hill School District will only endorse and sponsor field trips that are directly related to the instructional program and designated as a segment of the grade level's ongoing curriculum program. Field trips that meet these criteria will be available for all students. No student will be denied the privilege of participating due to financial circumstances. Consideration regarding participation will be given to students with disabilities consistent with state and federal law. If there is a student in your classroom who requires a wheelchair accessible bus, a bus must be provided. The cost of the lift bus must be considered as part of the cost of the field trip. The additional expense of the bus must be covered by building funds. Field trips are for students, staff and designated chaperones only.

Approval requests for field trips will be submitted in accordance with this policy and any accompanying District regulations, as well as guidelines established by the Assistant Superintendent for Academic Services. Any exceptions to field trip regulations or guidelines must be approved by the Assistant Superintendent for Academic Services in advance of commitments to students, parents, commercial establishments or carriers.

Field trips which require students to be absent from school and require overnight lodging will be allowed only with the knowledge and approval of the principal and the Assistant Superintendent for Academic Services. "Field Trip Guidelines and Procedures" are to be followed for any field trip. See Policy IICA and IICA-R.

### **Use of Private Vehicles to Transport Students**

Students should only be transported for school functions in district-leased or charter buses. Due to liability factors, staff should not transport students in private vehicles. This applies to activities before and after school, as well as during the school day.

### **Guidelines for the Health Room**

Students should be sent to the health room for the following:

- Any injury, old or new, that you feel may be serious – e.g., infections and broken bones.
- Any marks or bruises of a suspicious nature.
- Any health related confidential concern or problem a student wishes to discuss with the health room aide.
- Fainting, bleeding excessively, or having trouble breathing. Complaining of headache, dizziness, weakness, nausea, blurred vision or any similar complaints, after hitting his/her head, even if already seen by the health room aide.
- Any severe or suspicious, unexplained rash.
- Any skin area that is swollen, red, hot, or has drainage.

Students do not necessarily need to have checked:

- Old injuries – e.g., scrapes, sprains, bruises, etc.
- Slight cuts – e.g., paper cuts can be washed at the sink with soap and water and band-aid applied.

- A blister from a shoe that just needs a band-aid.
- Lip balm- e.g., chapped lips

All students must be escorted by an adult to the health room. Also, please use discretion in directions. For example: Do not say, “Go to the health room and get an ice pack,” or “Go to the health room to be sent home,” or “Go to the health room, because I think you have a fever.” These types of statements can cause problems among the nurse, student, teacher, and parent.

You need to communicate with the nurse regarding any concerns you may have about student wellness.

### **Student Medication**

All medicine must be checked into school through the health room. Students are not to keep. All prescription medication must have the container label attached by the pharmacist/physician. All non-prescription (over-the-counter) medication must be sent in the original container with a written request from a parent or the student’s physician. The student’s name must be on the medication container. A Medication Authorization Form must be completed and signed by the parent/guardian for all medications given at school. These are available from the health room aide. On occasion, teachers or other staff may dispense medication to a student. Guidance and training will be provided through the health room. The school does not provide any medication for students, including aspirin, acetaminophen, cough drops or throat lozenges.

### **Inclement Weather Guidelines**

Several factors need to be considered when making weather related decisions about outdoor recess. These factors may include: ice on the playground, lack of snow removal, temperature, wind chill, heat index, or air quality. These conditions may vary based on building location and playground site. After assessing current weather conditions and referring to Child Care Weather Watch guidelines, the building administrator or designee will decide if there is a need for recess to be held indoors.

### **The Library Media Center (LMC)**

The LMC will be available for scheduled story times. Student supervision and assistance will be provided by classroom teacher and associate teachers / teacher assistants.

The LMC will be available for flexibly scheduled activities. These should be coordinated through the Library Media Center or the front office.

Adult checkout will be available at all times.

## **CAFETERIA/PLAYGROUND**

### **Nutrition Services**

All classrooms will pick up snacks daily from the Multi-Purpose Room for non-refrigerator items. Cold snacks will be stored in the coolers and need to be picked up that day.



### *Tuition Preschool*

Tuition Preschool will be provided breakfast, lunch, and two snacks daily. Meal counts need to accurately reflect students that consume the meals each day.

### *Early Childhood Special Education, Bright Futures, and Horizons students*

ECSE, Bright Futures, and Horizons students will be provided with a snack for the morning and afternoon session. Parents will purchase snacks through the Gerner Center office. Snacks are served family-style as appropriate for the students.

### **Outdoor Play Time**

Playground conduct is a shared responsibility. It is expected that teachers supervise the playground and ensure the safety of the students. During the summer months, teaching staff are required to apply sunscreen to students prior to going outside.

## **REPORTS AND RECORD KEEPING**

### **Lesson Plans**

It is important for lesson plan books to be up to date and complete. Lesson plan books should be clear enough that a substitute can interpret and implement them upon an unplanned absence. Lesson plan books must be available for administrative review upon request.

Regular communication with families is a must in order to keep them informed of the learning opportunities afforded to their children at Gerner. Specific lesson plans don't need to be sent to families, but information about what lessons have taken place and a view of upcoming experiences is important to share on a regular basis.

### **Grading and Reporting**

Parents are to be informed when a teacher is concerned about a student's progress. Teachers are to document these contacts and should not wait until the end of a quarter to share concerns. Certified teachers and Tuition Lead Teachers will also receive a schedule indicating when progress reports and parent communication are due.

### **Permanent Records – Cumulative and Discipline Files**

Teachers will be responsible for placing performance information in permanent records. Student files are stored in the office and may be checked out by the classroom teachers. Student information is confidential and may not be shared legally with anyone other than the individual student, his/her parent or guardian, or school personnel with a need to know. Student records shall not be taken from the building.

### **Communication Logs**

Staff must keep a contact log on every student. All communication (written or verbal) with parents should be documented. District expectations call for frequent and varied contacts between parents and

teachers. All forms and methods of communication, such as parent-teacher conferences, curriculum nights, orientations, mail, telephone calls and school visitations by parents should be utilized.

## **COMMUNICATIONS AND PUBLIC RELATIONS**

### **Parent Conferences/Communication**

Communication from parents (whether in the form of a telephone call or e-mail) should be returned the same day. Check your mailbox, voice mail, and e-mail when you arrive at school in the morning, during your planning period, and prior to leaving for messages. Please remember it is extremely important to document all parent contacts through the use of a communication log. If a problem arises, please keep the building administrator advised of all situations. Keep a copy of all notes sent, as well as documentation of your phone calls, on a contact log.

### **Parent-Teacher Association and Other School Related Events**

Teachers are strongly urged to join and participate in the PTA. The PTA provides our school with valuable resources for both students and teachers. Attendance at PTA Unit meetings is required, but may be waived by the building principal. Your support of their efforts is encouraged. Teachers are required to attend school-sponsored plays, concerts and other after-school programs in which their class is involved. Teachers are also required to attend various school related events such as Parent Orientation Night, Curriculum Nights, and Open House. These events are not included as part of the monthly four hour meeting requirements.

### **Attorney Contacts**

Attorneys will sometimes call a teacher directly to discuss a conflict with the school or to gather information related to domestic issues. Calls from attorneys should be politely re-directed to the appropriate administrator. This will help ensure that any potential legal issues are handled appropriately and effectively, and that the district complies with FERPA and other applicable laws.

## **SUBSTITUTE MANAGEMENT**

### **Substitute Teachers**

In order for a substitute teacher to be most effective, they need basic information concerning scheduling, curriculum, and pupil information. Each teacher is required to prepare lesson plans and to have them readily available for use by a substitute teacher. If the classroom laptop is needed, it is the teacher's responsibility to make arrangements to get the laptop to school. In addition, each teacher is required to have available alternative materials concerning each subject area in the event the substitute is unable to complete the regular lesson plans.

The following information is to be readily available at all times in the substitute teacher folder.

- Student roster and seating chart,
- Daily schedule,
- Severe weather, lock down, earthquake, and fire drill procedures for your class,
- Health room procedures,
- Special health or family considerations of pupils,

- Any duty assignments, such as bus or hall duty,
- Names and room numbers of teachers in your grade level,
- Copies of lunch count, attendance forms and transportation procedures,
- Notes regarding students with Individual Education Plans or Section 504 plans for students with disabilities.

### **Providing Evaluation and Feedback for Substitutes**

All teachers should complete a substitute evaluation for any first-time substitute in your classroom and as necessary for returning substitutes. If a substitute has performed particularly well or if concerns are noted, it is valuable to relay this information to the administrator in charge of monitoring substitutes in the building.

Concerns regarding inappropriate comments or interactions with students (i.e., use of profanity, uncomfortable touching) should be communicated directly to an administrator and should not be discussed unnecessarily with students or colleagues.

### **Substitute Teaching Within the Building**

Occasionally, individual teachers within the building may be asked to work through a planning period in order to cover a classroom that has been left open due to the unavailability of district substitutes.

### **Leaves**

The Teacher's Agreement covers the topic of absences and leave. Be sure to read this agreement and understand it before requesting time off work. To assure the District is able to obtain a substitute for your position, please enter your unplanned absences by 6:00 a.m. or as soon as possible. Prearranging for a substitute is recommended for planned absences. Personal business days must be requested at least 24 hours in advance.

When taking leave of any kind it is necessary to enter the absence on the willSub© website or call the willSub© phone line (sick and PB only).

willSub© Phone Line: 877-945-5782

Website: [www.willsub.com](http://www.willsub.com)

### **Block Out Dates**

Attendance at work is mandatory during the District's block out dates unless approved by the Assistant Superintendent for Human Resources. Block out dates include the first ten (10) days students are in session at the beginning of the school year, the day before and after a school holiday, and the last five (5) days students are in school.

### **Emergency Leave**

If it is necessary for you to leave campus during scheduled work hours, you must check with the principal or administrative assistant to the principal and submit the Building Emergency Leave Form for approval. These forms are available in the office and will be kept on file. Personal errands do not represent an appropriate reason for submitting an emergency leave form.



## Employee Quick Reference

877-WILLSUB (877-945-5782)

www.willsub.com

<p><b><u>Activating your willSub® Account</u></b></p> <p>Visit <a href="http://www.willsub.com">www.willsub.com</a>, and enter the 7-digit User ID and 4-digit PIN you were provided. Review the Information tab: name, subject, email, etc. Click 'Update', and your account is activated.</p> <p>After your account is activated, changes or additional job information can be entered under the 'Information' menu and 'My Information'.</p>	<p><b><u>Leave Codes</u></b></p> <p>WillSub serves dual roles as a substitute management system and tracking employee leave.</p> <p>Click on the <b>Home tab</b> for a quick dashboard of your absences.</p> <p>Click on the <b>Reports Tab</b> to view your leave usage and balances for the year.</p> <table border="0"> <tr> <td>1. Academic Meetings*</td><td>Administrator Initiated*</td></tr> <tr> <td>2. <b>Bereavement</b></td><td>Competition/Field Trip</td></tr> <tr> <td>3. <b>Court Leave*</b></td><td><b>Emergency leave</b></td></tr> <tr> <td>4. <b>Family Sick Leave</b></td><td>Perfect Attendance</td></tr> <tr> <td>5. Personal Business</td><td>Sick</td></tr> </table> <p>*Leave codes will have drop down menus for more specific reason codes, such as Curriculum or TIP.</p> <p><b>Highlighted</b> codes will require additional information when entering an absence.</p>	1. Academic Meetings*	Administrator Initiated*	2. <b>Bereavement</b>	Competition/Field Trip	3. <b>Court Leave*</b>	<b>Emergency leave</b>	4. <b>Family Sick Leave</b>	Perfect Attendance	5. Personal Business	Sick
1. Academic Meetings*	Administrator Initiated*										
2. <b>Bereavement</b>	Competition/Field Trip										
3. <b>Court Leave*</b>	<b>Emergency leave</b>										
4. <b>Family Sick Leave</b>	Perfect Attendance										
5. Personal Business	Sick										
<p><b><u>How to Call in an Absence Request</u></b></p> <ol style="list-style-type: none"> <li>1. Dial <b>1-877-945-5782 (1-877-WILLSUB)</b>.</li> <li>2. Enter your User ID and #.</li> <li>3. Enter your PIN and #</li> <li>4. Select your request type - Sick 01 or Personal Business 04</li> <li>5. Select your request options: <ol style="list-style-type: none"> <li>a. Full next day <ol style="list-style-type: none"> <li>i. Press 1 to accept</li> <li>ii. Press 2 to accept without a sub</li> <li>iii. Press 3 to reschedule.</li> </ol> </li> <li>b. Partial next day <ol style="list-style-type: none"> <li>i. Press 1 for arriving late</li> <li>ii. Press 2 for departing early</li> <li>iii. Enter in 24-hour format (i.e. 1430=2:30pm)</li> <li>iv. Press 1 to accept, 2 to accept without a sub or 3 to reschedule.</li> </ol> </li> <li>c. All other dates <ol style="list-style-type: none"> <li>i. Enter start date (MMDDYY)</li> <li>ii. Enter number of days</li> <li>iii. Enter full or partial day</li> <li>iv. Press 1 to accept, 2 to accept without a sub or 3 to reschedule.</li> </ol> </li> </ol> </li> <li>6. Cancellation</li> <li>7. Press 9 - Record Voice Prompt (Name, Grade level or Subject)</li> </ol>	<p><b><u>How to Enter an Absence Request Online</u></b></p> <p>Requests for days off can be entered in two ways:</p> <ol style="list-style-type: none"> <li>1. Regular—when you need willSub® to look for a sub.</li> <li>2. Prearranged—you and the sub have already agreed upon a date they will work.</li> </ol> <p><b>To enter a Regular request:</b></p> <ol style="list-style-type: none"> <li>1. Go to 'Requests', 'New' and choose 'Regular Request'.</li> <li>2. Complete the required information.</li> <li>3. Click the 'Finish' button.</li> </ol> <p><b>To enter a Prearranged request:</b></p> <ol style="list-style-type: none"> <li>1. Go to 'Requests', 'New' and 'Prearranged'.</li> <li>2. Select the date, the sub you have already spoken with, and complete the required information.</li> <li>3. Click the 'Finish' button.</li> </ol>										
<p><b><u>Choosing Preferred Subs</u></b></p> <p>You may add and delete subs from your preferred list whenever you would like. These subs will have first priority to your requests; if these subs are already working, the system will then start contacting subs from the general available list.</p> <p>By choosing My Preferred Subs, you will create a list of subs you wish for willSub to contact first.</p> <ol style="list-style-type: none"> <li>1. Go to the 'Information' menu.</li> <li>2. Choose 'My Preferred Subs'.</li> <li>3. Highlight the desired subs to add or exclude from the list and click the button below.</li> </ol>											

## **CLASSROOM ACTIVITIES**

### **Park Hill Visual Media Guidelines**

When using visual media with students, the teacher needs to be attentive to the instructional objective, appropriate content, generally accepted community standards for students, and copyright compliance. Careful attention must be given to the amount of time devoted to showing a video. Staff are to preview the media in order to identify portions that support the reporting topic or concept being taught. Full length movies should not be shown during the school day for any reason.

NAEYC guidelines identify that the use of passive media such as television, film, videotapes, and audiotapes is limited to developmentally appropriate programming. Any of the forms identified should be used by Early Childhood Educators (Title 1, ECSE, and Tuition Preschool staff) to expand, enrich, and implement the overall goals curriculum and not to fill time or entertain during the school day.

### **End of Year Planning**

It is important the teacher plan educational experiences for students throughout the school year. This is especially important during the final days school is in session. Meaningful instruction, which relates to early childhood curriculum, should be taught up to and including the last day of school. This will help ensure an atmosphere of business-as-usual during those final days.

## **STUDENT DISCIPLINE**

It is important each teacher review Policy JG, relating to student discipline, at the beginning of the school year, as the policy may have changed since the previous year. Policy JG, and all Board policies and regulations, are located on the District's website.

Our staff focuses on positive behavior supports which allows for the students to be reinforced for making positive choices in the classroom. Children will be encouraged to use self-control and will learn how to resolve conflicts in a positive and constructive manner. Our goal is to turn difficult situations into teaching moments for the children so they are learning the appropriate skills needed in a school setting. We do not expect perfection each day, but desire for all students to grow and develop in skills. We will follow PBS Manual procedures to support the behavioral development of students. Super Cub Expectations are "Be Ready", "Be Safe", and "Make Good Choices". Behavior rubrics are posted throughout the building as a reminder to students and staff to demonstrate expectations in all areas of learning and socializing.

We use the following general code of conduct for our students:

1. Stay with a teacher at all times
2. Clean up after yourself in the classroom, cafeteria and hallway
3. Show respect for yourself and others as well as their property and your property
4. Follow school rules for the area that you are in
5. Use only appropriate language

Strategies for inappropriate behavior will include one or more of the following:

1. Promote positive behaviors in the classroom
2. Redirect students who are not following classroom/school rules
3. Use a calm and appropriate tone of voice with students

4. Loss of privileges from the activity
5. Parent notification
6. Collect data on the behavior(s)
7. Referral to PBS Team
8. Implement interventions provided by the PBS team
9. Referral to office for significant behavior including weapons, violence, etc.
10. Documentation in file
11. Suspension and/or immediate dismissal from program may occur

### **Corporal Punishment**

**Corporal punishment is not to be used as a means of disciplining students. This includes the use of physical exercise as a form of punishment (i.e. requiring a student to run laps for inappropriate behavior).**

To provide the very best educational climate in our building, we must all strive to be consistent.

### **Use of Restraint**

Restraint is the act of controlling the action of the pupil(s) when such action may inflict harm to others or him/herself. Restraint should only be used as a last resort and only to the extent necessary to prevent harm to the student or others.

Pursuant to district policy JGGA, if physical restraint or force is used with a student, a written, signed report (JGGA-Form 4) describing the incident must be submitted to the principal or designee. The written, signed report should be submitted before leaving the building on the day of the incident.

To provide the very best educational climate in our building, we must all strive to be consistent.

## **CRISIS RESPONSE**

### **Crisis Response Manual**

The Park Hill School District has developed a Crisis Response Manual to reduce the probability of panic through the establishment of pre-determined actions and assigned responsibilities. This manual is a quick reference for emergency guidelines and should be posted in every classroom. It is the responsibility of every faculty member to become thoroughly familiar with the guidelines in this manual.

In addition, each building has an established Crisis Response Team and First Responders Manual. In the event of a crisis, the classroom teacher's primary responsibility is his/her students.

### **Emergency Drills**

Teachers shall review emergency drill procedures with students within the first five school days of each school year. At a minimum, drills will occur as follows:

- Fire                      Monthly
- Tornado                Twice a year; once in the fall and once in the spring
- Lock Down            Twice a year; once in the fall and once in the spring

- Earthquake      Once per year
- Evacuation      Once per year

**Special Education**

Students with disabilities are entitled to a Free Appropriate Public Education. These rights are ensured under state law and federal law, and district policy. Parents, teachers, or state agencies may refer for possible evaluation those students who demonstrate learning challenges. The building administrator and a school support team will make recommendations to the regular classroom teacher for alternative intervention strategies prior to referral for a special education evaluation. Placement in special education programs is based on evaluation results, the development of an Individualized Education Program and parental consent. The student's parent or guardian has access to the results of the evaluation and participates in the development of the Individualized Education Program. Parents and guardians maintain the right to inspect all information which is collected and to appeal the accuracy of such information.

Parents and teachers are advised of their rights, including the right to an impartial due process hearing if disagreements between the parent and the school cannot be resolved otherwise. Questions concerning services for students with disabilities may be directed to the principal, counselor, or District Special Services Office (359-4032).

## ASBESTOS ISSUE UPDATE

August 1, 2021

Dear Parents, Teachers, and Employee Organizations:

Asbestos is an issue we have been dealing with for many years. The Asbestos Hazard Emergency Response Act of 1986 (referred to as AHERA) was enacted by Congress to determine the extent of and develop solutions for any problems schools may have with asbestos.

To give you some background, asbestos has been used as a building material for many years. It is a naturally occurring mineral that is mined primarily in Canada and South Africa. Asbestos properties made it an ideal building material for insulation, sound absorption, decorative plasters, fireproofing, and a variety of miscellaneous uses.

Park Hill School District contracted with E.T. Archer Corporation to develop an asbestos management plan for our facilities in 1988. That plan has called for this notification letter and a set of plans and procedures designed to minimize the disturbance of asbestos-containing materials. The plan also calls for semi-annual surveillance of the asbestos-containing materials.

At least once every three years after a management plan is in effect, each local education agency is to conduct a re-inspection of all friable and non-friable known or assumed asbestos-containing building material (ACBM) in each school building that is leased, owned or otherwise used as a school building. Our district had our buildings re-inspected in the summer, 2019. Copies of the asbestos management plan and the re-inspection report are available in our school administrative offices during regular office hours. The asbestos program manager for Park Hill is the Director of Operations. All inquiries regarding the plan should be directed to him.

We are intent on not only complying with, but exceeding federal, state, and local regulations. We will take whatever steps necessary to insure that your children and our employees have a healthy, safe environment in which to learn and work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul V. Kelly', with a large, stylized loop at the end.

Paul V. Kelly

Assistant Superintendent for Business & Technology