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**SCHOOL DISTRICT LEGAL STATUS**

The State of Missouri must establish and maintain free public schools in accordance with the Missouri Constitution and state law. The State has delegated certain responsibilities to local school districts. This school district is governed by a seven-director School Board. Directors are elected or appointed in accordance with law.

The official name of the school district shall be Lone Jack C-6. In accordance with state law, the Board of Education shall keep a common seal with which to attest its official acts relative to district operations.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 8<sup>th</sup>, 2003

Revised:

Cross Refs: BBA, School Board Powers and Duties  
BBB, School Board Elections  
BBBA, Board Member Qualifications  
BBE, Unexpired Term Fulfillment/Vacancies

Legal Refs: §§ 162.261, .311, .459, RSMo.  
Mo. Const., Art. IX, § 1 (a)



## **THE PEOPLE AND THEIR SCHOOL DISTRICT**

Public education is a function of the State of Missouri as expressed in the Missouri Constitution, in the state statutes and in federal and state court decisions. The constitution provides for the establishment of a State Board of Education which has general supervision of the public schools in the state. In providing for a system of free public education in the State of Missouri, the state also delegates certain responsibilities to local school districts. Each district is governed by a Board of Education who is elected locally and derives their power and authority from the state statutes. The Board is mindful, however, that the people of the Lone Jack C-6 School District are the ultimate governors of public education in the district, and that the Board is directly accountable to the people through the elective process. The Board also believes that this accountability is a shared responsibility involving district students, professional and support staff employees, the superintendent of schools, and the people themselves.

Adopted: October 10, 1988

Cross Refs: KC, Community Involvement in Decisionmaking

Legal Refs: Mo. Const., Art. IX, § 1 (a)  
§§ 160.011 – 171.011, RSMo.

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

### **General Rule**

The Lone Jack C-6 School District Board of Education is committed to maintaining a workplace and educational environment that is free from illegal discrimination, harassment and retaliation 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 law. The Lone Jack C-6 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 illegal discrimination or harassment.
  - b) Report illegal discrimination or harassment.
  - c) Participate in an investigation, formal proceeding or informal resolution, whether conducted internally or outside the district, concerning illegal discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing illegal 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 and law.

As used in this policy, "discrimination, harassment or retaliation" has the same meaning as "illegal discrimination, harassment or retaliation" and is limited to acts prohibited by law. All employees, students and visitors must immediately 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.

### **Sexual Harassment Reporting and District Response**

Sexual harassment is prohibited under this policy and policy ACA, but policy ACA applies only to a narrower category of sexual harassment under Title IX, as defined in the federal regulations. All sexual harassment reports must be made to the Title IX coordinator identified in policy ACA and evaluated for policy ACA applicability. If a sexual harassment report is made to any other district employee, the report must be promptly referred to the Title IX coordinator for intake. Incidents of alleged sexual harassment that are not investigated under policy ACA may be referred for processing under this policy.

### **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. The district encourages students, employees and the public to report such behavior so that it can be promptly addressed, but the grievance process in this policy is reserved for allegations of illegal discrimination, harassment and retaliation.

### **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 Special Milk 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 immediate action to protect the alleged victim, including implementing interim measures. Such interim measures may include, but are not limited to, altering a class seating arrangement, providing additional supervision or suspending an employee pending an investigation. The district will also take immediate 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 will be disciplined, up to and including employment termination. Students who violate this policy will be disciplined, 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 immediately to the CD.

## **Definitions**

*Compliance Officer* – The individual responsible for implementing this policy, including the acting compliance officer when 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 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 to the compliance officer.

## AC - Critical

*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 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. "Sexual Harassment under Title IX" is a subset of this definition, and the district's response to qualifying allegations is set forth in policy ACA.

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:

Lone Jack Elementary:  
Kelly Stockhorst, Student Services Director  
600 N Bynum Road  
Lone Jack, MO 64070  
[jcygan@lonejackc6.net](mailto:jcygan@lonejackc6.net)  
816 697-3539

Lone Jack Middle and High School  
Todd Brendel, MS Principal  
313 S Bynum Road  
Lone Jack, MO 64070  
[tbrendel@lonejackc6.net](mailto:tbrendel@lonejackc6.net)  
816 697-3539

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:

Nathan Muckey, High School Principal  
313 S Bynum Road  
Lone Jack, MO 64070  
[nmuckey@lonejackc6.net](mailto:nmuckey@lonejackc6.net)  
816 697-3539

For matters within the scope of this policy, 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 Lone Jack C-6 School District except as provided in policy ACA.

## AC - Critical

3. Serve as the district's designated Title VI, Section 504 and Americans with Disabilities Act (ADA) coordinator, as well as the contact person for compliance with other discrimination laws.
4. Forward reports of sexual harassment and otherwise assist in Title IX compliance as directed in policy ACA.
5. 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.
6. Review all evidence brought in disciplinary matters to determine whether additional remedies are appropriate, and recommend which interim measures should be implemented.
7. Determine whether district employees with knowledge of discrimination, harassment or retaliation failed to carry out their reporting duties and recommend disciplinary action, if necessary.
8. Communicate regularly with the district's law enforcement unit or other law enforcement point of contact for the district to determine whether any reported crimes constitute potential discrimination, harassment or retaliation.
9. 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.
10. Seek legal advice when necessary to enforce this policy.
11. Report to the superintendent and the board aggregate information regarding the number and frequency of grievances and compliance with this policy.
12. Make recommendations regarding changing this policy or the implementation of this policy.
13. 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.
14. Periodically review student discipline records to determine whether disciplinary consequences are applied uniformly.
15. Perform other duties as assigned by the superintendent.

## **Public Notice**

The superintendent or designee will continuously 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 Lone Jack C-6 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.

### ***Reports Involving Sexual Harassment***

In cases involving sexual harassment, all persons must report incidents directly to the Title IX coordinator for evaluation under policy ACA. All district employees will instruct all persons seeking to make a report or complaint to communicate directly with the Title IX coordinator. Even if the suspected victim of discrimination, harassment or retaliation does not report on their own behalf, district employees are required to report to the Title IX coordinator any observations, rumors or other information about actions prohibited by this policy and policy ACA.

### ***All Other Reports***

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 file a grievance to communicate directly with the compliance officer. Even if the suspected victim of discrimination, harassment or retaliation does not file a grievance, district employees are required to report to the compliance officer any observations, rumors or other information about actions prohibited by this policy. 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 act upon finding a violation of law, district policy or district expectations.



Even if a grievance under this policy is not directly filed, 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. In general, administrators can immediately discipline a student for prohibited behavior in accordance with the district's discipline policy. However, if sexual harassment is observed or alleged, the administrator must consult the Title IX coordinator to determine policy ACA's applicability to the reported facts or allegations prior to imposing discipline. Administrators will report all incidents as directed in the "Reporting" section of this policy and will direct the parent/guardian and student to the compliance officer for further assistance. In cases not being handled under policy ACA, the compliance officer may determine that the incident has been appropriately addressed or recommend additional action.

### **Investigation**

The district will use the investigation process outlined in this section for any grievance filed under this policy (AC).

The district will immediately investigate all grievances submitted under this policy. 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 and/or serve in other roles and capacities under the procedures for grievance processing.

The district does not assume responsibility or liability for actions that are unrelated to the district's programs or activities. However, the district may investigate any behavior that occurs on or off district property to the extent that such an investigation is necessary for the district to meet its legal obligations to address discrimination, harassment and retaliation that negatively impact the education or work environment. The district will address such behavior only to the extent that the district has the legal authority to do so.

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 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 and effective corrective action in accordance with law.

## **Collaboration with Outside Enforcement Agencies**

In the event an outside enforcement agency is investigating the same allegation of discrimination, harassment or retaliation or a similar allegation, the district will make a preliminary inquiry, then follow the outside enforcement agency's investigation and response procedures instead of the formal district grievance process. During the inquiry, if the district determines that a reasonable basis for concluding this policy was violated exists, it will enforce appropriate interim measures while ensuring due process to the alleged perpetrator when required. When requested by law enforcement, the district may reasonably delay its own investigation to permit law enforcement to conduct the criminal investigation process.

## **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 filing 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 filing 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 filed under this policy 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 share information regarding an individually identifiable student or employee with the person filing the grievance or other persons only as 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 filed with the district's compliance officer. The compliance officer may conduct the Level I investigation or assign an administrator or other qualified individual to conduct the investigation. If the compliance officer determines that the grievance allegations involve sexual harassment under policy ACA, the report will be routed accordingly.
2. An investigation will commence no later than five working days after the compliance officer receives the grievance. The investigator shall conduct a prompt, impartial, adequate, reliable and thorough investigation, including the opportunity for the person filing the grievance and other parties involved to identify witnesses and provide information and other evidence. The investigator will evaluate all relevant information and documentation relating to the grievance.

Within 30 working days of receiving the grievance, the investigator will complete a written report that summarizes the investigation and makes determinations as to the facts and whether the facts constitute a violation of this policy based on the appropriate legal standards. If someone other than the compliance officer conducted the investigation, the compliance officer will receive the report and either adopt the report as submitted or modify and complete the report upon further investigation and/or review of applicable policy and law. 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. The person who filed the grievance, the victim if someone other than the victim filed 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.

3. Level II – Within five working days after receiving the Level I decision, the person filing the grievance, the victim if someone other than the victim filed 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 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 filed the grievance, the victim if someone other than the victim filed 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.

4. Level III – Within five working days after receiving the Level II decision, the person filing the grievance, the victim if someone other than the victim filed the grievance, or any alleged perpetrator may appeal the superintendent's decision to the board by notifying the board secretary in writing. The person filing the grievance and the alleged perpetrator will be allowed to address the board, and the board may call for the presence of other persons the board deems 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 filed the grievance, the victim if someone other than the victim filed 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 filing 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 interim or 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 reports to the district's compliance officer or acting compliance officer (or Title IX coordinator for sexual harassment, per policy ACA) 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 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.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 21<sup>st</sup>, 2001

Revised: January 14<sup>th</sup>, 2003  
October 12<sup>th</sup>, 2012  
September 9<sup>th</sup>, 2019  
August 9<sup>th</sup>, 2021

Cross Refs: BCC, Appointed Board Officials  
ECG, Animals on District Property  
EFB, Free and Reduced-Price Food Service  
EHB, Technology Usage  
GBAC, Staffing with and Employing Retirees  
GBAD, Telework  
GBCB, Staff Conduct  
GBCC, Staff Use of Communication Devices  
GBH, Staff/Student Relations  
GBL, Personnel Records  
GBLB, References  
GCBA, Professional Staff Compensation  
GCD, Professional Staff Recruiting and Hiring  
GCPB, Resignation of Professional Staff Members  
GCPD, Suspension of Professional Staff Members  
GCPE, Termination of Professional Staff Members  
GCPF, Renewal of Professional Staff Members  
GDBA, Support Staff Compensation  
GDC, Support Staff Recruiting and Hiring  
GDPB, Resignation of Support Staff Members  
GDPD, Suspension of Support Staff Members  
GDPE, Nonrenewal and Termination of Support Staff Members  
IGAEB, Sexual Health Instruction  
IGB, Accommodation of Students with Disabilities  
IGBA, Special Education  
IGBCB, Programs for Migratory Students  
IGBH, Programs for English Learners  
IGCD, Virtual Courses  
IGD, District-Sponsored Extracurricular Activities and Groups  
IICC, School Volunteers

INC, Speakers at District Events  
IND, Ceremonies and Observances  
JFCF, Bullying  
JFCG, Hazing  
JG, Student Discipline  
JHCF, Student Allergy Prevention and Response  
JHG, Reporting and Investigating Child Abuse and Neglect  
KG, Community Use of District Facilities  
KK, Visitors to District Property/Events  
KL, Public Concerns and Complaints  
KLA, Concerns and Complaints Regarding Federal Programs

MSIP Refs: G-1, I-8

Legal Refs: §§ 105.255, 160.261, 162.068, 213.010 - .137, 290.400 - .450, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
Equal Pay Act, 29 U.S.C. § 206(d)  
Age Discrimination in Employment Act, 29 U.S.C. §§ 621 - 631  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e-1 - 2000e-17  
Genetic Information Nondiscrimination Act, 42 U.S.C. §§ 2000ff - 2000ff-11  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1760  
Child Nutrition Act of 1966, 42 U.S.C. §§ 1777 - 1785  
7 C.F.R. Parts 210, 215, 220 and 225  
34 C.F.R. Part 106  
*Bostock v. Clayton County*, 590 U.S. \_\_\_, 140 S.Ct. 1741 (2020)

## **SEXUAL HARASSMENT UNDER TITLE IX**

The Lone Jack C-6 School District does not discriminate on the basis of sex in its education programs and activities, including employment and admissions, as required by 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 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 in

accordance with 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 Lone Jack C-6 School District and coordinate and implement the district's efforts to comply with the requirements of Title IX.

Todd Brendal (High School/Middle School)  
313 S Bynum Road  
Lone Jack, MO 64070  
816 697-3539

Mrs. Kelly Stockhorst (Elementary School)  
600 N. Bynum Road  
Lone Jack, MO 64070  
816 697-3539

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 a code of conduct violation for making a materially false statement in bad faith in the course of the grievance proceeding is not retaliation, with the understanding that a determination of responsibility for sexual harassment is not sufficient to conclude that a party made a materially false statement 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.

### ***Parties Enrolled in Special Education***

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 the student's 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 will be notified.

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.

### **Title IX Grievance 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. A statement that parties may have an advisor of their choice, who may be an attorney.
4. 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.
5. 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.

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***

The discipline of employees is addressed in Board policies, which are available on the district's website, and in Missouri law regarding public employees under contract. 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 for any other violation of Board policy.

The discipline of students is addressed in the policies, regulations and procedures that establish the district's comprehensive code of student conduct, which is posted on the district's website.

Remedies may include the imposition upon a responsible respondent of any additional nondisciplinary measures appropriate to effecting a remedy for sexual harassment and may include such measures 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;  
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
2. 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, 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.
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.
8. Create an investigative report that fairly summarizes relevant evidence 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 based on the merits of the formal complaint or allegations therein.

If the formal complaint is dismissed, the district will notify the parties simultaneously. A party may appeal the dismissal of a formal complaint by submitting a written notification of appeal to the Title IX coordinator within five business days of receiving the notice that the complaint was dismissed. If the Title IX coordinator or the investigator dismissed the complaint, the dismissal will be heard by the decision-maker. If the decision-maker dismissed the complaint, 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 the dismissal was made 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.

### ***Time Consumed by the Investigation***

It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. Not more frequently than every other week, any party may request the Title IX coordinator to obtain and provide the parties with a basic status report on the investigator's progress toward completion.

### ***Submission for a Determination of Responsibility and the Related Findings and Conclusions***

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 designated

person may be a district administrator, an 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:

1. Will permit questions and evidence about the complainant's sexual predisposition or prior sexual behavior only if such questions and evidence are offered to prove 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.
2. 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.

### ***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 provided more clearly and more probably favors the complainant's claim (preponderance of the evidence).

### ***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;
4. Conclusions regarding the application of the facts to the district's code of conduct and, if the student code of conduct is implicated, a referral of a student respondent to district officials charged generally with the discipline of students pursuant to Missouri law;



5. A statement of and rationale for the result as to each allegation, including a determination of responsibility, any disciplinary actions recommended to the district to be imposed on 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. The complainant is not a party to the disciplinary procedures concerning a respondent. The administrator(s) responsible for discipline will base that discipline on the final Title IX decision, recommendations made by the decision-maker and any changes made as a result of an appeal.

#### ***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 of the parties receiving 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.

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 of 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 of 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 to all parties 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 sexually harassed a student.

If the informal resolution process does not resolve the formal complaint within 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 the FERPA statute or regulations 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 any individual who has made a report or complaint of sex discrimination, including:

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 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 instruction 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 referral of the respondent, including suspension, termination or expulsion.

*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 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 decision-maker concluding the Grievance Process, as may be amended or affected by the results of an appeal.

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

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 12, 2020

Revised:

Cross Refs: GBCB, Staff Conduct  
GBCC, Staff Use of Communication Devices  
GBH, Staff/Student Relations  
GBL, Personnel Records  
GBLB, References  
GCPD, Suspension of Professional Staff Members  
GCPE, Termination of Professional Staff Members  
GDPD, Suspension of Support Staff Members  
GDPE, Nonrenewal and Termination of Support Staff Members  
IGD, District-Sponsored Extracurricular Activities and Groups  
IICC, School Volunteers  
JFCF, Bullying  
JFCG, Hazing  
JG, Student Discipline  
JHG, Reporting and Investigating Child Abuse and Neglect  
KL, Public Concerns and Complaints  
KLA, Concerns and Complaints Regarding Federal Programs

Legal Refs: §§ 105.255, 160.261, 162.068, 167.161, .171, 213.010 - .137, 290.400 - .450,  
RSMo.  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
34 C.F.R. Part 106  
*Bostock v. Clayton County, Georgia*, 590 U.S.\_\_\_\_\_, 140 S.Ct. 1731 (2020)  
*Obergefell v. Hodges*, 576 U.S. 644 (2015)  
*Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629 (1999)  
*Faragher v. City of Boca Raton*, 524 U.S. 775 (1998)  
*Burlington Indust. v. Ellerth*, 524 U.S. 742 (1998)  
*Gebser v. Lago Vista Ind. Sch. Dist.*, 524 U.S. 274 (1998)  
*Oncale v. Sundowner Offshore Serv.*, 523 U.S. 75 (1998)  
*Harris v. Forklift Syst., Inc.*, 510 U.S. 17 (1993)



## **DISTRICT WELLNESS PROGRAM**

The Board recognizes the relationship between student well-being and student achievement as well as the importance of a comprehensive district wellness program. Therefore, the district will provide developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based.

### **Wellness Committee**

The district will establish a wellness committee that consists of at least one parent, student, nurse or other school health professional, physical education teacher, school food service representative, Board member, school administrator, member of the public, and other community members as appropriate. If available, a qualified, credentialed nutrition professional will be a member of the wellness committee.

Committee meeting dates and agendas will be posted on the district's website in advance of each meeting and advertised in a manner designed to reach students, staff and members of the community. All wellness committee meeting agendas will include a public comment period in which students, staff and members of the community are encouraged to provide input on the district's wellness program. Meetings, records and votes of the wellness committee will adhere to the requirements of the Missouri Sunshine Law.

### **Wellness Program Coordinators**

The Board designates the following individual(s) as wellness program coordinator(s): PE Teachers. Only employees of the district who are members of the wellness committee may serve as wellness program coordinators. Wellness coordinators, in consultation with the wellness committee, will be in charge of implementation and evaluation of this policy.

Wellness program coordinators are responsible for ensuring that each school in the district is in compliance with this policy.

### **Nutrition Guidelines**

The nutrition guidelines outlined in this section do not apply to food or beverages brought from home by students for consumption solely by the student or food or beverages created or used by students as part of the district's instructional program.

It is the policy of the Lone Jack C-6 School District that all foods and beverages sold to students during the school day on any property under the jurisdiction of the district will meet the U.S. Department of Agriculture (USDA) school meal and Smart Snacks in School (Smart Snacks) nutrition standards. These nutrition standards apply to all food and beverages sold to students, including those sold in vending machines, school stores and through district-sponsored fundraisers, unless an exemption applies. In addition, the Smart Snacks standards apply to all

## **ADF - Critical**

food and beverages provided, but not sold, to students outside the reimbursable school meals program during the school day. For the purposes of this policy, the school day is the time period from the midnight before to 30 minutes after the official school day.

### **Nutrition Promotion and Education**

The district will provide nutrition education aligned with the Missouri Learning Standards and Grade-Level Expectations (GLEs) in health and physical education in all grades. In addition, the district will disseminate nutrition messages and other nutrition-related materials received from the USDA to students, staff and the community through a variety of media and methods. The wellness program coordinators, in consultation with the wellness committee, will develop procedures that address nutrition education and promotion.

### **Physical Activity and Education**

The district will provide physical education and opportunities for physical activity aligned with the Missouri Learning Standards and GLEs in health and physical education in all grades. The wellness program coordinators, in consultation with the wellness committee, will develop procedures that address physical education and physical activity.

### **Other School-Based Activities**

The wellness program coordinators, in consultation with the wellness committee, are charged with developing procedures addressing other school-based activities to promote wellness.

### **Assessment**

The local wellness program will be assessed at least once every three years. The assessment will measure the district's level of compliance with implementing the local wellness program, including compliance levels in each of the district's schools; the extent to which the district's policy compares to model wellness policies; and a description of the progress made in attaining the goals of the program. Wellness program coordinators will report the results of assessments to the Board, and the results of each assessment will be made available to the public on the district's website and by other appropriate means. The wellness program coordinators will make recommendations for modifications to the wellness policy in accordance with these assessments, and the Board will revise the wellness policy as it deems necessary based on these recommendations. Administrative procedures will be revised accordingly.

### **Records**

The wellness program coordinators will maintain records necessary to document compliance with law, including a copy of the policy; documentation of community involvement, including sign-in sheets or other documentation of the names of those who provided input to the committee; documentation of triennial assessments; and documentation that assessment findings were shared with the public.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 8, 2012

Revised: August 14, 2017

Cross Refs: DJF, Purchasing  
EF, Food Service Management  
EFB, Free and Reduced-Price Food Service  
GCL, Professional Staff Development Opportunities  
GDL, Support Staff Development Opportunities  
IGAEA, Teaching about Drugs, Alcohol and Tobacco  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
IGDF, Student Fundraising  
JHCF, Student Allergy Prevention and Response  
KI, Public Solicitations/Advertising in District Facilities

Legal Refs: §§ 167.720, 610.010 - .030, RSMo.  
The Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1760  
National School Lunch Program, 7 C.F.R. Part 210

**ACCOUNTABILITY/COMMITMENT TO ACCOMPLISHMENT**

The Board accepts ultimate responsibility for all facets of the operations of the school district. Because it is accountable to the patrons of the district, the Board will maintain a program of accountability that will help to accomplish the following objectives:

- Clearly state expectations and purposes as these relate to district operations, programs, departments and positions.
- Provide necessary resources and support to enable the professional and support staff to achieve stated expectations and purposes subject to the financial resources of the district.
- Evaluate district operations, programs, services, and instructional activities to determine how well expectations and purposes are being met.
- Evaluate the efforts of the employees of the Board and of the Board itself in accordance with stated objectives. The first purpose of personnel evaluation will be to help each individual make a maximum contribution to the goals and objectives of the school district.

The superintendent shall implement procedures to ensure continued progress and improvement of the district operations through a program of meaningful evaluations and assessments, including compliance with annual district-wide reporting requirements set forth by law.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: September 8, 1997

Cross Refs: AE, School District Goals and Objectives

Legal Refs: § 160.522, RSMo.

## **DATA REPORTING**

Timely reporting of data to state and federal authorities is important to the administration of district programs. Unless otherwise specified in Board policy or administrative procedures, the superintendent is responsible for the timely and accurate reporting of data to the Department of Elementary and Secondary Education (DESE), the U.S. Department of Education or other agencies in accordance with the annual data acquisition calendar provided by DESE.

The superintendent will make a record of the date on which data was reported and the entity to which the data was reported and will provide a copy of all reports to the custodian of records.

### **Delegation of Responsibility**

The superintendent may delegate reporting responsibility to other district staff as appropriate. Any person delegated reporting responsibilities will make a record of the date on which data was reported and the entity to which the data was reported and will ensure that a copy of the report is provided to the custodian of records.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 10<sup>th</sup> 2016

Revised:

## **USE OF TOBACCO AND VAPING PRODUCTS**

### **Policy Application**

To promote the health and safety of all students and staff, set a good example for students and promote the cleanliness of district property, the district prohibits all employees, students and visitors from using, possessing, smoking, vaping, consuming, displaying, promoting or selling any tobacco products, imitation tobacco products, vaping products or tobacco-related devices in all district facilities, on district transportation, on all district grounds at all times and at any district-sponsored event or activity while off campus. This prohibition extends to all facilities the district owns, contracts for or leases to provide educational services, routine healthcare, daycare or early childhood development services to children.

### **Definitions**

*Imitation Tobacco Product* – Any edible or nonedible nontobacco product designed to resemble a tobacco product intended to be used by children as a toy. Imitation tobacco products include, but are not limited to, chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similarly to snuff, and shredded beef jerky in containers resembling snuff tins.

*Smoking/Vaping* – Inhaling, exhaling, burning or carrying any lit or heated cigar, cigarette, pipe or any other lighted or heated product that contains, is made of, or is derived from a natural or synthetic form of nicotine, tobacco or other plants and that is intended for inhalation. Smoking/Vaping also includes carrying or using an activated electronic smoking device.

*Tobacco Product* – 1) Any product, whether synthetic or natural, that contains, is made of, or is derived from tobacco or nicotine that is intended for human consumption by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing or ingesting by any other means. 2) Any component, part or accessory of a tobacco product including, but not limited to, cigarettes; electronic smoking devices; cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; Cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps; clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.

*Tobacco-Related Devices* – Ash trays, rolling papers, wraps or pipes for smoking and any components, parts or accessories of electronic smoking devices.

*Vapor Product* – Any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit or electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. Vapor product includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of nicotine in a

solution or other form that is intended to be used with or in an electronic pipe or similar product or device. Vapor product does not include any alternative nicotine product.

### **Smoking Cessation Products**

This policy does not prohibit adults from possessing and using products approved by the U.S. Food and Drug Administration for smoking cessation. Students may possess and use those products as allowed under policy JHCD.

### **Signage**

Appropriate signage reflecting the content of this policy will be posted throughout the district at building entrances and other highly visible locations in all school buildings, indoor and outdoor athletic facilities and district-owned transportation.

### **Consequences**

Students and employees who violate this policy will be disciplined in accordance with applicable board policies and may be offered referrals to smoking cessation programs. Employees may be disciplined or terminated for repeated violations. Visitors may be excluded from district property.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: December 9, 2002

Revised: August 9<sup>th</sup>, 2021

Cross Refs: IGAEA, Teaching about Drugs, Alcohol and Tobacco  
JG, Student Discipline  
JHCD, Administration of Medications to Students  
KG, Community Use of District Facilities  
KK, Visitors to District Property/Events

Legal Refs: §§ 191.765 - .777, 290.145, 407.925, RSMo.  
Pro-Children Act of 2001, 20 U.S.C. §§ 7971 - 7974

**Memorials**  
*(Students and Staff Members)*

The Lone Jack School Board of Education recognizes the loss of a member of the school community is deeply felt and that on occasion family members may desire to remember a deceased student or staff member through a school district memorial. As public facilities designed primarily to support learning, school sites should not serve as the main location for memorializing students or staff. However, in respect for family members who request a memorial in a specific school facility or on school district grounds, guidelines have been established.

All items received as memorials become property of the Lone Jack School District and the district cannot guarantee that memorials that become damaged or worn will be replaced at district expense.

**Approval of Memorials**

All memorials must be approved by the building and district administrations before being placed within a school building or on school grounds. To avoid unnecessary expense and possible disappointment, the District recommends that family refrain from purchasing any type of memorial until approved by the administration.

The location of all memorials on school grounds or in school facilities will be determined by the administration. While requests of family members will be considered when possible, the administration must consider such issues as design parameters, whether the memorial blends with the school campus, ongoing/future maintenance, along with the effect a memorial may have on school children and staff.

Memorial benches/statues/monuments will not be allowed.

**Appropriate Memorials**

*Appropriate Memorials are:*

**Memorial Garden:** Individuals may request a memorial nameplate be added to the memorial stone, which will be located in the memorial garden on the high school campus. The nameplate will be ordered, funded and installed by the district. The top of the stone will be engraved with the words, “In Memory” and individual nameplates will be limited to the legal name and dates of birth and death.

**Memorial Scholarship:** If desired, a scholarship in the amount of your choice may be initiated as a memorial. This scholarship may be a one time scholarship or annual scholarship depending on the guidelines established by the individual making the request. It is the individual’s



**File: AZ  
District Policy**

responsibility to maintain the funding for such a scholarship. Application and award guidelines should be finalized prior to the scholarship being announced. A typed copy of application and award guidelines along with the timeline for the scholarship implementation is to be kept on file at the office of the appropriate building principal.

**Memorial Plaque/Award:** A plaque or similar award may be established as a memorial. This award shall have guidelines and a timeline for disbursement established by the individual making the request. It is the individual's responsibility to maintain funds for the plaque or award. A typed copy of award guidelines along with the timeline for implementation is to be kept on file at the office of the appropriated building principal.

**Purchase of library books, educational CD-ROMs, school supplies and equipment:** The district will maintain a "wish list" of these items from which a person establishing a memorial may choose. Books may include a bookplate, and equipment/supplies may include an engraved plate no larger than 2x6 inches. Wording on each plate must be limited to "Donated in Memory of" or "In Memory of", along with the student or staff member's legal name and dates of birth and death. All engraved plates may be removed at the end of ten years and offered to the parents, guardian or family members.

**Monetary funds designated for a particular school activity or department:** The use of such funds must be approved in writing by the principal and forwarded to the district administration for final approval.

No other form of memorial will be permitted.

Adopted:        April 25, 2006

**Memorial Request Form  
Lone Jack School District**

Prior to completing, it is recommended that the Board Policy on Memorials be read in its entirety. It should be noted that approval of requests for memorial are not automatic. Approval must be secured at both the Building and District level.

Name of individual making request: \_\_\_\_\_

Address of individual making request: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name of individual the memorial will be "in memory of":  
\_\_\_\_\_

What was the date of the individual's death: \_\_\_\_\_

Was the individual a current student/staff member at time of death:

- Yes       No

At which school will the memorial be placed:

- Primary    Elementary    Jr. High/High School

Please provide a detailed description of the memorial you would like to make to the district:

Family approval signature \_\_\_\_\_

(If immediate family is not making the request)

**\*\*Please submit this completed form to the appropriate Building Principal.\*\***

.....

**For Office Use Only**

Date Request Received: \_\_\_\_\_

Principal Recommendation:    Recommend Approval    Do Not Recommend Approval

Principal Comments:

Principal's Signature: \_\_\_\_\_

District Office Recommendation:

- Recommend Approval                       Do Not Recommend Approval

District Comment:

Superintendent's Signature: \_\_\_\_\_

## **SCHOOL BOARD POWERS AND DUTIES**

The Lone Jack Board of Education is a representative body elected by the registered voters of the Lone Jack C-6 School District of Jackson County. It is the purpose and the role of the Board of Education to exercise general supervision over the schools of the district, and to ensure that the schools are maintained as provided by the state statutes, the rules and procedures of the Missouri State Board of Education and/or the Missouri Department of Elementary and Secondary Education, and the policies, rules and procedures of the school district. In addition, the Board is accountable to the electorate, and shall be responsive to the educational needs and the imposed financial constraints of the district. In conducting its various functions as the legislative and policy-making authority for the district, the Board recognizes the following general responsibilities as paramount:

- Legislative and Policy Making* -- The Board is responsible for the development of policies, rules and procedures to serve as guidelines for the general management and administrative actions of the district. The establishment of the goals and objectives of the school district and the methods of financial support needed to reach those goals and objectives are a part of the policy-making function of the Board of Education.
- Executive* -- The Board shall employ a superintendent to serve as the chief executive officer of the district. The Board shall delegate, in writing to the superintendent, the executive and administrative duties and responsibilities necessary for carrying out its policies, and shall hold the superintendent accountable.
- Appraisal* -- The Board is responsible for evaluating the effectiveness of its policies and their implementation. The Board shall hold the superintendent responsible for furnishing complete information necessary for the Board's evaluation of the district's programs.
- Provision of Financial Resources* -- The Board is responsible for the adoption of the annual budget, which will provide financial basis for personnel, facilities, materials and equipment to enable the district to carry out its educational program.
- Staffing and Appraisal* -- The Board is responsible for employing the professional and support staff necessary for carrying out the district's instructional program. The Board is also responsible for establishing salary schedules, terms of employment, and other personnel policies district-wide, and for the regular evaluation of its staff.
- Public Relations* -- The Board is responsible for providing adequate and direct means for keeping the district patrons informed about the schools, and for keeping itself and the school staff informed about the needs and wishes of the public.
- Educational Planning and Evaluation* -- The Board is responsible for establishing educational goals which will guide both the Board and the staff in working together

toward the continued improvement of the educational programs in the district. It is responsible for providing for an ongoing evaluation of the school program as measured through the goals and objectives set forth by the Lone Jack C-6 School District Board of Education and by the Missouri State Board of Education.

- *Judicial* -- The Board is responsible for acting as a court of appeals for the professional and support staff members, students, and the district patrons when issues involve Board policies and their fair implementation.

The Board of Education shall control all aspects of the operations of the district within the limits of the law. However, the Board will make its members, the district professional and support staff, and the district patrons aware that the Board has authority to take official action only when it is acting as a whole. The Board shall be the final authority. No section of the policies, rules and procedures may be construed to limit the statutory powers of the Board to exercise its own prudent judgment.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: October 10, 1988

Cross Refs: AA, School District Legal Status

Legal Refs: § 171.011, RSMo.

**SCHOOL BOARD ELECTIONS**  
***(Ballot Placement by Order of Filing)***

The qualified voters of the Lone Jack C-6 School District shall annually elect two directors for terms of three years each on the municipal election day in April. An additional director shall be elected triennially. Unexpired vacant terms will be filled in accordance with law and district policy.

**Candidate Filing**

Before the seventeenth Tuesday preceding the election, the board shall publish in at least one newspaper of general circulation in the district the opening filing date, the offices to be filled, the place for filing and the closing date for filing.

Qualified applicants for the board may file a declaration of candidacy during business hours in the superintendent's office commencing at 8:00 a.m. on the seventeenth Tuesday prior to the election and ending at 5:00 p.m. on the fourteenth Tuesday prior to the election. Candidates shall declare their intent to become a candidate in person and in writing to the secretary of the board of education or designee, unless otherwise specified in this policy. The district will clearly designate a location where candidates will form a line to file the necessary paperwork in an organized manner and determine the order of such filings for ballot placement. The names of qualified candidates shall be placed on the ballot in order of filing.

The notice of election and certification of candidates must be submitted to the election authority by the tenth Tuesday prior to the election in the manner provided by law. After the tenth Tuesday prior to the election, the candidate list may be modified only pursuant to court order in accordance with law.

The district will provide each candidate a copy of the Notice of Candidate's Obligation to File a Financial Interest Statement and a plain language summary of the applicable laws provided by the Missouri Ethics Commission as required by law. Candidates must comply with laws concerning eligibility, campaign financing and campaign disclosures.

**Withdrawing as a Candidate**

Candidates may withdraw from the election before the district's certification of candidates to the election authority by submitting written notice of their decision not to run. The notice must be submitted in person to the district's central office during regular business hours. Withdrawal requests that are not submitted in person will be accepted only if the district can verify the candidate actually submitted the request.

### **Filing by Certified Mail**

In accordance with law, candidates may file by certified mail if they are unable to file the declaration of candidacy and other necessary paperwork in person due to a physical disability or because they are members of the U.S. Armed Forces on active duty. Upon request, the district will provide potential candidates the necessary paperwork prior to the opening date of candidate filing and during the filing period.

The candidate must personally sign the declaration of candidacy and other documents necessary for filing that require a signature, and the signatures must be notarized. In addition, the declaration of candidacy of a person with a physical disability who is filing by certified mail must be accompanied by a notarized statement from a licensed physician verifying the disability. A candidate on active duty military service who is filing by certified mail must include a notarized statement from the candidate's commanding officer verifying the candidate's active duty status.

A candidate's completed declaration of candidacy and other necessary documents must be received by the district during the official candidate filing period in order for the candidate to appear on the ballot. If these documents are received by the district before 8:00 a.m. on the first day of filing or after 5:00 p.m. on the last day of filing, the district will not accept them and will return them to the candidate.

While the declaration of candidacy and other necessary documents must be sent to the district by certified mail in accordance with law, the candidate may designate a personal representative to stand in line on behalf of the candidate for ballot placement purposes by submitting a completed and notarized form provided by the district. As long as the candidate's declaration of candidacy and other necessary documents are received by the district after the beginning of filing and before the close of filing on the last day of filing, the candidate's ballot placement as determined by the personal representative's participation will stand.

If the candidate does not designate a personal representative for ballot placement purposes, the district will list the candidate on the ballot in the order the declaration of candidacy and other necessary documents are physically received by the district. If two or more candidates file by certified mail on the same day and the filings are received at the same time, the district will list the candidate with the earlier postmark date first. If two or more postmark dates are identical, the candidates will be listed in the order the mail is processed.

If the required paperwork is received after candidate filing has closed for the day or on a day the district's offices are closed, the candidate will be considered to have filed first on the next day filings are received.

### **Write-In Candidates**

If candidates have filed for a position, a person interested in becoming a write-in candidate must file a declaration of intent to be a write-in candidate with the proper election authority prior to 5:00 p.m. on the second Friday immediately preceding the election day in order for the votes to be counted. If no candidates have filed for the position, filing a declaration of intent to be a write-in candidate is not necessary but is recommended.

### **No Election Held**

If the number of candidates who have filed for a particular office is equal to the number of positions for each office to be filled by the election, no election shall be held for such office and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they had been elected. However, if the number of candidates filing for a particular office exceeds the number of positions to be filled in the election, the election will be held even if a sufficient number of candidates withdraw so that the number of candidates remaining after the filing deadline is equal to the number of positions to be filled.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 08, 2004

Revised: January 10<sup>th</sup>, 2022  
December 14, 2015  
March 6<sup>th</sup>, 2019

Cross Refs: AA, School District Legal Status

Legal Refs: §§ 105.470, .483 - .487, .973, 115.121 - .127, .355, .453, 162.261, .291, .341, .371, .381, .459, 493.050, RSMo.  
Ch. 130, RSMo.  
*Jackson Election Committee v. Paluka*, 13 S.W.3d 684 (Mo.App.W.D. 2000)

**BOARD MEMBER QUALIFICATIONS**

All Board members should have an interest in the welfare and education opportunities of students, a desire to honestly represent the public and the commitment to be a good steward of taxpayer resources. All persons interested in serving on the Lone Jack C-6 School District Board of Education, whether elected or appointed, will meet all legal requirements for candidates in School Board elections, including the following:

1. Be citizens of the United States of America. Mo. Const. art. VII, § 8; § 162.291, RSMo.
2. Be resident taxpayers of the Lone Jack C-6 School District. A "taxpayer" is an individual who has paid taxes to the state or any subdivision thereof within the immediately preceding 12-month period, or the spouse of such individual. § 162.291, RSMo.
3. Have resided in Missouri for a minimum of one year immediately preceding their election or appointment. Mo. Const. art. VII, § 8; § 162.291, RSMo.
4. Be at least 24 years of age. § 162.291, RSMo.
5. Not be delinquent in the payment of any state income taxes, personal property taxes, municipal taxes or real property taxes on their place of residence. If an applicant is a past or present corporate officer of any fee office, that office cannot be delinquent in the payment of any taxes owed the state. § 115.306, RSMo.
6. Have not been found guilty of nor pled guilty to a felony under the federal laws of the United States of America or to a felony under Missouri law or an offense committed in another state that would be considered a felony in Missouri. § 115.306, RSMo.
7. Not be registered or required to be registered as a sex offender pursuant to § 162.014, RSMo.
8. Have filed, or the treasurer of an existing candidate committee has filed, all required campaign disclosure reports with the Missouri Ethics Commission, when applicable, for all previous elections in which they were candidates. § 130.071, RSMo.

**Oath of Office**

Newly elected or appointed members of the Board officially qualify as Board members when they take the oath of office and sign the oath, as required by law.

\* \* \* \* \*



*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 9, 2000

Revised: December 9, 2013  
December 14, 2015  
December 11<sup>th</sup>, 2017

Cross Refs: AA, School District Legal Status

Legal Refs: Mo. Const. art. VII, § §8, 11  
§§ 115.306, 130.071, 160.011, 162.014, .025, .203, .291, .301, 561.021, RSMo.

## **SCHOOL BOARD BALLOT ISSUES**

The School Board of the Lone Jack C-6 School District may place issues on the ballot as needed or as required by law.

### **Certification of Ballot Language**

The Board will approve ballot language before any ballot issue is submitted to the election authority for inclusion on the ballot. The superintendent is authorized to have ballot language drafted or reviewed by an attorney prior to Board approval. In accordance with law, the superintendent or designee will notify the election authority of the ballot issue and provide the language for the ballot no later than 5:00 p.m. on the tenth Tuesday prior to the election. The superintendent or designee may send the required notices by facsimile transmission as long as the election authority receives the original copy of the notice within three business days of the facsimile.

If there will be no additional cost for printing or reprinting the ballots, or if the Board agrees to pay any costs incurred, the Board may seek a court order to add an issue to or remove an issue from the ballot, as long as the notification occurs no later than 5:00 p.m. on the eighth Tuesday before the election.

### **Accepting Election Results**

The Board will be presented with official election results at the next regular meeting scheduled after the district receives the results. The Board will accept the results or, alternatively, decide whether to take action to challenge the results.

### **Types of Ballot Issues Submitted by the District**

#### ***Bond Issues***

When the Board deems it necessary to raise capital funds, the Board may vote to submit a bond issue to the voters. All bond issues must be in furtherance of the district's facility plan and should only be submitted after careful study of the district's needs and after consultation with members of the public and the professionals necessary to accurately determine the cost and feasibility of the project. A bond issue passes with a four-sevenths vote at the general municipal election (April), primary election (August of even-numbered years) or a general election (November of even-numbered years). A two-thirds majority is required for all other elections. Following approval by the voters, the disposition of the bonded indebtedness will be in accordance with law.

***Levy Issues***

By law the Board may set a tax rate of \$2.75 on the hundred-dollar assessed valuation without an election. The Board may vote to submit a levy issue to the voters when the Board deems it necessary to levy taxes in excess of that amount. In addition, the Board must submit a proposition to the voters as to whether the rate of taxation shall be increased by the Board if the Board receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for the member of the School Board receiving the greatest number of votes cast at the last school election in which Board members were elected. Levy issues pass with a majority vote if the proposed levy is under \$6.00. A proposed levy in excess of \$6.00 requires a two-thirds vote to pass.

***Waiver of Proposition C Rollback***

By law the Board must reduce the total operating levy of the district to decrease the revenue the district would receive by an amount equal to 50 percent of the previous fiscal year's state sales tax receipts, with some exceptions. The Board may submit an issue to the voters to forgo all or part of this reduction when the Board deems it necessary to increase the revenue received by the district. This issue passes with a majority vote.

***Transportation of Students Living Less than One Mile from School***

If the district wishes to transport students living less than one mile from school and if an increase in the tax levy of the district is required to provide transportation, the Board shall submit the issue at an election. This issue passes with a two-thirds majority.

***Boundary Change***

The Board must submit a proposition to change the boundary of the school district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for School Board members in the last annual school election in the district. A petition meeting this criteria must be submitted to the school boards of all districts affected by the proposed boundary change. Once the Board has received a petition meeting this criteria, the question will be submitted at the next election, except as allowed by law. If a board of arbitration appointed by the State Board of Education has previously rejected a boundary change, a petition to change the same or substantially same boundary cannot be filed with the district until the expiration of two years from the date of the election at which the previous boundary change was submitted to the voters of the district.

The boundary will be immediately changed if a majority of those voting in all districts affected vote for the boundary change. If the voters in one of the districts approve the change and voters

in another do not, any of the districts affected or a majority of the signers of the petition may appeal in writing to the State Board of Education within 15 calendar days of the election. The State Board will appoint a board of arbitration to settle the matter.

The board of arbitration will base its decision on the following factors:

1. The presence of school-age children in the affected area.
2. The presence of actual educational harm to school-age children, either due to a significant difference in the time involved in transporting students or educational deficiencies in the district that would have its boundary adversely affected.
3. The presence of an educational necessity, not of a commercial benefit to landowners or to the district benefiting from the proposed boundary adjustment.

### ***Consolidation***

The Board, by a majority vote, may call for an election on a proposal to consolidate with one or more adjacent districts. The issue will be put on the ballot if the school board(s) of the district(s) with which the Board seeks to consolidate likewise vote(s) to put the issue on the ballot.

The Board must submit a proposition to consolidate the district with one or more adjacent districts if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last election in which board members were elected, or 100 voters, whichever is the higher number. A petition meeting this criteria must be submitted to the school boards of all districts involved in the consolidation. Once the Board has received a petition meeting this criteria, the question will be submitted at the next election.

A plat of the proposed new district will be published and posted with the notices of election. The results of the election will be certified to the state commissioner of education by the board secretary of each district or by the election authority charged with conducting the elections. If the measure passes with a majority vote in each affected district, the state commissioner will declare the new district formed as of July 1 following the submission of the question.

### ***Annexation to One or More Adjacent Districts***

The Board must submit a proposition for the district to be attached to one or more adjacent districts if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for School Board members in the last election in which Board members were elected, or a majority of the voters of the district, whichever is the lesser.

Alternatively, the Board may, by a majority vote, submit a plan to the voters of the to attach the to one or more adjacent districts and call for an election.

A plat of the proposed new district will be published and posted with the notices of election. If a majority of the votes cast in the election favor annexation, the Board secretary will certify the fact, with a copy of the record, to the Board and to the school boards of the districts to which annexation is proposed. If a majority of all the members of the school boards of each district the seeks to be attached to vote in favor of annexation, the boundary lines of the affected districts shall be changed to include the .

### ***Expanding a Community College District to Include the School District Boundaries***

If the Board receives a petition to expand the boundaries of a community college district to include the boundaries of the school district, and the petition has received a sufficient number of signatures, the Board will submit the question to voters as required by law. The petition must be signed by voters equal in number to ten percent of those voting in the last school election at which Board members were elected or must be signed by a majority of the voters of the district, whichever is the lesser.

### ***Dissolution***

The Board must submit a proposition to dissolve the district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for School Board members in the last election in which Board members were elected or 100 voters, whichever is greater. The question will be submitted at a municipal election. If a majority of voters voting favor dissolution, the district will be dissolved and may be annexed to one or more other districts by the State Board of Education, in accordance with law.

### **Elections Not Restricted by Date**

School districts do not have to wait until an official election date and may call a special election for:

1. Bond elections necessitated by fire, vandalism or natural disaster.
2. Special elections to decide tie votes or election contests.
3. Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 8, 2009

Revised: December 9, 2013  
March 6<sup>th</sup>, 2019

Cross Refs: DC, Taxing and Borrowing Authority/Limitations  
DCB, Political Campaigns

Legal Refs: Mo. Const. art. VI, § 26(b); art. X, § 11(c)  
§§ 115.123, .125, .646, 162.223, .431, .441, .451, 164.013, 031, .121, .151,  
167.231, RSMo

## **BOARD MEMBER RESIGNATION**

The Board believes that any citizen who seeks election or appointment to the Board of Education should do so with full knowledge of and appreciation for the investment of time, effort and dedication expected of all Board members and the intention to serve a full term of office.

If a Board member decides to resign prior to the end of the term of office for reasons of health, relocation outside the district or any other compelling reason, the Board requests the earliest possible notification of intent to resign so that it may plan to fill the vacant seat.

A Board member who resigns shall file a letter of resignation with the Board secretary, who shall forward it to the Board and list the issue on the agenda for the next Board meeting. The Board shall declare a vacancy exists when the resignation letter is officially presented to the Board at a Board meeting.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised: December 14, 2015

Cross Refs: BBE, Unexpired Term Fulfillment/Vacancies

**BOARD MEMBER REMOVAL FROM OFFICE**

Any member of the Board of Education failing to attend three consecutive regular meetings of the Board, unless excused by the Board for reasons satisfactory to the Board, shall be deemed to have vacated the position on the Board. The secretary of the Board shall certify to the Board that a vacancy exists. The vacancy shall then be filled in the same manner as other vacancies occurring on the Board.

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*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: October 10, 1988

Cross Refs: BBE, Unexpired Term Fulfillment/Vacancies

Legal Refs: § 162.303, RSMo.



## **SCHOOL BOARD VACANCIES**

If a vacancy occurs on the Board of Education, the remaining members shall appoint a person to serve until the next school board election when a director shall be elected for the unexpired term. In a case of resignation, a vacancy shall be declared to exist when the resignation letter is officially presented to the Board at a Board meeting. In a case of removal from office for excessive absences, a vacancy shall be declared to exist when the secretary of the Board certifies to the Board that a Board member has missed three consecutive Board meetings, and the Board has not excused the absences.

If there are more than two vacancies at any one time, the county commission, upon receiving written notice of the vacancies from the Board secretary, shall fill the vacancies by appointment. If the district is located in a county without a county commission, the county executive, upon receiving written notice of the vacancies, shall fill the vacancies by appointment, with the advice and consent of the county council. The persons appointed shall hold office until the next school board election, when directors shall be elected for the unexpired terms.

When it is the Board's responsibility to fill a vacancy, the following process will be used unless the Board votes to use a different process due to the timing of the vacancy or other relevant reasons:

1. *Notification Process* - The vacancy will be announced at a Board meeting, and the district will notify local newspapers and advertise the vacancy on the district's website. The superintendent or designee is directed to advertise the vacancy in other effective ways, such as sending e-mails or other electronic communication to the community or posting notice in district buildings or publications. Residents who wish to be appointed to the vacancy must apply as directed in the notification(s). The district will allow residents a minimum of two weeks from the date the district publicizes the vacancy on its website to apply for the vacant position.
2. *Review/Interview Process* - The Board will review all applications at a regularly scheduled Board meeting or at a special meeting called for that purpose. The Board may select final candidates to interview in open session, or the Board may decide not to interview candidates and make a final selection from the applications. The Board will discuss applications and interview candidates in open session.
3. *Selection Process* - The Board will make appointments in an open session Board meeting through a formal motion that is seconded and confirmed with an affirmative vote by a majority of the Board. A Board member who is resigning from or otherwise leaving the Board shall not participate in choosing a successor.
4. *Swearing In* - Once appointed, a person becomes a Board member by taking and signing the oath of office.

5. *Notification of Legal Responsibilities* - All appointed Board members will receive a notice of their obligation to file a personal financial disclosure statement and will be notified of the requirement to complete state-mandated training.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 9, 1992

Revised: June 12, 2017  
October 12, 2020

Cross Refs: AA, School District Legal Status

Legal Refs: Mo. Const. art. VII, § 11  
§§ 162.203, .261, RSMo

### **SCHOOL BOARD MEMBER ETHICS**

Members of the Lone Jack C-6 School District Board of Education accept the responsibility to improve public education in the Lone Jack C-6 School District. To that end, all Board members will:

1. Remember that the first and greatest concern must be the educational welfare of all students attending the public schools.
2. Obey the laws of Missouri and the United States.
3. Recognize that individual Board members have no authority to speak or act for the Board.
4. Work with other Board members to establish effective Board policies.
5. Delegate authority for the administration of the schools to the superintendent.
6. Encourage ongoing communications between Board members and stakeholders.
7. Render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups.
8. Make every effort to attend all Board meetings.
9. Become informed concerning the issues to be considered at each meeting.
10. Improve boardmanship by studying educational issues and by participating in in-service programs and training.
11. Support the employment of staff members based on qualifications and not as a result of influence.
12. Maintain a process of regular and systematic assessment of the educational system, in order to provide accountability for the school district.
13. Avoid conflicts of interest or the appearance thereof.
14. Refrain from using their Board position for the benefit of family members, business associates or themselves.
15. Express personal opinions but, once the Board has acted, accept the will of the majority.

16. Refrain from divulging confidential information presented during closed sessions, except when required by law.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 14, 2005

Revised:

## **BOARD MEMBER CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE**

All directors of the Lone Jack C-6 School District Board of Education shall adhere to the laws regarding conflict of interest and avoid situations where their decisions or actions in their capacity as Board members conflict with the mission of the district.

### **Purchases Involving Federal Funds**

In addition to the requirements of this policy, Board members must follow the provisions of policy DJFA and related procedures and are also subject to the conflict of interest provisions of federal law.

### **Definitions**

*Business with Which a Board Member Is Associated* – For the purposes of this policy:

1. A sole proprietorship owned by the Board member, his or her spouse or any dependent children in the Board member's custody;
2. A partnership or joint venture in which the Board member or his or her spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the Board member is an officer or director or of which the Board member or his or her spouse or dependent children in the Board member's custody, whether singularly or collectively, own more than ten percent of the outstanding shares of any class of stock or partnership units; or
3. Any trust in which the Board member is the trustee or settlor or in which the Board member or his or her spouse or dependent children in his or her custody, whether singularly or collectively, are beneficiaries or holders of a reversionary interest of ten percent or more of the corpus of the trust.

*Fourth Degree of Consanguinity or Affinity* – Includes parents, grandparents, great-grandparents, great-great-grandparents, spouse, children, siblings, grandchildren, great-grandchildren, great-great-grandchildren, nieces, nephews, grand-nieces, grand-nephews, aunts, uncles, great-aunts, great-uncles, and first cousins by virtue of a blood relationship or marriage.

*Special Monetary Benefit* – Being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected.

*Substantial Interest* – A substantial interest exists when the Board member or his or her spouse or dependent children in his or her custody, either singularly or collectively, directly or indirectly:

1. Own(s) ten percent or more of any business entity; or
2. Own(s) an interest having a value of \$10,000 or more in any business entity; or
3. Receive(s) a salary, gratuity or other compensation or remuneration of \$5,000 or more from any individual, partnership, organization or association within any calendar year.

**Sale, Rental or Lease of Personal Property (Property Other Than Real Estate)**

No elected or appointed official of the district shall sell, rent or lease any personal property to the school district for consideration in excess of five hundred dollars' value per transaction or five thousand dollars' value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received.

**Sale, Rental or Lease of Real Property (Real Estate)**

No elected or appointed official of the district shall perform a service or sell, rent or lease any real property to the school district for consideration in excess of five hundred dollars' value per transaction or five thousand dollars' value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice.

**Employment**

The district shall not employ Board members for compensation even on a substitute or part-time basis. The district will not accept applications of employment from Board members, consider Board members for employment or decide to employ Board members while they remain on the School Board. Board members may provide services on a volunteer basis.

**Independent Contractor Services**

No elected or appointed official of the district shall perform service as an independent contractor for consideration in excess of five hundred dollars' value per transaction or five thousand dollars' value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received.

## **Businesses That Employ Board Members**

A Board member may participate in discussions and vote on motions for the district to do business with entities that employ the Board member as long as the business is not owned by the Board member and the Board member will not receive any financial benefit from the transaction. The Board member may need to submit a statement of interest as described below.

## **Statement of Interest**

Before voting, Board members who have a substantial personal or private interest in a decision before the Board shall provide a written report of the nature of the interest to the Board secretary. The written statement will be recorded in the minutes. Board members who have disclosed the interest in a financial interest statement filed or amended prior to the vote will be in compliance with this requirement.

## **Self-Dealing**

1. Board members may not act or refrain from acting by reason of any payment, offer to pay, promise to pay or receipt of anything of actual pecuniary value, whether received or not, to themselves or any third person. This includes a gift or campaign contribution made or received in relationship to or as a condition of the performance of an official act.
2. Board members shall not favorably act on any matter that is specifically designed to provide a special monetary benefit to them, their spouses or dependent children in their custody.
3. Board members will not use their decision-making authority for the purpose of obtaining a financial gain that materially enriches them, their spouses or dependent children in their custody by acting or refraining from acting for the purpose of coercing or extorting anything of actual pecuniary value.
4. Board members shall not offer, promote or advocate for a political appointment in exchange for anything of value to any political subdivision.
5. A Board member will not attempt to directly or indirectly influence or vote on a decision when the Board member knows the result of the decision may be the acceptance by the district of a service or the sale, rental or lease of property to the district and the Board member, his or her spouse, dependent children in his or her custody or any business with which the Board member is associated will benefit financially. If such a transaction is presented to the Board, the Board member will abstain and leave the room during any deliberation.

### **Gifts and Gratuities**

Board members and others who are subject to this policy are prohibited from accepting gifts or gratuities in excess of the amount established by the Board from any vendor, vendor's representative or person who does or is attempting to do business with the district. Gifts and gratuities include, but are not limited to, money, personal property, free meals, tickets to events, travel expenditures and games of golf. Door prizes and other randomly awarded prizes, such as those awarded from raffles or other fundraising events, are not considered a gift or gratuity.

### **Use of Confidential Information**

Board members shall not use or disclose confidential information obtained in the course of or by reason of their official capacities in any manner with intent to result in financial gain for themselves, their spouses, dependent children in their custody, any business with which the Board member is associated or any other person.

Even when there is no financial gain involved, failure to keep information confidential violates Board ethics and Board policy and could also violate state and federal law.

### **Nepotism**

Board members shall not vote to employ or appoint any person who is related to them within the fourth degree by consanguinity or affinity. In the event that an individual is recommended for employment or appointment and the individual is related within the fourth degree to a Board member, the related Board member shall abstain from voting and shall leave the room during consideration of the question and the vote, unless the motion is part of a consent agenda and there is no discussion, in which case, the member need not leave the room but will refrain from voting.

For the purposes of this section, to "employ" includes hiring persons to be employees of the district and approving independent contractors who provide services to the district.

### **Financial Interest Statements**

The Lone Jack C-6 School District Board of Education hereby adopts a policy establishing and making public its own method of disclosing financial interests of Board members, candidates and specified administrators, in accordance with law. Financial interest statements (also known as personal financial disclosure statements) as described below shall be filed with the Missouri Ethics Commission (MEC) and the Lone Jack C-6 School District Board of Education on or before May 1 for the preceding calendar year, unless the person filing is a Board candidate. Candidates must file their reports within 14 days after the last day to file for office. The reports will be made available for public inspection and copying during normal business hours.



This portion of the policy dealing with the financial interest statement will be adopted in an open meeting at least once every other year by September 15. A certified copy of this policy shall be sent to the MEC within ten days of adoption.

## **Board Member Disclosure**

All School Board members and candidates for School Board will file the short-form version of the MEC's financial interest statement each year. This form is also known as the "Financial Disclosure Statement for Political Subdivisions." School Board members and candidates will report the following transactions if they occurred during the previous calendar year. If no such transactions occurred, the Board member or candidate will still file, but will mark the items as not applicable.

1. Each transaction in excess of \$500 per year between the district and the individual or any person related within the first degree by consanguinity or affinity to the individual. The statement does not need to include compensation received as an employee or payment of any tax, fee or penalty due the district and other transfers for no consideration to the district. The statement shall include the dates and identities of the parties in the transaction.

"First degree of consanguinity or affinity" includes parents, spouse or children by virtue of a blood relationship or marriage.

2. Each transaction in excess of \$500 between the district and any business entity in which the individual has a substantial interest. The statement does not need to include any payment of tax, fee or penalty due the district or payment for providing utility service to the district and other transfers for no consideration to the district. The statement shall include the dates and identities of the parties in the transactions.

## **Superintendent, Chief Purchasing Officer and General Counsel Disclosure**

The superintendent, chief purchasing officer and general counsel, if employed full-time, will file the short-form version of the MEC's financial interest statement each year. This form is also known as the "Financial Disclosure Statement for Political Subdivisions." These employees will report the following transactions if they occurred during the previous calendar year. If no such transactions occurred, these employees will still file, but will mark the items as not applicable.

These employees will disclose in writing the information required in 1) and 2) above. In addition, these employees will disclose the following information for themselves, their spouses and dependent children in their custody:

1. The name and address of each employer from whom income of \$1,000 or more was received during the year covered by the statement.
2. The name and address of each sole proprietorship the individual owned.
3. The name, address and general nature of business conducted by each general partnership or joint venture in which he or she was a partner or participant.
4. The name and address of each partner or coparticipant in the partnership or joint venture unless the information is already filed with the secretary of state.
5. The name, address and general nature of business of any closely held corporation or limited partnership in which the individual owned ten percent or more of any class of the outstanding stock or limited partners' units.
6. The name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the individual owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests.
7. The names and addresses of each corporation for which the individual served in the capacity of director, officer or receiver

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Readopted: October 10<sup>th</sup>, 2016

Adopted: August 8, 2015

Revised: December 14<sup>th</sup>, 2005  
September 12<sup>th</sup> 2011  
August 12<sup>th</sup>, 2013  
August 10<sup>th</sup>, 2015  
August 14<sup>th</sup>, 2017  
August 12<sup>th</sup>, 2019  
October 12<sup>th</sup>, 2020

Cross Refs: DA, Fiscal Responsibility  
DD, Grants

DJF, Purchasing  
DJFA, Federal Programs and Projects  
FEF, Construction Contracts Bidding and Awards  
GBCA, Staff Conflict of Interest  
GBL, Personnel Records  
GCD, Professional Staff Recruiting and Hiring  
GDC, Support Staff Recruiting and Hiring  
JO, Student Records

Legal Refs: Mo. Const. art. VII, § 6  
§§ 105.450 - .458, .461,.462, .466,.467, .472, .476 - .492, 162.261, .391, 168.126,  
171.181, RSMo.  
2 C.F.R. § 200.22, .23, .38, .92, .112, .113, .317, .318, .338  
*State v. Rhoads*, 399 S.W.3d 905 (Mo.App.W.D. 2013)

## **BOARD ORGANIZATIONAL MEETING**

According to state law, the annual organizational meeting of the Board of Education shall be held within 14 days after the annual Board election. The newly elected members shall qualify by taking the oath of office as prescribed in Article VII, Section 11, of the Constitution of Missouri. The Board secretary shall administer the oath to the new members.

Following the administration of the oath of office, the superintendent, serving as temporary chairperson, shall conduct the election of the president and vice president. Once the president and vice president have been elected, the president will preside over the remainder of the meeting. The Board shall, on or before July 15 of each year, elect a secretary and a treasurer who shall assume their respective duties on July 15. The secretary and treasurer may or may not be members of the Board. All votes will be taken by voice vote, show of hands or another method of voting that clearly reveals each member's vote. Secret ballots are not permitted by law.

In addition, the Board will appoint one of its members to serve as the Missouri School Boards' Association delegate and one to serve as an alternate. If, pursuant to MSBA bylaws, the district is entitled to more than one delegate, the Board will appoint the number of delegates to which the district is entitled and an alternate delegate. Appointed delegates will perform the duties as outlined in policy BCCA.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 8, 2004

Revised: June 11, 2016

Legal Refs: Mo. Const. Art. VII, § 11  
§§ 162.301, 610.010 - .028, RSMo.

## **BOARD OFFICERS**

The board of education shall elect a president and vice president at the reorganization meeting. The president and vice president will serve until they are no longer board members or until their replacements are elected.

### **Duties of the Board President**

The president of the board, in addition to duties prescribed by law and policy, will exercise such powers as properly pertain to the office according to *Robert's Rules of Order, Newly Revised*. The president shall have the same right as other members of the board to offer resolutions, make motions, discuss questions and vote on board business. The president will fulfill the responsibilities of the office as follows:

1. Preside, when present, at all meetings of the board and be responsible for the orderly conduct of such meetings.
2. Sign all legal documents as required by law or board policy. The board authorizes signatures to be affixed by facsimile and electronically in accordance with policy DGA.
3. Bring before the board matters that, in the president's judgment, may require the board's attention.
4. Appear on behalf of the board in all legal actions brought by or against it unless individually a party, in which case the board will reassign this duty.
5. Consult with the superintendent in planning meeting agendas.
6. Confer with the superintendent on crucial matters that may occur between board meetings.
7. Call special board meetings when necessary.
8. Appoint committees in accordance with board policy and subject to the approval of the board.
9. Act as public spokesperson for the board unless the board has delegated this responsibility to others.
10. Perform any other duty required by the board of education, the Missouri State Board of Education, the Missouri Department of Elementary and Secondary Education or law.

**Duties of the Board Vice President**

The vice president of the board will perform all the duties assigned to the president in the event of the president's disability or absence. The board may also assign other duties.

**Vacancies**

If the board member serving as the president ceases to be a board member for any reason or resigns from the presidency, the vice president will assume the office of president, and the board will elect a new vice president by a simple majority. If the vice president declines the position, the board will elect a new president by a simple majority, and the vice president will remain the vice president.

If the board member serving as the vice president ceases to be a board member for any reason or resigns from the vice presidency, the board will elect a new vice president by a simple majority.

**Reorganization**

In addition to the officer elections at the reorganization meeting held after each board election, the board may reorganize by electing new officers at any public board meeting. In such cases, if the current officer is still willing to serve, election of a new officer requires an affirmative vote of a majority of the whole board.

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*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: November 12, 2001

Revised: August 9<sup>th</sup>, 2021

Cross Refs: DGA, Authorized Signatures  
KB, Public Information Program

Legal Refs: §§ 160.261.12-13, 162.051, .301, 164.191, 165.021, .111, .131, 168.101, .126,  
177.091, RSMo

**APPOINTED BOARD OFFICIALS**  
*(Seven Director)*

On or before July 15 of each year, the Board shall elect a school district secretary, treasurer and other Board officials deemed necessary and advisable. The Board will set the terms of service and compensation. If either the secretary or treasurer is a member of the Board, compensation for services may not be received. If not a member of the Board, reasonable compensation for services may be received. Vacancies in Board officer positions shall be filled by Board election or replacements.

**Duties of the Board Secretary**

The secretary of the Board of Education shall perform or cause to be performed the following duties:

1. Be present at all regular and special meetings of the Board, and special Board committee meetings as requested by the committee chairman, in order to keep an accurate record of the proceedings.
2. Keep accurate record of Board member attendance at Board meetings.
3. Keep a complete and accurate record of all regular and special meetings of the Board of Education, transcribe and type the official copy in the minutes book, and make copies of the minutes for the superintendent and for each member of the Board.
4. Keep all records of the Board of Education in a fireproof vault or safe in the office of the superintendent.
5. Notify all members of regular, executive or special meetings of the Board.
6. Post all notices required by law or when duly ordered by the Board.
7. Issue and/or sign all reports, orders and official documents when such are required by law or duly ordered by the Board of Education.
8. Make and securely keep copies of election notices, contracts with teachers, certificates and all other papers relating to the business of the district.
9. File a copy of all reports with the records of the district as required by law or by the Board of Education.
10. Secure the election results of all propositions submitted to voters and duly enter such results in the district records. This shall include votes on tax levies, bond issues and other

issues placed before the voters. Issue certificates of election to newly elected Board members.

11. Forward a complete copy of the annual report to the Missouri Department of Elementary and Secondary Education (DESE) at Jefferson City at the designated time.
12. Publish advertisements, requests for bids, etc., as ordered by the Board.
13. Make all reports required by law to DESE, the United States Department of Education and other federal/state agencies.
14. Destroy canceled bonds and interest coupons in the presence of at least two (2) Board members and two (2) other witnesses, and record in the books of the district a description of the bonds so destroyed by noting the date issued and due date, the number and amount of each bond, and the names of Board members and witnesses who were present at the burning of the bonds.
15. Maintain a correct plat of the district and notify DESE and the county clerk of any boundary changes.
16. Certify copies of redistricting resolutions and plans.
17. Make attendance reports of any boundary changes to DESE and to the county clerk.
18. In the absence of both the president and vice president of the Board, the secretary shall call a Board meeting to order and a president pro tempore shall be chosen.
19. Perform such additional functions as may be required by law or authorized by the Board of Education, either directly or through the superintendent.

#### **Duties of the Board Treasurer**

The treasurer of the Board of Education shall perform or cause to be performed the following duties:

1. Become the custodian of all school moneys derived from taxation for school purposes in the district until paid out on the order of the Board.
2. Execute before entering the treasurer's duties a bond of security with two (2) or more sureties, which shall be approved by the Board and payable to the Board, conditioned upon the faithful discharge of the official duties of treasurer and in accordance with state law.



3. Receive and deposit promptly all moneys belonging to the district and pay out the same upon order of the Board of Education.
4. Pay out money from district funds only by order of the Board upon checks signed by the president and treasurer. The Board provides authorization for signatures to be affixed in facsimile.
5. Draw checks upon the order of the Board of Education in favor of any party to whom the district has become legally indebted. The checks are to be paid out of any moneys in the appropriate funds in the hands of the treasurer and belonging to the district.
6. Serve as legal custodian of all bonds, moneys and other securities belonging to the school district.
7. Keep or cause to be kept complete, accurate and legal records of all moneys collected and expended on Missouri uniform accounting forms.
8. Deliver to the Board of Education canceled bonds to be destroyed in compliance with the state law.
9. Annually, not later than the first day of August, settle with the Board of Education and account to the Board for all school moneys or funds received, from whom and on what account they were received and the amount paid out for school purposes.
10. Present the annual settlement to the clerk of the county commission after its approval by the Board.
11. Submit a monthly report to the Board reflecting the current balance in district funds and receipts for the preceding month.
12. Make other such reports as may be required by the Board.
13. Keep records available for inspection by the Board at all times.
14. Deliver to successor in office all district books and papers with all district moneys or other property in the treasurer's possession.
15. Sign all legal documents as required by law.
16. Perform other duties required by law and/or assigned by the Board.

\* \* \* \* \*

**FILE: BCC  
Critical**

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: November 12, 2001

Cross Refs: DH, Bonded Employees and Officers

Legal Refs: §§ 105.273 - .276, 162.301, .303, .371, .391, .401, .441, .821, 163.081, 164.221, .181, 165.021, .061, .091, .101, .111, 291, RSMo.

## **MSBA DELEGATE AND ALTERNATE**

At its annual organizational meeting, the Board of Education shall appoint a Missouri School Boards' Association (MSBA) delegate and alternate. If, pursuant to MSBA bylaws, the district is entitled to more than one delegate, the Board will appoint the number of delegates to which the district is entitled and an alternate delegate. The Board prefers to appoint a member who has at least two years of experience as a Board member. The Board secretary or designee will forward the name(s) of the delegate(s) and alternate as well as their contact information, including e-mail address, to MSBA.

### **Duties of the MSBA Delegate**

The MSBA delegate shall:

1. Serve as the liaison between MSBA and the Board of Education.
2. Serve as the contact for communications from the Regional Executive Committee (REC) chair, the MSBA Board of Directors and MSBA staff. The delegate will provide MSBA an e-mail account to receive those communications and regularly monitor it for this purpose.
3. Share information received from the REC chair, MSBA Board of Directors and MSBA staff with the Board. Agendas for regular open Board meetings will include an opportunity for a delegate report. The report will include information about state and national issues impacting public education, opportunities and concerns related to public schools, and other specific information important to boards of education and the school districts they represent.
4. Serve as a member of the Regional Action Committee (RAC).
5. Actively participate in the development of MSBA advocacy positions.
6. Serve as an advocate for public education by maintaining a working relationship with elected officials who represent the district at the local, state and federal levels.
7. Attend and participate in the MSBA Delegate Assemblies.
8. Attend and participate in the RAC meetings.

### **Duties of the MSBA Alternate**

The MSBA alternate delegate will assume the role of delegate if the delegate is unable to serve.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised: June 11, 2016

**BOARD COMMITTEES/ADVISORY COMMITTEES TO THE BOARD**

The Board shall act as a committee-of-the-whole on all matters pertaining to the business and educational policies of the district. The Board may appoint standing committees; however, no individual member or group comprised of less than the full membership of the Board shall exercise the powers of the full Board unless otherwise authorized by law and Board policy.

With the approval or at the direction of the Board, the president of the Board may appoint temporary ad hoc and/or special lay committees to assist the Board.

Committees must follow the instructions given to them by the Board and may be terminated at any time by a majority vote of the membership of the Board. If the committee is required by state or federal law, its composition and appointment shall meet all guidelines established for that purpose. Committees shall be advised of the:

1. Purpose to be served.
2. Length of time each member is being asked to serve.
3. Resources the Board will provide.
4. Date a report should be made to the Board or superintendent.

Final authority in the decision-making process will reside with the Board.

Any committee appointed by or at the direction of the Board and that is authorized to report to the Board or any advisory committee appointed by or at the direction of the Board for the specific purpose of recommending directly to the Board or the superintendent any policies, policy revisions or expenditure of public funds, will follow the Missouri Open Meetings and Records Act. The custodian of records will maintain a list of all such committees.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 12, 2001

Revised: December 8, 2008

**FILE: BCE  
Critical**

Cross Refs: DA, Fiscal Responsibility  
KC, Community Involvement in Decision Making  
Legal Refs: §§ 167.171, 610.010 - .028, RSMo.  
*Jackson v. Board of Directors*, 9 S.W.3d 68 (Mo. Ct. App. 2000)

**SCHOOL ATTORNEY/LEGAL SERVICES**

The Board recognizes that the increasing complexity of school district operations frequently requires procurement of professional legal services. Consequently, the Board may select an attorney and/or law firm for purposes of systematically providing such services. The Board shall prescribe the duties, compensation and term of service for the attorney and/or law firm. It shall be the duty of the counsel to advise the Board and to make recommendations concerning specific legal problems submitted. Districts including one (1) or more cities or towns having a total population of at least 30,000 may retain an attorney on an annual basis.

A decision to seek legal counsel or advice on behalf of the school district shall normally be made by the superintendent or by persons specifically authorized by the superintendent. It may also take place as a consequence of formal Board direction.

Many types of legal assistance to the district may be considered routine and may not require specific Board approval or prior notice. However, when the administration concludes that unusual types or amounts of professional legal service may be required, the Board directs the administration to so advise it, and to expeditiously seek either initial or continuing authorization for such service.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: November 12, 2001

Legal Refs: § 162.411, RSMo.

## **BOARD MEETINGS**

### **General**

A quorum must be present, whether physically or electronically, in order to conduct an official meeting. A quorum shall consist of four (4) members of the Board of Education.

Meetings may be held in person or by means of communication equipment including, but not limited to, conference calls, video conferences, Internet chats or Internet message boards.

Meetings of the Board of Education shall be open to the public and the press unless closed as authorized by law.

All Board meetings shall be held at a place of sufficient size to accommodate the anticipated members of the public and at a time that is reasonably convenient. In addition, reasonable efforts shall be made to make the meeting accessible to individuals with disabilities. If any of these statutory requirements are not met, the nature of the cause for noncompliance for the meeting should also be stated in the Board minutes.

Recording open meetings by audiotape, videotape or other electronic means is allowed by law. However, the Board may establish guidelines regarding the manner in which such recordings are conducted to minimize disruption to the meeting. Recording a closed meeting is prohibited unless permission has been granted by the Board by resolution. By passing this policy the Board grants permission to the Board secretary to record closed meetings as necessary to fulfill his or her duties.

### **Meeting Notice**

Public notice of all meetings shall be given in accordance with Board policy and law.

### **Regular Board Meetings**

The Board of Education shall hold regular meetings throughout the year to transact such business as deemed necessary for the smooth operation of the school district.

The Board will hold its regular meeting on the Second Monday of each month at 6:30 p.m. at the High School Library unless otherwise specified in the publicized notice of the meeting.



### **Special Board Meetings**

Special Board meetings may be held from time to time as circumstances may demand. Special meetings of the Board may be held at a time fixed by the Board or on the call of the president. A special meeting may also be called by at least four (4) members of the Board. Each member shall be notified of the time, place and purpose of the meeting a reasonable amount of time in advance of the meeting.

### **Electronic Participation**

The Board may allow members to participate in meetings by telephone or other electronic means. Board members may not simply vote electronically, but must be connected with the meeting throughout the discussion of business. If a Board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened.

If the Board allows a member to participate electronically, the member will be considered present and will have his or her actual physical presence excused. The member shall be counted present for purposes of convening a quorum. The Board secretary will document it in the minutes when members participate in the meeting electronically.

Board members participating electronically cannot cast roll call votes unless a district emergency exists and a quorum of the Board is physically present. If such an emergency exists, the nature of the district emergency shall be stated in the minutes. Board members participating electronically may cast votes other than roll call votes.

Any Board member wishing to participate in a meeting electronically will notify the Board president and superintendent as early as possible. The superintendent will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting electronically may interact and the public may observe or hear the comments made. The superintendent will take measures to verify the identity of any remotely located participants.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 8, 2004

Legal Refs: §§ 162.301, .303, .511, 610.010 - .028, RSMo.

## **CLOSED MEETINGS, RECORDS AND VOTES**

The Board will conduct closed meetings, maintain records and hold votes in accordance with the Missouri Sunshine Law.

### **Meeting Notice**

Public notice of closed meetings shall be given in accordance with Board policy and law. The motion and the vote to authorize closed session must occur in open session. The motion must include the specific reason for closing the meeting with reference to a specific section of the statute, and the vote on the motion must be taken by roll call and entered into the minutes. The motion will pass if a majority votes in the affirmative.

Posted notice of a closed meeting will include the time, date and place of the closed meeting and the reasons for holding the meeting with reference to the specific statutory exemption under which the meeting will be closed. Only business directly related to the specific statutory exemptions provided may be discussed or voted upon at a closed meeting.

### **Objection**

In the event a motion is made to close a meeting, record or vote, and a Board member believes that the motion would violate the Missouri Sunshine Law if passed, the Board member may state his or her objection to the motion before or at the time the vote is taken. The Board secretary will enter the objection in the minutes. Once the objection has been made, the Board member shall be allowed to fully participate in the meeting, record or vote even if it is closed over the member's objection. If the Board member voted against the motion to close the meeting, record or vote, the recorded objection and the vote constitute an absolute defense to any claim filed against the Board member pursuant to the Missouri Sunshine Law.

### **Meeting Location**

The Board shall only close that portion of the meeting facility needed to house the Board in closed session. Members of the public must be allowed to remain in the meeting facility so that they may attend any open meeting that follows the closed meeting.

### **Confidentiality**

The Board members, employees and others in attendance are honor bound not to disclose the details or discussions of the closed meetings, records or votes. District employees who fail to

keep closed information or closed meetings confidential may be disciplined or terminated. The Board may publicly admonish Board members who fail to keep closed records and meetings confidential in violation of this policy.

### **Closed Topics**

Pursuant to the Missouri Sunshine Law, the Board of Education hereby closes all meetings, records and votes pertaining to:

1. Legal actions, causes of action or litigation involving the district and any confidential or privileged communication between the district or its representatives and its attorneys. Any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving the district or an agent or entity representing the district, including any insurance company acting on the district's behalf, shall become available to the public upon final disposition of the matter voted upon or upon the signing of a settlement agreement by the parties. A settlement agreement may be ordered closed by a court; however, the amount of any monies paid by or on behalf of the school district, pursuant to the settlement agreement, must be available to the public. When the district makes a decision involving the exercise of eminent domain, the vote shall become public immediately following the meeting in which the vote was taken to authorize institution of such legal matter. Legal work product is considered a closed record.
2. The lease, purchase or sale of real estate by the district where public knowledge of the transaction might adversely affect the amount to be received or spent by the district. Any minutes, vote or public record approving such a contract shall become available to the public upon execution of the lease, purchase or sale of the real estate.
3. Hiring, firing, disciplining or promoting of particular employees by the district when personal information about the employee is discussed or recorded. Any vote on a final decision to hire, fire, promote or discipline an employee must be made available, with a record of how each member voted, to the public within 72 hours of the close of the meeting where the action occurred. The district will attempt to notify the affected employee during the 72-hour period before the decision is made available to the public. The term "personal information" means information relating to the performance or merit of individual employees.
4. Proceedings involving the mental or physical health of an identifiable individual.
5. Scholastic probation, expulsion or graduation of identifiable persons, including records of individual tests or examination scores. However, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of 18 and by the parents, guardian or other custodian and the student if the student is over 18.

6. Testing and examination materials until the test or examination is given for the final time.
7. Welfare cases of identifiable individuals.
8. Preparations on behalf of the district or its representatives for negotiations with employee groups, including any discussion or work product.
9. Software codes for electronic data processing and documentation thereof.
10. Competitive bidding specifications until officially approved or published.
11. Sealed bids and related documents until the bids are opened; sealed proposals and related documents until all proposals are rejected; or any documents related to a negotiated contract until a contract is executed.
12. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment. However, the names, positions, salaries and lengths of service of district officers and employees shall be available to the public.
13. Records protected from disclosure by law.
14. Scientific and technological innovations in which the owner has a proprietary interest.
15. Records relating to municipal hotlines established for reporting abuse and wrongdoing.
16. Confidential or privileged communications between the Board and its auditor, including all auditor work product. However, all final audit reports issued by the auditor are to be considered open records.
17. Operational guidelines and policies developed, adopted or maintained by the district for use in responding to or preventing any critical incident that is or appears to be terrorist in nature and that has the potential to endanger individuals or public health or safety. When seeking to close information pursuant to this exception, the Board shall state in writing that disclosure would impair its ability to protect the health or safety of persons and that the public interest in nondisclosure outweighs the public interest in disclosure of the records. Information regarding expenditures or contracts made in implementing these policies shall be open records.
18. Existing or proposed security systems and structural plans of real property owned or leased by the district where public disclosure would threaten public safety. Procurement records or expenditures relating to security systems purchased with public funds shall be open. When the district is seeking to close this information, it must affirmatively state in writing that disclosure would impair the district's ability to protect the security or safety

of persons or real property and that the public interest in nondisclosure outweighs the public interest in disclosure of the records.

19. Records that identify and would allow unauthorized access to or unlawful disruption of the configuration of components or the operation of a computer, computer system, computer network or telecommunications network of the district if released. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures for such computer, computer system, computer network or telecommunications network shall be open.
20. Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between the district and a person or entity doing business with the district. However, the record of a person or entity using a district credit card or any record of a transaction that is reimbursed by the district will be open.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 8, 2004

Revised: December 14, 2009

Cross Refs: ECA, Building and Grounds Security  
KBA, Public's Right to Know  
KDA, Custodial and Noncustodial Parents  
KKB, Audio and Visual Recording

Legal Refs: §§ 610.010 - .029, RSMo.

## **NOTIFICATION OF BOARD MEETINGS**

It is the policy of the Lone Jack C-6 School District to inform the public of School Board meetings in accordance with law.

The Board secretary has the responsibility to post notice of Board meetings, subject to direction by the superintendent. Each individual Board member has the responsibility to notify the Board secretary of items to be included on the agenda so that the item may be included in the legal posting.

### **All Meetings**

In addition to the criteria listed below, notice of all Board meetings shall be given at least 24 hours in advance of the meeting, exclusive of weekends and holidays when school is closed, unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. The nature of the good cause must be stated in the minutes.

The notice shall be posted on a bulletin board or other easily accessible public place clearly designated for that purpose at the principal office of the Board or, if no such office exists, at the building where the meeting will be held.

All interested news media organizations will be notified concurrently with members of the Board, upon request, of all meetings of the Board of Education. To be notified of these meetings, a news media organization should make a request to the secretary of the Board of Education.

### **Open Meetings**

Public notice of an open meeting will include the time, date, place and a tentative agenda advising the public of the matters to be considered.

### **Closed Meetings**

Public notice of a closed meeting will include the time, date and place of the meeting and the specific statutory exemption under which the meeting will be closed.

### **Electronic Meetings**

If the meeting will be conducted by telephone or other electronic means, the notice of the meeting shall identify the mode by which the meeting will be conducted and the designated location where the public may observe and attend the meeting, if open. If the meeting will be conducted by Internet chat, Internet message board or other computer link, the district shall post

a notice of the meeting on its website, in addition to other postings, and shall notify the public how to access that meeting, if open.

### **Committees**

A formal subcommittee of the Board may conduct a meeting without advance notice during a lawful meeting of the Board, a recess of that meeting or immediately following that meeting. The subcommittee's meeting must be announced at the Board meeting, and the subject of the meeting must reasonably coincide with the subjects discussed at the Board meeting.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 8, 2004

Revised: December 14, 2009

Legal Refs: §§ 610.010 - .029, RSMo.

## **AGENDAS**

The superintendent, in consultation with the board president, shall prepare a tentative agenda for each board meeting. The board shall include the agenda for an open meeting in the public notice of the meeting in a manner that complies with law and reasonably informs the public of the matters to be considered. The superintendent or designee will provide the agenda to the board with supplemental materials necessary for the meeting.

Any board member may request that items be placed on the agenda by notifying the board president or the superintendent at least five days prior to the meeting. The agenda items will be included on the tentative agenda unless the board recently discussed the same issue, the board president decides that they should be reserved for a future meeting, or the member agrees otherwise.

A majority of the board members present at the meeting may vote to remove or move an agenda item. Items will not be added to the agenda at the meeting except in accordance with law. However, a board member may make a motion to add an item to a future meeting and, if passed, that item will be included on the agenda for that meeting.

Residents who wish to be included on the agenda for the purpose of addressing the board shall make a request in accordance with policy BDDH.

### **Consent Agenda**

In order to use time within the board meetings more efficiently, the board utilizes a consent agenda whenever appropriate. Consent agenda items are routine in nature or are among the many decisions that the board has already determined are in the domain of the administration.

When the consent agenda is presented to the board for action, the board president will provide the opportunity for any board member to request a discussion or removal of any item on the agenda. Agenda items requested for removal from the consent agenda will be placed on the regular agenda. If a board member requests that a consent agenda item be entirely removed from the agenda, a majority of the members present must approve the request. The board will then vote on and pass or deny the remaining items on the consent agenda by a single motion. The minutes of the board meeting shall include the outcome of the vote and a list of all the items that appeared on the consent agenda.

### **Presentations about Organ Donation**

In accordance with law, if a state or nationally recognized program or organization that provides unbiased information on organ, eye and tissue donation requests to be on the agenda for the purpose of presenting information about such donations, the board will grant the request and schedule at least 30 minutes for the presentation.



**FILE: BDDB  
Critical**

After the presentation, the board will consider the information and decide whether to present such information to students and parents/guardians and the manner in which the information shall be presented.

Adopted: November 19, 1998

Revised: June 12, 2023

Cross Refs: IC, Academic Calendar

Legal Refs: §§ 170.311, 610.010-.035, RSMo  
L-2, MSIP Standards

## **VOTING METHOD**

All motions will be recorded in the minutes, including the name of the person seconding any motion and the record of the vote. When a member abstains from voting, such abstention shall be entered in the minutes as an abstention. The president shall have a vote on all questions.

Members may change their votes up to the time the result of the vote is announced. Votes may not be changed after the result of the vote has been announced.

A motion shall pass if a majority of those board members voting (not abstaining) cast a vote in favor of the motion, unless otherwise prescribed by law or policy. An affirmative vote of the majority of the whole board is required to enter into a contract, employ a person, approve a bill or issue a warrant.

### **Voting in Open Session**

Voting in open session must be conducted in a manner that allows the public attending the meeting to observe how each member votes and in a manner that allows the board secretary to accurately discern and record the number of members voting for or against the motion as well as the members abstaining from voting on the motion.

The Board may decide to vote by roll call in open session. If a roll call vote is taken, the minutes will include a record of how each individual board member voted. When an open public vote is not to be taken by roll call, any member may request that the Board be polled on any issue requiring a vote. When voting to adjourn to closed session, the specific reason for closing the meeting must be announced publicly by reference to a specific section of the law, and the vote must be taken by roll call.

In the event a motion is made to close a meeting, record or vote and a Board member believes that the motion, if passed, would violate the Missouri Sunshine law, the Board member may state an objection to the motion before or at the time the vote is taken. The Board secretary will enter the objection in the minutes. Once the objection has been made the Board member shall be allowed to fully participate in the meeting, record or vote even if it is closed over the member's objection. If the Board member voted against the motion to close the meeting, record or vote, the recorded objection and the vote is an absolute defense to any claim filed against the Board member pursuant to the Missouri Sunshine Law.

**Voting in Closed Session**

All votes taken in closed session shall be taken by roll call, including the vote to adjourn. The minutes will reflect how each individual board member voted or that the board member abstained.

**Voting Electronically**

The board will allow members to participate electronically in meetings where other board members are physically present, and the board may hold meetings where all board members participate electronically. Participation may occur by telephone, videoconference or other electronic means. Board members may not simply vote electronically but must be connected with the meeting throughout the discussion of business and must be able to both hear and participate in the discussion. If a board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened.

In accordance with law, board members who participate in a meeting by videoconferencing may discuss and vote on issues in both open and closed sessions, regardless of the method by which the vote is taken. Board members participating electronically by other means, such as by telephone, may discuss issues and vote as long as the vote is not made by roll call. Board members participating electronically using methods other than videoconferencing may not cast roll call votes, regardless of whether those votes occur in open or closed session, unless a district emergency exists and a quorum of the board is physically present at the meeting. If such an emergency exists, the nature of the district emergency shall be stated in the minutes.

\* \* \* \* \*

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Adopted: November 8, 2004  
March 13, 2023

Legal Refs: §§ 162.301, .303, 610.010(7), .015, .020, RSMo.

## MINUTES

Whereas it is recognized that the Board of Education speaks through its minutes, the Board shall direct the secretary of the Board to take, or cause to be taken, the minutes of each Board meeting. The minutes of all Board meetings shall be accurate, complete and meet all legal requirements. The superintendent shall be responsible for their safe keeping. The minutes of meetings of the Board of Education will include but are not limited to the following:

1. The nature of the meeting (regular, special, open, closed, etc.), the time, the date, the place of the meeting and the Board members present and absent.
2. A record of all motions made, together with the names of the members making and seconding the motions, and a numerical record of the members voting "yea" and "nay," unless each member's vote is recorded due to a roll call vote or required by law. If a roll call vote is taken, the vote shall be attributed to the name of the member. Special notation should be made of abstaining members, and their vote should be recorded as an abstention.

The minutes will be signed by the president and attested by the secretary of the Board following their approval by the Board.

The closing of executive session votes and records shall be determined by a majority vote of the quorum of the Board in a public session. Minutes and portions thereof shall be kept in a separate minute book used solely for the purpose of executive sessions. Executive session minutes shall be confidential material, and shall not be available to the public except as provided by law.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: March 12, 2001

Cross Refs: BCC, Appointed Board Officials  
BDA, Regular Board Meetings  
BDB, Special Board Meetings  
BDC, Closed Sessions  
BDDF, Voting Method  
KBA, Public's Right to Know

Legal Refs: §§ 109.180 - .190, 610.010 - .028, RSMo.

**PUBLIC PARTICIPATION AT BOARD MEETINGS**  
*(Districts Designating a Public Comment Period)*

The school board is acutely aware that board members are elected to serve the public, and the board seeks to conduct its business transparently. The district encourages the public to attend open school board meetings and other public meetings in person and, when available, virtually. In addition, there are some instances where members of the public may be provided the opportunity to speak at a school board meeting. As an extension of policy KC, Community Engagement, the board has created the following options for receiving input from students, employees and community members.

**Grievance Policies and Procedures**

The district has established several policies and procedures to assist students, parents/guardians, staff and the public in bringing concerns or grievances to the district. The board encourages the public to utilize these policies and procedures before bringing concerns to the board and may refer the public to these processes prior to taking action.

These policies include, but are not limited to:

- AC, Prohibition against Illegal Discrimination, Harassment and Retaliation
- ACA, Sexual Harassment under Title IX
- DA, Fiscal Responsibility
- GBM, Staff Grievances
- IGBCA, Programs for Homeless Students
- IGBE, Students in Foster Care
- JGD, Student Suspension and Expulsion
- KL, Public Concerns and Complaints
- KLA, Concerns and Complaints Regarding Federal Programs
- KLB, Public Questions, Comments or Concerns Regarding District Instructional/Media/Library Materials

There are additional legal processes created by law to address concerns about accommodating students with disabilities or concerns about a student's special education program.

**Agenda Items**

In accordance with law and the district's community engagement policy, district residents may place items on the agenda of a regularly scheduled board meeting as outlined in this policy. The agenda items must be directly related to the governance or operation of the district. The board will not hear resident-initiated agenda items at meetings other than the board's regularly scheduled meeting unless the board president grants an exception.

Residents who wish to place an item on the agenda must first meet with the superintendent or designee to attempt to resolve the issue unless the superintendent or designee waives such a meeting. The meeting will take place within 20 business days of the superintendent or designee receiving a written request to meet. If the superintendent or designee waives the meeting or does not meet with the resident within 20 business days, or if the resident is not satisfied with the meeting's outcome, the resident may submit a written request to the board secretary to add the item to the board agenda.

The board secretary will include the item on the next regularly scheduled board meeting's agenda, subject to the rules listed below, if the resident submits the request to the board secretary at least five days prior to the meeting. Otherwise, the board secretary will place the item on the agenda for the subsequent regularly scheduled meeting.

### **Rules**

1. The board may move an agenda item to a different meeting with the consent of the resident.
2. The board may refuse to hear or delay hearing an agenda item if:
  - The board has heard an identical or substantially similar agenda item in the previous three calendar months; or
  - The resident has previously violated district rules regarding conduct at meetings or on district property
3. The board may delay the hearing of a requested item if more than three resident-initiated agenda items are scheduled for the same meeting. The delayed agenda item will be moved to the next regularly scheduled meeting. If a resident's item is delayed for this reason, the resident will be provided an alternate method of communication with the board, such as submitting written comments.
4. The board president will make the decision on whether to delay or refuse an agenda item and will communicate that decision to the resident and the other board members. Board members who disagree with the decision may communicate their concern to the board president, request that the agenda item be added, request that a special meeting be called, or make a motion at a meeting for the item to be included on a future meeting's agenda.
5. The board will place the agenda item in open or closed session in accordance with law and district policy.
6. The superintendent or designee may invite district staff or other relevant persons to be present during the discussion of the agenda item to address the item and answer questions.
7. The board will allow the resident five minutes to present their issue to the board unless the board president allots more time to the discussion.
8. Only the resident(s) who met with or requested to meet with the superintendent or designee will be allowed to Policy Reference Disclaimer: speak during this time.
9. If more than one resident seeks to speak on the same item at the same meeting, the board president, at their discretion, will determine the total time that will be devoted to the item and how the time will be shared between the residents. The board president will

encourage residents to appoint a spokesperson or communicate their concerns through other means. If the board must limit the number of speakers, it will assign priority based on the order in which the requests were received.

10. Board members may ask the resident questions, seek additional information from the superintendent or designee, or otherwise discuss the topic.
11. The board may allow a resident additional time to speak upon the motion and vote of the board.
12. Any board member who wishes to devote more time to an agenda item may request that the item be put on the agenda for another meeting, which will be voted on by the board.
13. The board may discuss the public business content of presented agenda items but is not required to decide any matter of public business or formulate any public policy as a result of the discussion.

### **Public Hearing**

From time to time, the board will schedule a public hearing to receive input on matters of community concern, such as setting the district's tax rate. The district will provide notice of these hearings as required by law and as determined necessary to inform the public.

Adopted: December 8, 2003

Revised: July 20, 2015  
June 12th, 2023

Cross Refs: GBM, Staff Grievances  
HA, Negotiations with employee representatives  
IGCD, Virtual Courses  
IGCDA, Full-Time MOCAP Virtual courses  
KC, Community Involvement in Decision Making  
KK, Visitors to District Property/events  
KL, Public Complaints  
KLB, Public Questions, Comments or Concerns Regarding District Instructional/  
Media/Library Materials

Legal Refs: §§ 610.010 - .030, 162.058, RSMo.

## **RELEASE OF INFORMATION**

The district believes that local control of public education is best served when district patrons and other members of the public have access to district records. The district will make its public records available for inspection and copying upon a request made to the custodian of records unless those records are authorized to be closed by accordance with law.

The following provisions shall govern the release of information concerning the meetings, records and votes of the Board:

### **Custodian of Records**

1. The Board appoints the following person as custodian of records:

Superintendent of Schools  
313 S Bynum Road  
Lone Jack, MO 64070  
(816) 697-3539

In addition, the district will train at least one (1) additional employee to serve as custodian of records in the absence of the official custodian.

The custodian of records is responsible for overseeing the retention and storage of the district's records and responding to requests for district records as required by law. District staff will direct requests for records to the custodian of records, whose identity will be made available on request and will be advertised as the superintendent or designee determines is appropriate.

### **External Electronic Messages**

If a Board member or a member of a district committee subject to the Missouri Sunshine Law transmits any message to enough members that, when counting the sender, a majority of the Board or committee members receive the message, the message shall also be concurrently transmitted to the custodian of records or the member's district office computer, if applicable, in the same format. The message shall be considered an open record unless it is a closed record in accordance with law.

### **Board Member Access**

An individual school board member does not have greater access to district records than any other member of the public unless the board has authorized or the district has provided access to the board member in relation to their board service. The board may vote to direct the administration to release records to the board as a whole or to an individual board member.



Adopted: November 19, 1998

Revised: November 8, 2004  
March 13 ,2023

Cross Refs: CH, Policy Implementation and Dissemination  
EHBC, Data Governance and Security  
EHBC-AP (1), Data Governance and Security- (Incident and data breach response plan)  
EHBC-AP (2), Data Governance and Security- (Data Management)  
EHBC-AP (3), Data Governance and Security- (Account Management)  
EHBC-AP (4), Data Governance and Security- (security Controls)  
EHBC-AS (1), Data Governance and Security- (Confidentiality and Security Agreement for Employees and Volunteers)  
GBLB, References  
GBLB-AS (1), References- (Authorization to provide employment information)  
GBLB-AS (2), References- (Notice of disclosure of allegation of sexual misconduct with a student)  
KB, Public Information Program  
KKB, Audio and Visual Recording

Legal Refs: §§ 610.023, .025 - .028-.029, RSMo.

Federal References 34 C. F. R. 99.11

## **SCHOOL BOARD POLICY PROCESS**

The Board of Education shall determine the policies to serve as a basis for the administration of the school district. The formulation, development, adoption and revision of written policies is a Board function, and adopted policies are among the Board's governing documents.

The district's policies shall be consistent with the philosophy, goals and objectives of the district. In the event of a discrepancy between written materials in the district, Board policy will take precedence.

The term "policy" includes any Board regulations.

### **Policy Proposals**

Proposals for new policies or revisions of current policies may be initiated by anyone interested in or connected with the district and must be presented in writing to the superintendent. The superintendent and administration will review the proposal and make appropriate recommendations to the Board. In addition, the district may utilize an outside entity that provides sample policies, service and support.

### **Policy Adoption**

Policies may be adopted, amended or rescinded only upon a majority vote of the members of the Board present at a legally constituted meeting in which the proposed policy or amendment has been included on the agenda and described in writing. Information about proposed policies or amendments will be provided to Board members in advance of the meeting where the policies will be discussed to permit time for study.

The formal adoption, revision or repeal of policies will be recorded in the minutes of the Board meeting. Only those written statements so adopted or revised and so recorded will be regarded as official policies of the Board. Policies may become effective immediately upon adoption or at a specific effective date established by the Board and provided in the motion to adopt.

### ***Alternative Adoption Procedures***

When an updating service, such as that provided by the Missouri School Boards' Association, recommends adopting, amending or rescinding policies, the Board may vote to accept the recommendations after Board review. The recommended changes will then be considered immediately adopted and will be regarded as official Board policy.

The Board can adopt, amend or rescind a policy after any number of readings; however, if the Board determines that an emergency exists, the Board may adopt, amend or rescind a policy

immediately. The fact that such policy change is adopted as an emergency measure shall be stated in the minutes.

### **Suspension of Policies**

Policies of the Board may only be suspended at an official meeting of the Board by one of the following procedures:

1. A majority vote of all Board members when the proposed suspension has been described in writing.
2. A unanimous vote of all Board members when the proposed suspension has not been described in writing.

### **Administration in Policy Absence**

The superintendent shall have the power to implement action within the school district if an emergency situation should develop for which the Board has provided no policy guidelines. However, the superintendent's decision shall be subject to review by the Board at its next regular meeting. It is the superintendent's duty to inform the Board of any such action and of the need for an official policy statement.

### **Policy Review**

The Board will review its policies on a continual basis in an effort to ensure that they are current and in compliance with the most recent federal and state regulations, statutes and court decisions.

The superintendent shall be responsible for the administration of the policies adopted by the Board of Education and is responsible for calling the Board's attention to all policies that are out of date or appear to need revision. The superintendent may designate a specific employee or contract with an outside entity for assistance with updating policies and maintaining an online version of the policy manual, as required by law. For the purpose of this policy, the term "manual" refers to the district's collected policies, whether in print or electronic formats.

If the district maintains multiple copies of paper manuals, the superintendent or designee shall make every effort to ensure that each copy of the policy manual or any excerpt therefrom is identical. Only the copy designated "official copy" and kept at all times in the office of the superintendent shall be recognized as authoritative.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 12, 2001

Revised: July 13, 2015

Cross Refs: CH, Policy Implementation and Dissemination  
GBB, Staff Involvement in Decision Making  
KC, Community Involvement in Decision Making

## **BOARD TRAINING AND DEVELOPMENT**

The Board strongly believes that Board development and ongoing education on the Board's roles and responsibilities result in a stronger education institution and set a good example for district employees and students. All Board members are expected to complete legally required training and participate in additional learning opportunities throughout their years of Board service.

### **New Board Member Orientation**

The superintendent and Board president will provide each new Board member with the training and resources necessary for the new member to understand and actively participate in Board service from the beginning. New Board members will be provided access to the district's Comprehensive School Improvement Plan, district policies, the budget and all other governing documents. In addition, new members will be provided the district's most recent Annual Performance Report, test scores and other information regarding the district's performance. The Board president and superintendent shall set aside such time as is necessary to answer any questions arising from the study of these documents and shall cooperate fully in assisting the new member to become an informed and active Board member.

### **Legally Required Training**

Board members must successfully complete 18.5 hours of orientation and training requirements (initial training) within one year of the date of their election or appointment, as required by law. After completing this initial training, Board members must complete at least one hour of qualifying refresher training each additional year of any term in office they serve after August 28, 2019.

Board members who have completed the required initial training before August 28, 2019, are not required to attend additional initial training but are required to obtain refresher training each year they continue to serve on the Board after that date.

In accordance with law, the training must be provided by a statewide association organized for the benefit of members of boards of education or approved by the State Board of Education. The district will pay for the necessary training and travel expenses associated with this training.

Board members who fail to complete this training are in violation of state law and could impact the district's accreditation review process. For this reason, any Board member who fails to complete the required training without being excused by the Board will be removed from Board committees and will not be allowed to hold a Board office or represent the full Board as an official spokesperson or in any other capacity. In extreme circumstances where the Board member willfully refuses to complete the training, the Board may inform the public of the Board member's refusal to follow the law.

The Board recommends that any former Board member returning to Board service after a service gap of more than three years complete initial training again to remain current on information essential for good board governance.

### **Individual Board Training and Education**

Board members are encouraged to seek out opportunities to learn by attending conferences and meetings, participating in webinars and online learning opportunities, and reading books and publications relevant to Board service. The Board will annually designate part of the annual budget for costs associated with these learning opportunities. The Board president and district superintendent may periodically recommend or forward education opportunities to Board members.

### **Full Board Training**

The Board will periodically designate training opportunities for the full Board and the Board strongly encourages the participation of all Board members. All Board members are encouraged to identify areas of improvement for the Board to focus on and request training that may be beneficial to the entire Board.

### **Board Member Expectations**

Board members are expected to be good stewards of taxpayer dollars. When district funds are used to register a Board member in a conference or learning opportunity and pay for travel expenses, the Board member is expected to fully participate and may be required to provide a report to the full Board regarding the information received. If a Board member fails to attend a learning opportunity, fails to cancel a registration in time for the district to receive a full refund of expenses incurred or otherwise causes the district to incur excess fees or expenses, the Board may require the Board member to fully reimburse the district and may refuse to pay future fees or expenses on behalf of the Board member until reimbursement is received. Exceptions will be made in emergency situations.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 8, 1993

Revised: December 14, 2015  
October 12<sup>th</sup>, 2020

Cross Refs: DLCA, Travel Expenses

**FILE: BHA  
Critical**

JHG, Reporting and Investigating Child Abuse and Neglect  
Legal Refs: §§ 162.091, .203, RSMo.

**BOARD MEMBER LIABILITY/INSURANCE**

Because they are members of an agency of government whose powers and duties can only be exercised by a decision of the majority of the Board when the Board is officially in session, the members of the Board and its employees act as agents of the Board. None of these individuals should be placed in a position of personal liability for the performance of the responsibilities vested in them by the voters of the district.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: October 10, 1988

Cross Refs: EI, Insurance Management  
EIA, Property and Liability Insurance

Legal Refs: §§ 537.600 - .650, RSMo.



**SCHOOL BOARD LEGISLATIVE PROGRAM**

The Board, as an agent of the state, must operate within the bounds of state and federal law affecting public education. If the Board is to meet its inherent responsibility to the residents and students of the community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause. To this end, the Board will act accordingly as follows:

- < Seek both direct and indirect representation of its position on pending legislation with appropriate state and federal legislators and legislative committees.
- < Be knowledgeable of the annual legislative program of the Missouri and National School Boards' Associations.
- < Work for the achievement of legislative objectives through the Missouri and National School Boards' Associations and with other concerned groups.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: November 12, 2001

Cross Refs: BBA, School Board Powers and Duties  
BJ, School Board Memberships

**SCHOOL BOARD MEMBERSHIPS**

It may be the policy of the Board to maintain membership in the Missouri School Boards' Association. Through this membership in the state association, the School Board maintains indirect membership in the National School Boards' Association. The Board shall seek to participate as fully as possible in the activities of these organizations.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: January 8, 1996

Cross Refs: BI, School Board Legislative Program

Legal Refs: § 162.011, RSMo.

## **SCHOOL SUPERINTENDENT**

The superintendent of schools shall be the chief executive officer of the Board of Education and the administrative head of all divisions and departments of the Lone Jack C-6 School District. The superintendent shall be responsible to the Board for the execution of its policies and regulations. The superintendent shall be the Board's representative and the channel through which all directives from the Board to its employees or students shall be communicated. The superintendent may also give directives for the management of the school district to employees and students on points not covered by the adopted Board policies and regulations. Such directives shall be valid unless disapproved by the Board.

The superintendent is charged with creating, implementing and maintaining written administrative procedures to provide guidance on policy implementation to the district. Administrative procedures must be consistent with the adopted policies of the Board in every respect. While the Board may wish to periodically review these procedures, the administration has the authority to make modifications to procedures without Board approval, unless otherwise instructed by the Board.

The superintendent shall be held accountable to the Board for all aspects of school district administration. The execution of all decisions made by the Board concerning the internal operation of the school district shall be delegated to the superintendent. The superintendent shall then be responsible for the delegation of responsibility and authority for the operation of the various functions of the district.

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***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: October 10, 1988

Revised: July 13<sup>th</sup>, 2015

Legal Refs: §§ 168.191, .201, RSMo.

**RECRUITMENT AND APPOINTMENT OF THE SUPERINTENDENT**

The Board of Education is solely responsible for the recruitment, selection and appointment of the superintendent of schools. The Board will conduct an active search to find the individual believed most capable of putting into action the policies of the Board, while it remains cognizant of the aspirations of the community, and of the professional and support staff.

The Board may seek the advice and counsel of interested individuals or an advisory committee. A consultant may be employed to assist in the selection of a superintendent. However, after a thorough consideration of qualified applicants, final selection will rest with the Board.

A vote of the majority of the whole Board will be required for the appointment of the superintendent.

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*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted:       October 10, 1988

Legal Refs:    §§ 162.301, 168.191, .201, RSMo.

**SUPERINTENDENT'S CONTRACT/COMPENSATION  
AND BENEFITS**

The Board of Education may employ a superintendent of schools for a contract not to exceed three (3) years. The superintendent shall be employed on a 12-month basis.

Employment will be secured through a written contract, which will state the terms of the appointment, compensation, vacation time, benefits and other conditions of employment. The superintendent's contract shall be reviewed annually, and may be extended at the discretion of the Board.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 10, 1988

Revised: November 8, 2010

Legal Refs: 29 U.S.C. § 633a  
§§ 168.191, .201, 432.080, RSMo.

## **EVALUATION OF THE SUPERINTENDENT**

The Board of Education will annually complete a summative evaluation of the superintendent's performance using an evaluation instrument reflecting the Essential Principles of Effective Evaluation as adopted by the Missouri State Board of Education (State Board). Pursuant to these principles, the evaluation process should:

1. Use research-based performance targets aligned with state standards;
2. Establish indicators of performance articulated across differentiated levels with standards specifying expectations at all levels of practice;
3. Provide for the accurate and appropriate accumulation of performance data;
4. Use student growth in learning as a significant contributing factor in the evaluation of practice at all levels, using a wide variety of student performance measures;
5. Assess performance on a regular basis, providing timely feedback from multiple sources that promotes formative development at all career stages and supporting overall improvement;
6. Be designed to ensure that evaluators who collect evidence of performance and provide feedback are highly trained and objective, ensuring that ratings are fair, accurate and reliable; and
7. Be designed to guide district decisions regarding determinations of status, recognition, development, interventions and policies that impact student learning in the system.

The primary purpose of the evaluation is to improve student performance by promoting the continuous growth of the superintendent in a manner that is aligned with the district's Comprehensive School Improvement Plan (CSIP). Results of the evaluation will inform employment and compensation decisions, but may not be the only factor considered.

### **Standards-Based Evaluation**

The Board will measure performance based on the Missouri Superintendent Standards adopted by the State Board. In accordance with these standards, the superintendent demonstrates the knowledge and ability to ensure the success of all students by:

1. Facilitating the development, articulation, implementation and stewardship of a vision of learning that is shared and supported by the school community.

2. Promoting a positive culture and an effective instructional program, applying best practice to student learning, and designing comprehensive professional growth plans for staff.
3. Leading personnel and managing the organizational structure and resources in a way that promotes a safe, efficient and effective learning environment.
4. Collaborating with families and other community members, responding to diverse community interests and needs and mobilizing community resources.
5. Acting with integrity, responsibility and in an ethical manner.
6. Understanding, responding to and influencing the larger political, social, economic, legal and cultural context.
7. Remaining current on best practices in education administration and school-related areas as evidenced by establishing a plan for his or her professional development each year.

## **Evaluation Process**

### ***Formative Evaluation***

The purpose of the formative evaluation is to provide the superintendent information and feedback designed to improve his or her effectiveness as superintendent. The Board and superintendent will meet regularly during the formative evaluation period to discuss the superintendent's progress toward identified areas of focus or quality indicators.

The superintendent and Board will jointly identify two or three areas of focus or quality indicators based on the Missouri Superintendent Standards for the upcoming year's evaluation. At least one indicator will address student growth as demonstrated by districtwide student growth data. These decisions will be made within the first six weeks of employment for a new superintendent and at the end of the previous school year, or in conjunction with the previous year's summative evaluation, for a returning superintendent.

Chosen areas of focus or quality indicators must be aligned with the district's current CSIP. The areas of focus or quality indicators may be changed throughout the year as circumstances dictate.

At the request of the Board, the superintendent will regularly, but at least twice prior to the summative evaluation, report progress on all chosen areas of focus or quality indicators. The report will include specific evidence supporting the superintendent's progress.

After each report the Board will consider the evidence presented, may request additional evidence and will record the progress made on the formative evaluation form.

### ***Summative Evaluation***

The summative evaluation incorporates all the evidence accumulated through the formative evaluation process to determine the superintendent's level of growth in the identified areas of focus or quality indicators. It reflects the Board's final assessment of the superintendent's performance for the evaluation period.

The Board will meet prior to the superintendent's summative evaluation. Each Board member will prepare an individual assessment of the superintendent's progress on the selected areas of focus or quality indicators and any other issues that arose during the formative evaluation process. During the meeting, members will reach a consensus regarding the superintendent's progress based on the individual evaluations contributed by each member. The Board president will create a consensus evaluation, provide a copy to each Board member and the superintendent, and then destroy the individual evaluations.

The superintendent and the Board will meet to discuss the results of the summative evaluation. The superintendent will be provided a copy of the evaluation and given the opportunity to respond in writing to any item on the evaluation.

### **Additional Evaluation Factors**

Nothing in this evaluation process prevents the Board from addressing additional concerns related to the superintendent's performance as they arise throughout the year. Board members with concerns are required to share those concerns with the rest of the Board at the first opportunity. The Board will then determine whether the concern requires a modification to the selected areas of focus or quality indicators or whether a separate action is necessary or more appropriate.

### **Evaluation Records**

The summative evaluation and any written responses by the superintendent will be maintained in the superintendent's personnel file in accordance with the state retention manuals applicable to schools. The district will not share the evaluation with any state or federal agency unless it is required by law to do so.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 10, 1988

Revised: December 14<sup>th</sup>, 2015



**File: CBG  
Critical**

Legal Refs: §§ 161.855, 168.201, .410, RSMo.  
5 C.S.R. 20 - 400.375.

## **SCHOOL BUILDING ADMINISTRATION**

The Board of Education affirms the rights and responsibilities of the building principals and directors for the administration of their various programs and buildings within the broad scope of the adopted Board policies, rules and procedures.

The qualifications for, and scope of duties of the building principal shall be defined in a written job description, a copy of which shall be provided at the time of initial employment. This job description shall be reviewed annually by the superintendent who will recommend any needed changes to the Board for their approval.

The building principals' contract will be acted upon at each regular February meeting. The principals' contracts shall extend for one fiscal year, with the length of term of that contract being fixed by the Board of Education each year.

Acting with the approval of the superintendent, each principal or director will be the chief administrator of his or her school, and shall be responsible for and have authority over the actions of students, professional and support staff, visitors, and persons hired to perform special tasks. Staff members who work in more than one school will be responsible to the principal or director of the school during their time in that building.

The principal or director is charged with the supervision and direction of the staff and the students assigned to the building, as well as with the care of the school facility and its equipment. The principal or director will ensure that the Board policies, rules, and procedures, as well as the directives of the superintendent and the guidelines for the instructional program are observed. Within the framework of Board policies and the general rules and procedures established by the superintendent, the principal or director may implement and enforce additional regulations as deemed advisable for efficient operation of the school. The principals shall perform all tasks specified in their job description. (see CO, Appendix B).

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: October 10, 1988

Legal Refs: § 168.201, RSMo.

## **EVALUATION OF PRINCIPALS**

The superintendent or designee ("evaluator") will annually evaluate the performance of principals in the district using an evaluation instrument incorporating the Essential Principles of Effective Evaluation as adopted by the Missouri State Board of Education. Pursuant to these principles, the evaluation process should:

1. Use research-based performance targets aligned with state standards;
2. Establish indicators of performance articulated across differentiated levels with standards specifying expectations at all levels of practice;
3. Be aligned with the probation period for the educator as specified in state law and provide for the accurate and appropriate accumulation of performance data;
4. Use student growth in learning as a significant contributing factor in the evaluation of practice at all levels, using a wide variety of student performance measures;
5. Assess performance on a regular basis, providing timely feedback from multiple sources that promotes formative development at all career stages and supporting overall improvement;
6. Be designed to ensure that evaluators who collect evidence of performance and provide feedback are highly trained and objective, ensuring that ratings are fair, accurate and reliable; and
7. Be designed to guide district decisions regarding determinations of status, recognition, development, interventions and policies that impact student learning in the system.

The primary purpose of the evaluation is to improve student performance by promoting the continuous growth of principals in a manner that is aligned with the district's Comprehensive School Improvement Plan (CSIP) and, where applicable, building improvement plans (BIPs). Results of the evaluation will inform employment and compensation decisions, but may not be the only factor considered. The term "principal" also includes assistant principals.

The superintendent or designee may use the evaluation process described in this policy for the evaluation of other administrators, if appropriate.

### **Standards-Based Evaluation**

The evaluator will measure performance based on the Missouri Leader Standards. In accordance with these standards, detailed below, the leader must demonstrate the knowledge and ability to ensure the success of all students.

**FILE: CFB**  
**Critical**

These standards emphasize the principal as a competent manager and instructional leader who continuously acquires new knowledge and skills and is constantly seeking to improve his or her leadership practice to provide for high academic achievement for all students. In accordance with these standards, the principal demonstrates the knowledge and ability to ensure the success of all students by:

1. Facilitating the development, articulation, implementation and stewardship of a vision of learning supported by the school community.
2. Promoting a positive school culture, providing an effective instructional program that applies best practice to student learning, and designing comprehensive professional growth plans for staff.
3. Managing the organizational structure, personnel and resources in a way that promotes a safe, efficient and effective learning environment.
4. Collaborating with families and other community members, responding to diverse community interests and needs, and mobilizing community resources.
5. Acting with integrity and in an ethical manner.
6. Remaining current on best practices in education administration and school-related areas as evidenced by his or her annual professional development plan.

**Evaluation Records**

The summative evaluation and any written responses by the principal will be maintained in the principal's personnel file in accordance with the state retention manuals applicable to schools. The district will not share the evaluation with any state or federal agency unless it is required by law to do so.

**Evaluation Process**

The superintendent will create a procedure for implementing the principal evaluation process.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 14<sup>th</sup>, 2015

**FILE: CFB  
Critical**

Revised:

Cross Refs: GBL, Personnel Records

Legal Refs: §§ 161.855, 168.201, .410, RSMo.  
5 C.S.R. 20 - 400.375

## **POLICY IMPLEMENTATION AND DISSEMINATION**

The policies adopted by the Board and the procedures and directives developed by the superintendent to implement policies are designed to achieve an effective and efficient school system. All Board members, employees, students and patrons are required to follow the Board of Education's policies and the district's rules and procedures. The superintendent, administrators and supervisors of the district are required to implement and enforce Board policies and administrative procedures. Questions regarding the interpretation of a policy or procedure will be directed to the superintendent and, if necessary, to the Board.

An essential job responsibility of the superintendent and administrative staff is to assist the Board in timely review and revision of Board policies so that the policies support the best academic practices, address district concerns and accurately guide the district's operations. The superintendent is also responsible, with the assistance of the administrative staff, for developing and implementing administrative procedures and forms to further carry out the directives in Board policy.

Policies adopted by the Board and administrative procedures and forms approved by the superintendent will be included in an official Board policy manual and administrative procedures and forms manual that will minimally be maintained at the central office. Once adopted, the superintendent is directed to inform district staff about the Board policies and administrative procedures and forms they are expected to use and follow, including any changes to these documents. Board policies and related documents, including current versions of district handbooks, will be posted on the district's website. Current copies of Board policies and administrative procedures will also be available from the superintendent's office upon request.

Staff, student and parent/guardian handbooks may also be used for disseminating policies and procedures to persons directly affected by them. All district handbooks, directives, guidance or other information disseminated to parents, students, staff or patrons must accurately reflect, and not contradict, the current applicable Board policies and administrative procedures.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 10, 1988

Revised: December 13, 2006

Legal Refs: §§ 162.208, 171.011, RSMo.

**FILE: CH  
Critical**

Cross Refs: BDDL, Release of Information  
BF, School Board Policy Process  
KB, Public Information Program

## **HANDBOOKS**

The Board of Education recognizes the importance of parent/guardian, staff and student handbooks that accurately convey the policies, procedures and rules of the district to the individuals affected by them. The Board charges the administration with the responsibility for creating, revising, maintaining and disseminating such handbooks in accordance with Board policies and administrative procedures.

The superintendent is charged with responsibility for staff handbooks, and building principals are charged with responsibility for parent/guardian and student handbooks. The superintendent will approve all handbooks before publication, and all published handbooks will be made available to the Board.

Administrators must ensure that handbooks do not conflict with the language or intent of policies, regulations or procedures. In the event of a discrepancy between handbooks and other written district materials, Board policies and administrative procedures will take precedence. All handbooks shall be reviewed annually and revised if necessary. Each handbook will be posted on the district's website in accordance with law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 13, 2006

Revised:

Legal Refs: § 162.208, RSMo.



## FISCAL RESPONSIBILITY

The Board acknowledges its fiduciary responsibility for funds received by the district. Board members, staff and others who have a business relationship with the Lone Jack C-6 School District will act with integrity, diligence and professionalism in matters involving the fiscal resources of the district. This policy applies to any irregularity involving employees, consultants, vendors, contractors or any other parties who have a business relationship with the district.

### **Audit Committee**

The Board will establish an audit committee in accordance with Board policy on the establishment of committees and annually appoint members to the committee. The audit committee will consist of district employees whose positions are tied to the duties of the committee. The committee may consult with members of the community with expertise relevant to the completion of the audit committee's duties. The purpose of the audit committee is to serve as a liaison between the Board/administration and the auditor. The duties of the audit committee include:

1. Making recommendations to the Board regarding the selection of an accounting firm to conduct the annual district audit.
2. Ensuring that fraud prevention practices are in place and effective.
3. Reviewing Board-adopted ethics and conflict of interest policies and monitoring Board member and staff adherence to those policies as they relate to fiscal matters.
4. Reviewing administrative procedures relating to purchasing, payment, management of funds received through grants, and control of receipts from student activities and fundraisers. Any recommendations for improving these procedures will be forwarded to the superintendent or designee.
5. Working with auditors and any state or federal officials to facilitate all audits.

The audit committee will operate in accordance with the Missouri Sunshine Law.

### **Fraud Prevention**

For the purpose of this policy, fraud (or fraudulent act or activity) is the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Fraudulent activity includes misappropriation and other fiscal irregularities, examples of which include, but are not limited to:

1. Any dishonest or fraudulent act.

14. Misappropriation of funds, supplies or other assets.
3. Impropriety in the handling or reporting of money or financial transactions.
4. Profiteering as a result of insider knowledge of district activities.
5. Violation of applicable conflict of interest policies.
6. Accepting or seeking anything of material value from contractors, vendors or persons providing services or materials to the district except as allowed in the applicable conflict of interest policy.
7. Destruction, removal or inappropriate use of records, furniture, fixtures or equipment.
8. Any similar or related irregularity.

### **Reporting Suspected Fraud**

Any person who has reasonable cause to suspect fraud should report that suspicion to the superintendent immediately. Employees or district volunteers who have reasonable cause to suspect fraud are required to report it and may be disciplined or dismissed for not doing so.

The superintendent may designate another administrator to receive such reports. If the allegation of fraud involves the superintendent or the designated administrator, the report should be made to the Board president. Reports will be kept confidential to the extent allowed by law. The person filing the report must not contact the suspected individual in an effort to determine facts or demand restitution and must not discuss the case, facts, suspicions or allegations with anyone until the investigation is complete unless specifically authorized to do so.

### **Investigating Suspected Fraud**

The superintendent has the primary responsibility for the investigation of all suspected fraudulent acts as defined in this policy and the authority to delegate that responsibility to another appropriate entity. During an investigation, the superintendent or designee will have access to all district records pertinent to the investigation and the authority to examine, copy or remove all or any portion of the contents of files, desks, cabinets and other storage facilities on the premises without the prior knowledge or consent of any individual who might use or have custody of any such items. The superintendent or designee will maintain a record of any property or files removed. No person will be permitted to alter, destroy, mutilate, conceal, cover up or falsify any record or document with the intent to impede, obstruct or influence an investigation.

If the investigation substantiates allegations that fraudulent activities have occurred, the superintendent or designee will issue reports to the Board of Education and any personnel deemed appropriate by the superintendent or designee. After consultation with the

superintendent and legal counsel, the Board will decide whether to prosecute or refer the investigation results to appropriate law enforcement.

If the superintendent is the subject of the investigation, the Board president will designate an appropriate person to conduct the investigation.

**Prohibited Activity**

Employees who violate any portion of this policy are subject to discipline, including termination and referral for prosecution when appropriate.

No Board member or employee of the district will take adverse employment action against any individual who, in good faith, reports suspected fraud in accordance with this policy. No Board member or employee of the district will retaliate against any individual for providing truthful information to law enforcement in conjunction with an investigation regarding alleged financial misconduct.

Students who, in good faith, report suspected fraud or financial misconduct will not be disciplined or penalized for making such a report. Staff members who receive such a report are obligated to notify the superintendent or designee.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 13<sup>th</sup>, 2006

Revised: October 8<sup>th</sup>, 2012

Cross Refs: BBF, School Board Member Ethics  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
BCE, Board Committees/Advisory Committees to the Board  
GBCA, Staff Conflict of Interest

## **Annual Budget**

One of the board's primary responsibilities is to secure adequate funds to conduct a quality education program in the district. The annual district budget is a written document presenting the board's plan for allocation of the available financial resources to sustain and improve the educational function of the school district and promote each student's academic success and well-being in accordance with priorities established in the Continuous School Improvement Plan (CSIP). The annual budget is a legal document describing the programs to be conducted during the fiscal year and is the basis for the establishment of tax rates for the district. The fiscal year is defined as beginning annually on the first day of July and ending on the thirtieth day of June following.

### **Budget Planning and Adoption**

Budget planning and preparation is a continuing process. That must involve individuals who have knowledge of the educational needs of the community and who can provide accurate data about the financial potential of the district. Members of the board, citizens, students and professional and support staff members should be involved in the planning process, which culminates in the preparation of the budget document. The superintendent will establish procedures to seek input on budgetary needs from the appropriate people.

The board designates the superintendent to serve as the district's budget officer. The budget officer will direct budget planning and preparation. When creating the budget, the budget officer will consider the priorities established by the board and seek input from appropriate individuals about the needs of the district. The budget must include prudent fund balance positions. The budget officer will present to the board a tentative budget proposal for the following year no later than June 1 unless sufficient financial information is not available at that time to propose even a tentative budget. The budget officer will make revisions as directed by the board and will present the final budget proposal to the board for approval before the new fiscal year begins, as provided by law.

The board may revise the proposed budget prior to adoption and may make additional revisions as necessary throughout the year. Should the adopted budget require an increase in the tax levy above the level the board authorized to set, the tax levy increase shall be presented to the voters for approval. The budget shall be appropriately adjusted if the voters fail to pass the tax levy increase.

### **Budget Components**

The annual budget document shall present a completed financial plan for the ensuing fiscal year and shall include at least the following statutory requirements:

1. A budget message describing the important features of the budget and major changes from the preceding year. Current Manual MSBA Policy Management Console

2. Estimated revenues to be received from all sources for the fiscal year, with a comparative statement of actual or estimated revenues for the two years immediately preceding, itemized by year, fund and source.
3. Proposed expenditures for each department, office and other classification for the budget year, together with a comparative statement of actual or estimated expenditures for the two years immediately preceding, itemized by year, fund, activity and object.
4. The amount required for the payment of interest, amortization and redemption charges on the debt of the school district.
5. A general budget summary.

### **Budget Expenditures**

In no event shall the total proposed expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the fiscal year. Upon the recommendation of the superintendent, the board will approve a system of internal accounting to ensure proper financial accounting of revenues and expenditures.

The district's adopted budget serves as the control to direct and limit expenditures in the district. Overall responsibility for assuring control rests with the superintendent, who will establish procedures for budget control and reporting throughout the district. All moneys received by the school district shall be disbursed only for the purposes for which they are levied, collected or received.

The total amounts that may be expended during the fiscal year for the operation of the school district are set forth in the budget. The total budgeted expenditure for each fund is the maximum amount that may be expended for that classification of expenditures during the school year unless a budget transfer is recommended by the superintendent and approved by the board. During the fiscal year, the superintendent may transfer any unencumbered balance or portion thereof from the expenditure authorization of one fund to another, subject to limitations provided by state laws and approval by the board.

The board will review the financial condition of the district monthly and shall require the superintendent to prepare a monthly reconciliation statement. This statement will show the amount expended during the month, total (to date) for the fiscal year, receipts and remaining balances in each fund. This statement will be used as a guide for projected purchasing and budget transfers.

### **Title I Comparability**

Federal law requires districts to ensure that schools that receive Title I funds receive the same level of services and resources from state and local funds as schools that do not receive Title I

funds. If the district has school buildings with more than 100 students and more than one building for each grade span, the district is required to annually conduct a comparability study between buildings that receive Title I funds and have more than 100 students and buildings that do not receive Title I funds and have more than 100 students. If all the district's schools receive Title I funds, the district must determine that services are, taken as a whole, substantially comparable in each school. The district may meet these requirements by comparing either grade spans or schools. The district will establish comparability by ensuring:

1. That it has adopted a districtwide salary schedule;
2. Equivalence among schools in teachers, administrators and other staff; and
3. Equivalence among schools in the provision of curriculum materials and instructional supplies.

Alternatively, the superintendent or designee will complete an annual comparability study using the procedures and forms provided by the Department of Elementary and Secondary Education (DESE). If the superintendent or designee determines that services and resources are not comparable, the superintendent will notify the board and take steps to rectify the situation.

The data collected and compiled in the determination of comparability will be retained in accordance with the Public School Records Retention Schedule. The district will provide DESE with the appropriate assurances that the district is in compliance with the federal law.

Adopted: December 8, 2003

Revised: March 13, 2023

Cross Refs: CGC, State and Federal Programs Administration

Legal Refs: §§ 67.010 - .110, 165.016, .021, .051, .091, .131, RSMo.  
5 C.S.R. 20-100.125  
Mo. Const., Art. VI, § 26

*Mercantile Bank of Illinois v. School District of Osceola*, 834 S.W. 2d 737 (Mo. banc 1992)

## **TAXING AND BORROWING AUTHORITY AND LIMITATIONS**

The Board is responsible for levying *ad valorem* property taxes as necessary to operate the Lone Jack C-6 School District in a manner that promotes achievement for all students. Taxes will be levied in accordance with law.

### **Increasing Taxing Authority**

The Board is authorized to set an operating tax rate of \$2.75. The Board will seek voter approval to increase the tax rate ceiling, in accordance with law and as necessary to better serve the students of the district. The district may also seek voter approval to forgo all or part of the reduction of the operating levy due to Proposition C sales tax receipts, as allowed by law.

The Board may also seek voter approval to increase the bonded indebtedness of the district in accordance with law and as necessary to provide an appropriate learning environment for district students. The Board of Education has a bonded indebtedness limit of 15 percent of the value of taxable tangible property as shown by the last completed assessment for state and county purposes.

### **Tax Rate Hearing Notice**

The Lone Jack C-6 School District will annually set the tax rate after first notifying the public and conducting at least one public hearing. Notice of the hearing will be given by publication in a newspaper of general circulation or by posting such notice in at least three public places within the district. A "public place" as used in this policy is a place regularly open for public use, a place that would be likely to attract attention so that the content of the notice becomes widely known or a place with a likelihood that the notice will be seen by the public. The district will publish or post the notice at least seven days prior to the hearing, and the notice will include the:

1. Date, time and place of the hearing.
2. Assessed valuation by category of real, personal and other tangible property in the district for the fiscal year for which the tax is to be levied and the preceding tax year.
3. Amount of revenue required to be provided from the property tax as set forth in the adopted annual budget for each rate levied.
4. Tax rates proposed to be set for the various purposes of taxation.
5. Increase in tax revenue due to an increase in assessed value as a result of new construction and improvement.
6. Increase, both in dollar value and percentage, in tax revenue as a result of reassessment if the proposed tax rate is adopted.

### **Tax Rate Hearing**

The superintendent will provide the Board the same information included in the tax rate hearing notice prior to the tax rate hearing. The tax rate hearing will include an opportunity for citizens to speak before the Board. The Board will set the tax rate after the hearing.

The tax rate will be calculated to produce substantially the same revenues as required in the annual budget. The Board will have sole authority in determining what part of the total authorized rate shall be used to provide revenue for each of the funds. Before setting the rates for the teachers' and incidental funds, the Board will set the rate for the capital projects fund as necessary to meet the district's obligations.

### **Submitting the Tax Rate**

Upon receiving notice from the clerk or other official of the county or counties in which the district is located, the district shall submit a nonbinding projected tax levy by April 8.

The Board shall forward a tax rate to the county clerk of every county in which the district is located on or before September 1 of each year, except that districts located partially or wholly in St. Louis City or any county with a charter form of government will submit their tax rates not later than October 1. If the rate is less than one dollar, the rate will be calculated to the nearest one-tenth of a cent, and the district will round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. If the rate is in excess of one dollar, the estimate will be calculated to one/one-hundredths of a cent, and the district will round up a fraction greater than or equal to five/one-thousandths of one cent to the next higher one/one-hundredth of a cent.

### **Legal Compliance**

If the district receives from the county clerk the state auditor's finding that the proposed rate does not comply with Missouri law, the Board will have 15 days from the date of receipt of the finding to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the Board's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk.

### **Borrowing Authority**

The Board may borrow money in anticipation of collection of taxes for the purpose of securing funds for school operations, including the debt service fund. Issuance of all tax and revenue anticipation notes requires approval of the majority of the members of the Board. The notes may be issued at any time in any year, and the aggregate outstanding principal amount of the notes issued in one year for any fund shall not exceed the amount of the Board's estimate of the year's requirement for the fund. The notes shall be payable within 12 months from date of issuance.



### **Bonded Indebtedness**

The Board may authorize the sale of bonds by adoption of a resolution. Bonds will be issued in accordance with law and compliance procedures implemented by the district. Bond proceeds may be used only for the purposes set forth in the bond resolution and as allowed by law.

### **Other Capital Financing, including Lease-Purchase**

The Board may enter into any agreement within the scope of Missouri law to provide for, or provide capital for, the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for use by the district for educational purposes.

### **Compliance**

The district is committed to full compliance with the state and federal laws associated with issuing bonds, including disclosure requirements. The superintendent or designee is directed to work with the district's bond counsel and financial advisor to create, maintain and implement procedures to ensure that the district meets all state and federal legal requirements and makes timely disclosures in accordance with law.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 12, 2001

Revised: December 8, 2008  
December 14, 2009  
October 8, 2012  
October 8, 2018  
March 6<sup>th</sup>, 2019  
October 12, 2020

Cross Refs: BBBB, School Board Ballot Issues

MSIP Refs: G-8

Legal Refs: Mo. Const., art. VI, § 26(b)  
Mo. Const., art. X, §11 (b), (c)  
§§ 67.110, 108.150 - .280, 137.010,.072, .100, .243, .245, 164.121, .131, .141,  
.151, .161, .181, .191, .201, .221, .231, .241, .251, .261, .271, .281, .291,  
.301, 165.011, .131, .141, 177.088, RSMo.

**POLITICAL CAMPAIGNS**

No contribution or expenditure of district funds shall be made directly by any board member, employee or agent of the district to advocate, support or oppose the passage or defeat of any ballot measure or the nomination or election of any candidate for public office. District funds also cannot be provided to any committee supporting or opposing a ballot measure or candidate or be used to pay any debts or obligations of any committee. This does not prevent board members or administrators from making public appearances or issuing press releases concerning any such ballot measures.

Reasonable expenditures may be made solely for the purpose of providing patrons of the district with objective information regarding ballot measures to inform voters concerning issues that directly affect the district.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised: January 10<sup>th</sup>, 2022

Cross Refs: GBCB, Staff Conduct  
KB, Public Information Program

Legal Refs: § 115.646, RSMo.

## **GRANTS**

### **Application for Grants**

The district directs the superintendent or designee to pursue all grants and other alternative sources of funds, goods and services that are consistent with the district's goals and educational strategies and that enhance the educational offerings of the district.

All grants must:

1. Be based on a specific set of internal objectives that relate to the established goals and objectives of the district.
2. Provide measures for evaluating whether project objectives are being or have been achieved.
3. Conform to state and federal laws and the policies of the Board in the execution of the project.

All grant proposals shall be approved by the Board before being submitted to the funding agency regardless of the amount of funding involved. Before a grant application is presented to the Board, the superintendent or designee will determine whether the district has the appropriate staff to support the grant project and maintain accurate records required by the granting entity, as well as adequate resources if matching funds are required.

All grants that involve district property, students or personnel in their capacity as employees are considered district grants and are subject to the requirements of this policy. No individual will use grant proceeds in the district without district permission.

### **Administration of Grants**

The superintendent must designate a district employee as the grant contact for any grant involving the district. The designated grant contact will oversee grant activity and ensure that the appropriate records, evaluations and procedures are used.

All grant funds received must be deposited in district accounts. District policies regarding purchasing, expenditure of funds and employment will be followed when expending grant funds. Staff positions created through grant funding will be filled pursuant to Board policy.

The district will keep accurate records of expenditures for each grant. An annual report will be provided to the superintendent or designee on the status of grant programs, participation in programs and the success of programs.

## **Federal Grants**

Grants that fund federal programs will be implemented in accordance with the provisions of Board purchasing policies DJF and DJFA, and their accompanying procedures, and Board conflict of interest policies BBFA and GBCA.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 8, 2004

Revised: October 10<sup>th</sup>, 2016

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
GBCA, Staff Conflict of Interest  
GCD, Professional Staff Recruiting and Hiring  
GDC, Support Staff Recruiting and Hiring

## REVENUES FROM TAX SOURCES

The Board recognizes that the Lone Jack C-6 School District is primarily funded by local, state and federal tax dollars. The Board, district employees and all representatives of the district will be ethical stewards of the funds entrusted to the district.

The superintendent or designee is responsible for ensuring that the district provides accurate reports and assurances and meets other requirements to receive funding. The district shall comply with all requirements governing the funds received and will account for these funds as required by law.

The superintendent is directed to take the steps necessary to maximize the district's revenue at the local, state and federal levels within the parameters of law. The Board and the superintendent will regularly provide information to elected officials on how district funds are used and will communicate the impact that inadequate funding has on students.

The superintendent is directed to regularly provide information to the public, particularly the residents of the district, about the sources of district funding and how the district uses the funding to benefit the students of the district and the community as a whole.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 9, 2000

Revised: October 12<sup>th</sup>, 2020

Legal Refs Mo. Const., art. X, §11(c)  
§§ 137.073, .115, 148.030, .140, .620, .720, 153.030, 163.021, .031, 164.011 - .041, RSMo.  
34 C.F.R. Part 75

**DISPOSITION OF UNBUDGETED REVENUE**

The Board of Education recognizes that due to special circumstances, the school district may occasionally receive revenue not budgeted.

In the event such revenues are received, the Board will disburse the revenues in accordance with any provisions or requirements accompanying the allocation. The Board, when authorized to establish local policy pertaining to the procedure and schedule for the disbursement of such revenues, shall establish an appropriate policy upon the recommendation of the superintendent.

Recommendations for procedural guidelines specifying a disbursement plan for moneys designated to the teachers' fund should be determined after receiving the suggestions of the professional staff. However, in accordance with state constitutional provisions, unbudgeted revenue received during the budget year shall not alter compensation of employees within the current contract period.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 10, 1988

Revised:

Legal Refs: Mo. Const., Art. III, §§ 38(a), 39(3)  
§ 168.110, RSMo.  
Mo. Atty. Gen. Op., No. 211, Belt, May 6, 1970

## **REVENUES FROM INVESTMENTS/USE OF SURPLUS FUNDS**

*(District Utilizes a Registered Investment Advisor to Manage Some or All of Its Investments)*

The Lone Jack C-6 School District Board of Education authorizes and appoints the superintendent or designee as the finance officer of the school district to invest surplus school district moneys that are determined as not being needed within a reasonable period of time for the operation of the district. The finance officer shall follow procedures adopted by the Board in making investments and obtaining the best interest rates reasonably attainable. Collateralized investments will comply with the requirements of the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) of 1989.

### **I. Scope**

Except as otherwise provided, this policy applies to the investment of all operating funds of the district.

#### **1. Pooling of Funds**

Except for cash in certain restricted and special funds, the district will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

#### **2. External Management of Funds**

Investment through external programs, facilities and professionals operating in a manner consistent with this policy will constitute compliance.

### **II. General Objectives**

The primary objectives, in priority order, of investment activities shall be safety, liquidity and yield.

#### **1. Safety**

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

##### **a. Credit Risk**

The district will minimize credit risk, the risk of loss due to the failure of the security issuer or credit provider, by:

<Pre-qualifying the financial institutions, brokers/dealers, intermediaries and advisors with whom the district will do business.



<Diversifying the portfolio so that potential losses on individual securities will be minimized.

b. Interest Rate Risk

The district will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates by:

<Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

<Investing operating funds primarily in shorter-term securities.

2. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). A portion of the portfolio also may be placed in bank certificates of deposits or repurchase agreements that offer same-day liquidity for short-term funds.

3. Yield

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance to the safety and liquidity objectives described above. The core of investment is limited to relatively low-risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity except when:

<The early selling of security with declining credit minimizes loss of principal.

<Replacing a given security with another would improve the quality, yield or target duration of the portfolio.

<The liquidity needs of the portfolio require that the security be sold.

### III. Standards of Care

#### 1. Prudence

All participants in the investment process shall act responsibly as custodians of the public trust. The standard of prudence to be used by the finance officer shall be the "prudent investor" rule, which reads: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

#### 2. Ethics and Conflicts of Interest

Officers and employees of the district involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Officers, employees and the investment officer shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Officers and employees of the district shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the district.

#### 3. Delegation of Authority

Authority to manage the investment program is granted to the finance officer and/or another duly authorized external professional organization (to be collectively known as the "investment officer"), including the Missouri Securities Investment Program. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with the established written procedures and internal controls for the operation of the investment program consistent with this investment policy. The investment officer shall ensure that the investment program's operations are in accordance with the established written procedures and internal controls for the operation of the investment program consistent with this investment policy.

Procedures should include references to safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible

for all transactions undertaken and shall establish a system of controls to regulate the activities of authorized subordinate officials.

#### **IV. Investment Transactions**

##### **1. Authorized Financial Dealers and Institutions**

A list will be maintained of financial institutions authorized to provide investment transactions. In addition, a list also will be maintained of approved security brokers/dealers selected by creditworthiness as determined by the finance officer and approved by the Board. These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15(c)3-1 (uniform net capital rule).

All financial institutions and brokers/dealers who desire to become qualified for investment transactions must supply the following to the finance officer as appropriate:

- < Audited financial statements.
- < Proof of National Association of Securities Dealers (NASD) certification.
- < Proof of applicable state registration.
- < Completed broker/dealer questionnaire.
- < Confirmation of having read, understood and agreed to comply with the district's investment policy.

The finance officer will conduct an annual review of the financial condition and registration of qualified financial institutions and brokers/dealers.

##### **2. Internal Controls**

The finance officer is responsible for establishing and maintaining an internal control structure that will be reviewed annually with the district's independent auditor. The internal control structure shall be designed to ensure that the assets of the district are protected from loss, theft or misuse and to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that 1) the cost of control should not exceed the benefits likely to be derived and 2) the valuation of costs and benefits require estimates and judgments by management.

The internal controls shall address the following points:

- < Prevention of collusion.
- < Separation of transaction authority from accounting and recordkeeping.
- < Custodial safekeeping.
- < Avoidance of physical delivery securities.
- < Clear delegation of authority to subordinate staff members.
- < Written confirmation of transactions for investments and wire transfers.
- < Development of a wire transfer agreement with the lead bank and third-party custodian.

3. Delivery vs. Payment

All trades where applicable will be executed by delivery vs. payment to ensure that securities are deposited in eligible financial institutions prior to the release of funds. All securities shall be perfected in the name of or for the account of the district and shall be held by a third-party custodian as evidenced by appropriate safekeeping receipts.

**V. Suitable and Authorized Investments**

1. Investment Types

In accordance with and subject to restrictions imposed by current statutes, the following list represents the entire range of investments that the district will consider and that shall be authorized for the investments of funds by the district.

- a. Securities issued by State of Missouri/Political Subdivisions - The district may invest in obligations of the Missouri government and its political subdivisions for which the full faith and credit of the issuer is pledged for the payment of principal and interest.
- b. United States Treasury Securities - The district may invest in obligations of the United States government for which the full faith and credit of the United States is pledged for the payment of principal and interest.
- c. United States Agency Securities - The district may invest in obligations issued or guaranteed by any agency or any wholly owned corporation of the U.S. government as described in section V (2) of this policy.

**FILE: DFA**  
**Critical**

- d. Securities Issued by Instrumentalities/Government-Sponsored Enterprises of the United States - The district may invest in obligations of instrumentalities or government-sponsored enterprises of the United States, including supranational organizations created by an act of Congress or treaty to which the United States is a party. Debt obligations of supranational organizations must have received the highest rating issued by one or more nationally recognized statistical rating organizations, and no more than five percent of the total market value of the portfolio may be invested in the obligations of any supranational organization.
- e. Repurchase Agreements - The district may invest in contractual agreements between the district and commercial banks or primary government securities dealers. The purchaser in a repurchase agreement (repo) enters into a contractual agreement to purchase U.S. Treasury or government agency securities while simultaneously agreeing to resell the securities at predetermined dates and prices. Such securities shall have a market value of 102 percent of the value of the repurchase agreement, and the term of such agreement must not exceed 90 days.
- f. Collateralized Public Deposits (Certificates of Deposit) - The district may invest in instruments issued by financial institutions that state that specified sums have been deposited for specified periods of time and at specified rates of interest. Except to the extent insured by the Federal Deposit Insurance Corporation (FDIC), the certificates of deposit are required to be backed by acceptable collateral securities as described in § 30.270, RSMo., or insured (in whole or in part) by the FDIC.
- Federal law provides that a depositor's security agreement that tends to diminish or defeat the interest of the FDIC in an asset acquired by it as receiver of an insured depository shall not be valid against the FDIC unless the agreement:
- < Is in writing;
  - < Was approved by the board of directors of the depository or its loan committee; and
  - < Has been continuously, from the time of its execution, an official record of the depository institution.
- g. Bankers' Acceptances - The district may invest in bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers' acceptances. The district may invest in bankers' acceptances issued by domestic commercial banks possessing the highest

rating issued by a nationally recognized statistical rating organization. Purchases of bankers' acceptances may not exceed 180 days to maturity. No more than 75 percent of the portfolio may be invested in a combination of bankers' acceptances and commercial paper.

- h. Commercial Paper - The district may invest in commercial paper issued by domestic corporations that have received the highest rating issued by a nationally recognized statistical rating organization. Eligible paper is further limited to issuing corporations that have a total commercial paper program size in excess of \$250,000,000. No more than 75 percent of the total market value of the portfolio may be invested in the combination of commercial paper and bankers' acceptances. Commercial paper issues must be subject to periodic credit reviews and daily monitoring of news research and analysis, and a monitoring program must be established to promulgate best practices credit monitoring.

2. United States Agency Security Selection

The following list represents the entire range of United States Agency Securities that the district will consider and that shall be authorized for the investment of funds by the district. Additionally, the following definitions and guidelines should be used in purchasing the instruments:

- a. U.S. Government Agency Coupon and Zero Coupon Securities - Bullet coupon bonds with no embedded options with maturities of five years or less.
- b. U.S. Government Agency Discount Notes - Purchased at a discount with maximum maturities of one year.
- c. U.S. Government Agency Callable Securities - Restricted to securities callable at par only with final maturities of five years or less.
- d. U.S. Government Agency Step-Up Securities - The coupon rate is fixed for an initial term. At coupon date, the coupon rate rises to a new, higher, fixed term. Restricted to securities with final maturities of five years or less.
- e. U.S. Government Agency Floating Rate Securities - The coupon rate floats off one index restricted to coupons with no interim caps that reset at least quarterly.
- f. U.S. Government Mortgage-Backed Securities - Restricted to securities with final maturities of five years or less.

3. Investment Restrictions and Prohibited Transactions

To provide for the safety and liquidity of the district's funds, the investment portfolio will be subject to the following restrictions:

- a. Borrowing for investment purposes ("leverage") is prohibited.
- b. Instruments known as variable rate demand notes, floaters, inverse floaters, leveraged floaters and equity-linked securities are not permitted. Investment in any instrument that is commonly considered a derivative investment (e.g., options, futures, swaps, caps, floors and collars) is prohibited.
- c. Contracting to sell securities not yet acquired in order to purchase other securities for the purpose of speculating on developments or trends in the market is prohibited.
- d. No more than five percent of the total market value of the portfolio may be invested in bankers' acceptances or commercial paper issued by any one issuer.

4. Collateralization

Collateralization will comply with the requirements of FIRREA. Collateralization will be required on two types of investments:

- a. Certificates of Deposit.  
In order to anticipate market changes and provide a level of security for all funds, the market value (including accrued interest) of the collateral shall be at least 100 percent or the greater of the amount of certificates of deposit plus demand deposits with the depository, less the amount, if any, that is insured by the FDIC or the National Credit Unions Share Insurance Fund.

All securities that serve as collateral against the deposits of a depository institution must be safekept at a non-affiliated custodial facility. Depository institutions pledging collateral against deposits must, in conjunction with the custodial agent, furnish the necessary custodial receipts within five business days from the settlement date.

The district will have a FIRREA-compliant depository contract and pledge agreement with each depository. This will ensure that the district's security interest in collateral pledged to secure deposits is enforceable against the depository.

b. Repurchase Agreements

The securities for which repurchase agreements will be transacted will be limited to United States Treasury and United States Government Agency securities that are eligible to be delivered via the Federal Reserve Fedwire book entry system. Securities will be delivered to the district's designated custodial agent. Funds and securities will be transformed on a delivery vs. payment basis. In addition to the collateral requirements above, the district shall also have in place a Master Repurchase Agreement and Custodian Bank Agreement to hold such securities.

**VI. Investment Parameters**

1. Diversification

The investments shall be diversified to minimize the risk of loss resulting from overconcentration of assets in specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. At a minimum, diversification standards by security type and issuer shall be:

- a. U.S. Treasury securities having principal and/or interest guaranteed by the U.S. government - 100 percent
- b. Collateralized time and demand deposits - 100 percent
- c. U.S. government agencies, instrumentalities and government-sponsored enterprises - No more than 70 percent
- d. Collateralized repurchase agreements - No more than 75 percent
- e. U.S. government agency callable securities - No more than 50 percent
- f. Commercial paper and bankers' acceptances - No more than 75 percent combined

2. Maximum Maturities

To the extent possible, the district shall attempt to match its investments with anticipated cash flow requirements. Investments in repurchase agreements shall mature and become payable not more than 90 days from the date of purchase. Investments in bankers' acceptances and commercial paper shall mature and become payable not more than 180 days from the date of purchase. All other investments shall mature and become payable not more than five years from the



date of purchase. The district shall adopt weighted average maturity limitations that should not exceed three years and are consistent with the investment objectives.

## VII. Reporting

### 1. Methods

The investment officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner that will allow the district to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the governing body of the district. The report will include the following:

< Listing of individual securities held at the end of the reporting period.

< Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over a one-year duration (in accordance with the Government Accounting Standards Board (GASB) 31 requirements). [Note: This is only required annually.]

< Average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks.

< Listing of investment by maturity date.

< Percentage of the total portfolio that each type of investment represents.

### 2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market-average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks may be established against which portfolio performance shall be compared on a regular basis.

Investments should be reviewed for possible sale if the securities are downgraded below the minimum acceptable rating levels.

3. Marking to Market

The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least annually to the Board. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed.

**VIII. Policy Considerations**

1. Exemption

Any investment currently held that does not meet the guidelines of this policy shall be exempt from the requirements of this policy. At maturity or liquidation, such moneys shall be reinvested only as provided by this policy.

2. Adoption

This policy shall be reviewed annually by the investment officer, and recommended changes will be presented to the Board for consideration.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 13, 2000

Revised: November 18, 2018

Cross Refs: BCC, Appointed Board Officials

Legal Refs: Mo. Const., Art. IV, § 15  
§§ 30.260, .950, 110.010 - .020, 165.051, .091, RSMo.  
12 U.S.C. § 1823(e)

**SETTING TUITION FOR DISTRICT PROGRAMS**  
*(District Allows Tuition-Paying Nonresident Students to Enroll and Attend)*

The Lone Jack C-6 School District School Board recognizes that there are situations where nonresident students and residents who are not otherwise entitled to free education may be allowed by law to attend the Lone Jack C-6 School District or district programs on a tuition basis. In these situations, the Board will set tuition in an amount that, minimally, recoups the costs of the program and meets any applicable legal requirements.

The superintendent will make recommendations to the Board annually to set tuition rates for the following year. The Board will set all applicable tuition rates no later than February 1.

**Per-Pupil Cost**

When used in this policy, "per-pupil cost" refers to the cost of maintaining the district's grade-level grouping in the school the student will attend divided by the average daily pupil attendance. In no case will the per-pupil cost exceed the amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service" means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. The per-pupil cost may be offset by any state or federal funding received for the attendance of the nonresident student.

**Collecting Tuition**

The Board expects the superintendent or designee to take action to minimize delinquent or uncollected tuition payments including, but not limited to, securing binding contracts with the persons responsible for paying tuition and requiring prepayment of tuition from individuals when appropriate. If a party is delinquent in payment, the Board authorizes the superintendent or designee to contact the district's attorney and take all available legal action to recoup tuition payments owed to the district. Unless otherwise prohibited by law, the district may exclude students from the district's education programs after the responsible party is notified of the delinquency and given a reasonable amount of time to pay the district.

**Tuition for the Education of Nonresident Students**

The district allows nonresident students to attend the district on a tuition basis even in situations where enrollment is not required by law. The tuition will be set at the per-pupil cost of maintaining the district's grade-level grouping in the school the student will attend.

**Early Childhood Tuition (§ 161.213, RSMo.)**

The tuition for any district-operated early childhood programs that charge tuition will be set at the per-pupil cost of maintaining the early childhood program.

**Summer School Tuition (§ 167.227, RSMo.)**

The district has the option of charging tuition for nonresidents to attend its summer school program. If the district selects this option, tuition will be set at the per-pupil cost of operating the summer school program.

**Career and Technical Education Tuition (§ 178.510, RSMo.)**

If the district has a career and technical education program open to neighboring districts, the district may contract to provide those services to students in other districts and will charge those districts tuition set at the per-pupil cost of the program.

Disputes between the Lone Jack C-6 School District and the student's resident district may be submitted to the State Board of Education for resolution.

**Tuition for Children Placed in the District (§ 167.126, RSMo.)**

For nonresident students placed by the Department of Mental Health, the Department of Social Services (DSS) or a court order in facilities or programs located within the district or who temporarily reside (for more than three days) in a children's hospital located in the district, the Lone Jack C-6 School District will charge the student's resident district tuition equal to the average sum produced per student by the local tax efforts of the student's resident district. A special school district will pay the average sum produced per child by the local tax efforts of the domiciliary districts. If the resident district fails to pay the appropriate amount to this district within 90 days of billing, this district will notify the Department of Elementary and Secondary Education (DESE) so that the appropriate amounts may be withheld from the resident district's state aid and paid to the Lone Jack C-6 School District. In addition, the district may receive payments from DESE in lieu of receiving the local tax effort from the domiciliary district in some situations.

The district will seek additional payments from DESE for students placed in programs or facilities operated by the Department of Mental Health, DSS or a court or placed by DSS or a court into a publicly contracted residential site in Missouri when the per-pupil costs of the education services provided to the student exceed the amounts received from the student's resident district.

**Tuition Charged to K-6 or K-8 School Districts (§ 167.131, RSMo.)**

For students who enroll in the Lone Jack C-6 School District because they reside in a school district located in the same county as the Lone Jack C-6 School District or an adjoining county that does not provide education through grade 12, the district will set tuition at the per-pupil cost of maintaining the district's grade-level grouping in the school the student will attend, which will be charged to the student's resident school district as required by law. Disputes between this

district and the student's resident district may be submitted to the State Board of Education for resolution.

**Tuition for Students of Nonresident Taxpayers to the District (§ 167.151, RSMo.)**

A parent/guardian who pays a school tax in the Lone Jack C-6 School District may receive as a credit on the amount charged for tuition the amount of school tax paid to the district. The deduction will be prorated among the number of students per family attending the district's schools. The tuition will be set at the per-pupil cost of maintaining the district's grade-level grouping in the school the student will attend.

The parent/guardian must submit a tax statement to the superintendent or designee before a student will be admitted. The district and the parent/guardian will enter into a contract outlining the payment schedule for any remaining tuition owed. Attendance will not begin until the parent/guardian makes the first payment, and the district may remove a student from attendance if the parent/guardian is delinquent with tuition payments.

**Tuition Charged for Two-Year College Courses (§§ 178.370 - .400, RSMo.)**

If the district establishes a program for two-year college courses as allowed by law, the district may charge tuition to enroll in such courses to all nonresident students as well as resident students who are ineligible for free education. The tuition will be set at the per capita costs of the courses. Tuition may be paid by individual students or the school district of residence.

**Tuition for Night School (§ 178.290, RSMo.)**

If the district establishes a night school as allowed by law, the district will charge tuition to all nonresident students and any resident students who are ineligible for free education. The tuition will be set at a rate that recoups the costs associated with the program.

**Tuition for Students Assigned with a Hardship Transfer (§§ 167.121, .125, RSMo.)**

If the commissioner of education assigns a nonresident student to the district due to a transportation hardship under § 167.121, RSMo., the district will enroll the student and charge the student's resident district the pro rata cost of instruction for the student. If the commissioner of education assigns a student living in St. Elizabeth, St. Albans or Maries County to the district under § 167.125, RSMo., the school district of residence will pay the Lone Jack C-6 School District the pro rata cost of instruction. However, if the Lone Jack C-6 School District's tuition is greater than the tuition of the student's school district of residence, the student's parent/guardian will pay the difference in tuition.

**Tuition Charged for Transfers from Unaccredited School Districts (§§ 167.132, .895, RSMo.)**

In situations where DESE assigns students residing in an unaccredited district to be educated in the Lone Jack C-6 School District, the Board will set tuition in accordance with law that will be either the state adequacy target plus the average sum produced per child by the sending district's local tax effort or a lesser amount as determined by the Board.

If costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount set by the Board, the unaccredited district will pay the excess cost to the Lone Jack C-6 School District. For districts served by a special school district, the unaccredited district will contract directly with the special school district for special education and related services.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 12, 2020

Revised:

Cross Refs: IHB, Class Size  
JECA, Eligibility to Enroll

Legal Refs: §§ 161.213, 167.121, .125, .126, .131, .132, .151, .227, .895, 168.151, 171.131, 178.290, .370 - .400, .510, RSMo.

## **DEPOSITORY OF FUNDS**

### **DEPOSITORY OF FUNDS**

The Lone Jack C-6 School District is committed to sound fiscal management and the protection of district funds. For that reason, the Board will carefully consider all options when selecting a financial institution to deposit district funds. Selection of depositories shall be made by the bid selection process established by state law and in accordance with this policy.

Depositories may be selected annually, or the school district and depository may enter into a one- to five-year contract agreement for the deposit of the district's money or funds.

#### **Proposals**

In each year in which depositories are to be selected, the Board shall receive sealed proposals from banking institutions in the county or in adjoining counties that desire to be selected as depositories of the district's moneys and funds.

As required by law, the Board shall divide the funds into not less than two nor more than ten equal parts. Each bidder may bid for any number of the parts, but the bid for each part shall be separate.

At least 20 days before the date selected by the Board for acceptance of bids, the Board secretary shall publish notice that bids will be received. The notice must be published in a newspaper of general circulation in the county and will state the date, place and time of the meeting where bids are to be opened and the number of years for which a depository will be selected for each part of the fund (which may be any term between one and five years inclusive, next ensuing the date of the bid).

On or before the date selected for the acceptance of bids, bidders shall deliver a sealed bid to the Board secretary. The sealed bid shall state the rate of interest or method by which the interest will be determined for the advertised term.

On the date selected for the acceptance of bids and at the place and time advertised for the bid-opening meeting, the Board or designee shall publicly open the bids and cause each bid to be verbally read and documented, after discussion and clarification of bids with the financial institutions. The Board secretary may not directly or indirectly disclose the amount of the bid before this meeting.

#### **Selection**

After discussion and clarification of the bids at the bid-opening meeting, if the public bid opening is not at a Board meeting, then at the next Board meeting the Board shall cause each bid to be entered upon the records of the Board and shall select from among the bidders those bids that will be accepted and notify each of the selected bidders. If there is no qualifying bid for a part, the Board may select a depository for that part without further advertising or bidding.

**Contract**

The Board will then enter into a contract or agreement with the selected depository for the deposit of each part of the district's moneys or funds for the advertised one- to five-year term. The contract may authorize the depository to invest the funds deposited in accordance with law and the district's investment policy. Such a contract or agreement may be terminated by the mutual consent of both parties at any time.

**Security**

In accordance with law, prior to receiving district funds, the selected depository must deposit securities with the district, another banking institution or a trustee to secure the district's funds. If the selected depository fails to deposit adequate security for the district's moneys or funds within the time provided by law, the Board shall take action to safeguard district funds (including, but not limited to, depositing such moneys or funds in another bank) and shall proceed to receive new bids and select another depository in lieu of the bank that failed to deposit the security. As the contract or agreement concerning each part of the district's funds expires or is terminated, the successive depository for that part will be chosen by bid in accordance with this policy.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 9, 2000

Revised: October 10<sup>th</sup>, 2016  
March 6, 2019

Legal Refs: §§ 30.270, 110.010 - .020, 165.201 - .291, RSMo.  
12 U.S.C. § 1823(e)



## **AUTHORIZED SIGNATURES**

The Lone Jack C-6 School District Board of Education takes its legal and financial responsibilities seriously. The superintendent or designee is directed to create internal controls to ensure that contracts, checks and other official documents are accurate, authorized and signed by the appropriate persons and that necessary actions are taken to prevent mistakes, fraud, embezzlement and district liability.

In general, the superintendent or designee may sign documents on behalf of the district or the Board as long as the document is accurate, has been adequately approved by the Board when necessary and is in the best interest of the district. However, when the law or Board policy requires others to sign documents on behalf of the Board or the district, those persons are the only persons who may sign the document.

### **Contracts**

A contract is a binding, written agreement between the district and an individual or entity. In accordance with law, a contract with the district must be approved by a majority of the whole Board. After the Board has approved the contract, the Board president, Board secretary and superintendent or superintendent's designee have the authority to sign the contract on behalf of the district unless state or federal law requires a specific person to do so.

### **Employment Contracts**

In accordance with law, a contract and the employment of a person must be approved by a majority of the whole Board. In addition, employment contracts for certificated personnel must be signed by the Board president and attested to by the Board secretary.

### **Checks**

In accordance with law, bills must be approved by a majority of the whole Board. Once the bills are approved, the president and treasurer of the Board shall sign all checks issued by the school district. The Board strictly prohibits any person from signing a blank check.

### **Federal and State Grants, Funds or Programs**

Unless otherwise specified in the federal or state grant or contract, the superintendent or designee has the authority to sign necessary assurances and compliance documents on behalf of the Board. Before signing, the superintendent or designee will verify that the assurances and documents are accurate. All documents will be made available to the Board upon the request of any Board member.

### **Special Education Mediation and Settlement Agreements**

The person(s) designated by the Board in policy IGBA may sign and legally bind the district in mediation and settlement agreements regarding services provided to students with disabilities.

### **Construction Change Orders**

The person(s) designated by the Board in policy FEF as the district's personal representative(s) may sign change orders within the limits set in Board policy.

### **Lease or Sale of Real Estate**

Once approved by the Board with the requisite vote, the lease or deed of conveyance for district real estate will be executed by the Board president and attested by the Board secretary. If the district has a seal, it will be affixed to the deed or lease.

### **Facsimile Signatures**

The Board authorizes the use of facsimile signatures, such as those produced with signature stamps or a signature machine, on checks, other instruments of payment, contracts and other documents requiring district authorization by signature. However, before a facsimile signature can be used, the manual signature must be certified under oath and on file with the Missouri Secretary of State, and the person whose facsimile signature is being used must have the authority to sign the document on which the signature is affixed. Prior to using the facsimile signature, the individual who affixes the signature on the document is responsible for verifying the accuracy of the document signed and the authority of the person whose signature is used.

Signature stamps and other facsimile signature devices will be kept locked or otherwise secured from unauthorized use and will only be used on approved documents by persons authorized by the superintendent or the Board. An individual must receive specific approval from the person whose signature is being used prior to affixing it to a particular document unless it is a contract or payment that has received prior approval by the Board.

When an individual uses another person's facsimile signature, the individual must document the date it was used, the document(s) it was used on, the amount of the contract or check, if applicable, and the reason a facsimile signature was used instead of the actual signature. The individual using the signature and one other district employee must sign this documentation, verifying that the facsimile signature was appropriately used. The documentation will be provided to the person whose facsimile signature was used at least monthly so that person may verify that the signature is being used correctly.

## **Electronic Signatures**

To the extent allowed by law, individuals authorized to sign documents on behalf of the district may sign those documents electronically. Unlike facsimile signatures, which are designed to be used by persons other than the individual whose signature is needed, an electronic signature is intended to be used only by the individual signing the document in situations where the document is electronic or it is inconvenient to sign a document manually. Only the individual whose signature is being used or a person directly supervised by that person who has been given explicit permission to use the signature on that particular document may sign a document with an electronic signature.

## **Consequences**

The Board strictly prohibits any misuse of facsimile signatures or electronic signatures and the use of forged signatures. The Board further prohibits any employee or Board member from knowingly signing an unauthorized or inaccurate document on behalf of the district or the Board. Employees will be disciplined and may be terminated for any violation of this policy or for impropriety involving official documents and signatures. Board members may be removed from any appointed position or committee and reprimanded. The superintendent or designee is directed to contact law enforcement or other legal authorities to report any potential criminal activity.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 10, 1988

Revised: December 14, 2015  
December 11, 2017

Cross Refs: BCB, Board Officers  
BCC, Appointed Board Officials  
FED, Selection of a Construction Manager at Risk  
FEE, Selection of a Design-Build Contractor  
FEF, Construction Contracts Bidding and Awards  
GCD, Professional Staff Recruiting and Hiring  
IGBA, Programs for Students with Disabilities

**FILE: DGA**  
**Critical**

Legal Refs: §§ 105.273 - .276, 162.301, .959, .961, 165.021, .091, 168.101, .108, 177.073,  
.091, 432.200 - .295, RSMo.  
Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §§ 7001 -  
7006

**BONDED EMPLOYEES AND OFFICERS**

The treasurer of the Lone Jack C-6 School District Board of Education shall enter into a bond to the state of Missouri with two (2) or more sureties, to be approved by the Board, conditional that a faithful and just account of all moneys that come into the hands of the treasurer will be rendered and that the duties of the office will be performed according to the law. The bond shall be filed with the secretary of the Board. The treasurer shall be the custodian of all school moneys derived from taxation for school purposes in the district until paid out on the order of the Board.

The Board shall provide a blanket bond to cover all other employees who handle school moneys.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised:

Cross Refs: BCC, Appointed Board Officials

Legal Refs: § 162.401, RSMo.

## **FISCAL ACCOUNTING AND REPORTING/ACCOUNTING SYSTEM**

The district's accounting system shall conform to requirements established by state statutes, regulations of the Missouri Department of Elementary and Secondary Education (DESE), the current version of the *Missouri Financial Accounting Manual* and statements issued by the Governmental Accounting Standards Board (GASB).

The district treasurer shall open an account for each fund established by law and required by the district, and all money the district receives shall be deposited in the appropriate fund account. All financial transactions shall be recorded in the revenue and expenditure records, and appropriate entries from the adopted budget shall be made in the records for the respective funds. All district staff are required to properly account for district funds using the district's financial accounting system and processes.

The Board shall receive monthly financial statements from the superintendent showing the financial condition of the district. In addition, other financial statements determined necessary by either the Board or the superintendent shall be presented to the Board for review.

The superintendent or designee shall also be responsible for student-related accounting and shall file enrollment, attendance, food service and transportation reports as required by DESE.

### **Public Information on Finances**

The superintendent or designee shall make publicly available, either by maintaining on the district's website or by direct link to the DESE website, information detailing the actual income, expenditures and disbursements of the district for the current calendar or fiscal year. The superintendent or designee shall update this information at least quarterly. The information shall be searchable, accessible and retained for a minimum of ten years in accordance with law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: September 13, 2001

Revised: December 8, 2008  
December 14, 2009  
October 8, 2012  
November 18<sup>th</sup>, 2019

**FILE: DI**  
**Critical**

Cross Refs: BCC, Appointed Board Officials  
IGDF, Student Fundraising  
KB, Public Information Program

Legal Refs: §§ 160.066, 165.011, 447.532, .535, .539, .541-.543, RSMo.

## **INVENTORY MANAGEMENT**

The Lone Jack C-6 School District will purchase property, such as equipment and supplies, to further the district's education mission as needed. The superintendent or designee will create procedures to prevent excessive, duplicative or unnecessary purchases and to properly track, maintain and dispose of property as required by law and in accordance with sound business practices.

### **Inventory**

The superintendent or designee shall maintain one master inventory list of district equipment. Equipment will be added to the master inventory list at the time of purchase. The superintendent may require principals to maintain current inventories of equipment and other property in their buildings, but all building-level inventories must be provided to the superintendent or designee for inclusion in the master inventory. The superintendent or designee will ensure that a physical inventory of all equipment is completed and the results reconciled with equipment documentation at least every two years.

### **Use and Maintenance**

All programs, buildings and departments are directed to work together to ensure that district property is used to the maximum benefit of the students. Any disputes regarding the use of district equipment will be settled by the superintendent.

Equipment and supplies purchased with district funds are to be used for district purposes. Personal or other uses are prohibited unless otherwise authorized by district policies or procedures. District equipment and supplies will remain on district property and will not be removed unless it is for a district purpose and the removal has been authorized by the superintendent or designee or the employee's supervisor.

Equipment purchased with federal funds will be used first for the program or project for which it was purchased. When the equipment is not needed, the district may use it for other district programs or purposes in accordance with federal law and district procedures.

All district employees are required to care for, protect and properly use district equipment and supplies to minimize damage, waste and replacement costs. The superintendent or designee will schedule maintenance when recommended by the manufacturer and will arrange for repairs, rather than replacement of equipment, when it is practically and economically more beneficial to the district than replacing the equipment.



## **Loss, Damage and Theft**

The superintendent or designee will establish controls to prevent the loss, damage or theft of equipment and supplies and will develop procedures to ensure that equipment is properly stored and maintained. All district employees must report missing or damaged equipment and supplies to their supervisors as soon as they become aware that equipment is missing or damaged. All reports of missing or damaged equipment will be investigated.

## **Disposition**

All property no longer of use to the district will be disposed of in accordance with state and federal law, Board policy DN and procedure DN-AP1.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 10<sup>th</sup>, 2016

Revised:

Cross Refs: ECA, Buildings and Grounds Security

Legal Refs: 2 C.F.R. 200.33, .313(d)

## **AUDITS**

The assets of the Lone Jack C-6 School District will be professionally and transparently managed in accordance with law and the high expectations of the Board and the community. The superintendent or designee will ensure that the district's financial statements accurately reflect the district's financial position and that all applicable state and federal laws are followed.

The district will retain an independent auditor at the close of each fiscal year for the purpose of auditing and making necessary reports to the Board of Education, the Missouri Department of Elementary and Secondary Education (DESE) and the federal government. The Board directs all district employees to cooperate with and assist the auditor so that the Board may obtain a fair and accurate report.

The cost of the audit and reports shall be paid from the incidental fund of the district.

### **Auditor Selection**

The Board will procure the services of the independent auditor by competitive bid pursuant to Board policy. The independent auditor must hold a current permit to practice public accounting in the state of Missouri and meet the requirements for continuing education and peer review as defined by the Missouri State Board of Accountancy and *Government Auditing Standards*. The district will request a copy of the audit organization's peer review report. The independent auditor cannot be suspended or debarred from doing business with the state or federal government. All subcontractors must also meet these requirements.

### **Scope of Audit**

All requests for audit services will clearly identify the scope of the audit.

The audit shall be made in accordance with generally accepted auditing standards, government auditing standards, federal audit standards, and DESE audit guidelines. Minimally, the audit will include the district's General, Special Revenue, Debt Service and Capital Projects funds; fiduciary funds; proprietary funds; and component units, unless a component unit issues its own audited financial statements. All financial, transportation, food service and attendance records of the district will be audited in accordance with state law. The audit will include reviews and tests of the accounting system, books and records, and other underlying data as necessary to reach an informed opinion on the financial affairs of the district.

The auditor will give an opinion on the fairness of presentation of the district's financial statements and will review the financial operations systems of internal control and compliance with law. The Board may expand the scope of the audit to include an examination of a specific district program, fund or process or to require a more comprehensive audit than is required by law.

***Audit of Federal Funds***

The district will conduct audits of federal awards and federal funds as directed by the Board and in accordance with law and the requirements of the agency awarding the funding.

**Audit Report**

The audit report shall meet the requirements of state and federal law. The independent auditor shall provide a copy of the audit report to each member of the Board and the superintendent. Once the audit report is final, the Board will vote by motion or resolution to approve the audit report, and the Board secretary will sign a copy of the final approved motion or resolution verifying that the final report has been approved. The Board delegates to the superintendent or designee the responsibility for transmitting to DESE on behalf of the Board a copy of the final audit report, the related management letter if prepared by the auditor, and a copy of the final, approved and signed Board minutes or Board resolution approving the audit report. These materials must be submitted electronically in the manner directed by DESE no later than December 31 each year.

**Public Access and Publication**

The final audit report is an open record, and any member of the public may request to inspect or copy the report. Confidential and privileged communications between the district and its auditor, including all auditor work product, are closed to the extent permitted by law.

Within 30 days of receipt of the final audit report, the superintendent or designee, on behalf of the Board, shall prepare a summary of the report and publish it in a qualifying newspaper or by other means allowed by law. The publication shall state that the audit report is available in the superintendent's office for inspection.

**Response to Audit**

All recommendations of the auditor will be taken seriously and will be implemented as appropriate. The superintendent or designee is directed to resolve any questions or discrepancies disclosed by the audit and must provide a full report of the resolution to the Board.

If the district receives an audit with a disclaimer of opinion, the district shall institute corrective measures immediately to ensure that subsequent audits do not contain a disclaimer. If fraud or embezzlement is discovered during the course of an audit, the superintendent or designee will notify DESE. If the superintendent or designee is implicated in the suspected fraud or embezzlement, the Board president will notify DESE.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 9, 2000

Revised: December 13, 2010  
October 10<sup>th</sup>, 2016

Legal Refs: §§ 163.021, .081, 165.111, .121, 610.021(17), RSMo.  
5 C.S.R. 30-4.030  
Single Audit Act, 31 U.S.C. §§7501 - 7507  
C.F.R. Part 200

## **BIDDING REQUIREMENTS**

The district will conduct competitive bidding for the construction of facilities that are projected to exceed an expenditure of \$15,000, and for insurance contracts, bank depository services and other products or services as required by law.

Other purchases or contractual services may be advertised and submitted for bid as directed by the Board or when, in the opinion of the superintendent, the welfare of the district will be served. The Board may require a bidder to submit a cashier's check or bidder's bond. The Board reserves the right to reject any or all bids or any part of any bid and to accept the bid that appears to be in the best interest of the school district. The Board reserves the right to waive minor technical deficiencies in any bid. Any bid may be withdrawn prior to the scheduled time for the opening of bids. Any bid received after the time and date specified shall not be considered.

Generally, bids accepted by the Board pertaining to contracts, services and/or benefits shall be on an annual basis. However, the Board may enter into multi-year agreements as long as the payments under the contract for any given year do not exceed the district's income and revenue for the year plus any unencumbered balances from previous years.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 8, 2004

Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
EIA, Property and Liability Insurance  
FEF, Construction Contracts Bidding and Awards  
GCBC, Professional Staff Fringe Benefits  
GDDB, Support Staff Fringe Benefits

Legal Refs: §§ 67.150, 105.458, 165.211, 177.086, 376.696, RSMo.  
*Mercantile Bank of Illinois v. School Dist. of Osceola*, 834 S.W.2d 737 (1992)

## **PURCHASING**

The purpose of this policy and any related administrative procedures is to ensure that all purchases of supplies, equipment and services are made in compliance with state and federal law and good business practices. The Board recognizes the importance of a sound fiscal management program and expects district staff to maximize the resources available for the district's educational program and to be good stewards of public funds by exercising fair, competitive purchasing practices. The district will respect its financial obligations and will also require that providers meet their obligations to provide quality products and services in a timely manner to the district. All purchasing will be conducted in a manner that provides full and open competition consistent with the standards of state and federal law.

All funds deposited with the district, regardless of source, are considered district funds and are subject to this policy. No contract will be entered into or bill paid without the proper documentation and without an affirmative vote from a majority of the whole Board. No unbudgeted purchase will be made without prior Board approval unless this policy's emergency provisions are applicable.

The Board encourages district staff to purchase products manufactured, assembled or produced in the United States.

### **Purchasing Supervision**

The chief financial officer will serve as the district's purchasing officer or will designate a purchasing officer. The purchasing officer will supervise district purchases of products and services and may authorize purchases on behalf of the district that comply with the Board-adopted budget and this policy.

The superintendent, in consultation with the purchasing officer, shall develop procedures to implement this policy in a manner that will meet the district's needs while protecting the district's resources. These procedures will comply with all applicable laws and will centralize and provide oversight of all purchasing decisions.

### **Competitive Purchasing**

District staff will research all purchases and compare prices prior to making decisions regarding purchases. Appropriate informal purchasing methods may be used for purchases under \$50,000. Formal purchasing methods are required for purchases that may exceed \$50,000.

The district will select the lowest or best bid. The district reserves the right to waive minor technical defects in a bid, reject any and all bids, reject any part of a bid,

advertise for new bids, or make the purchase on the open market if the product or service can be obtained at a better price.

The district will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions detailed by the district. Among other factors detailed in the bid specifications, consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

When the purchasing officer determines that it is in the best interest of the district, products or services may be purchased by competitive negotiations or proposals rather than competitive bids. Likewise, the superintendent, in consultation with the purchasing officer, is directed to create procedures that allow the district to benefit from cooperative purchasing and address unusual situations such as purchasing when there is a single feasible source for the purchase. The superintendent is also directed to create a process whereby authorized providers are selected for frequent purchases, or the district has contracted for procurement services. while still monitoring the competitiveness of these providers.

In addition to the requirements of this policy and the accompanying procedure, the provisions of policy DJFA and related procedures must be followed when federal funds are used.

### **Emergency Situations**

Unless competitive bidding is required by law, the superintendent may waive the requirement for competitive bids or proposals when after determining that there exists a threat to life, property, public health or public safety or when immediate expenditure is necessary to protect against further loss of or damage to property or prevent or minimize a serious disruption in services. Emergency purchases shall be made with as much competition as is practical under the circumstances and only to the extent necessary to alleviate the emergency.

### **Debarred or Suspended Providers**

The district will not do business with providers who have been suspended or debarred on a state or federal level. District employees are directed to verify that selected providers are in good standing before making a purchasing decision.

### **Confidentiality**

Sealed bids and related documents will be kept confidential until bids are opened. District staff will not disclose offers, bids or price quotations to competitors except as necessary to conduct negotiations beneficial to the district or as required by law. All contract negotiations and related documents are considered closed until a contract is executed or all proposals are rejected.

### **Credit and Purchasing Cards**

Authorized district employees and Board members may use credit cards or purchasing cards issued to the district to make purchases for the district or pay for reasonable travel expenses incurred when performing official duties. Employees and Board members will not use these cards to circumvent the bidding and purchasing requirements established by law and Board policy. All purchases made using district cards must be attributed to the appropriate budget code and must conform to the Board-adopted budget.

The district will use purchasing cards instead of credit cards to the extent feasible. Unless otherwise authorized by the Board, only the superintendent and the purchasing officer will have access to a district credit card, and the Board will set the amounts that may be charged to those cards.

The Board will approve which employee positions will be issued district purchasing cards and the limitations on the cards. The superintendent, in consultation with the purchasing officer, will annually review and revise the list of persons receiving district cards and the limitations on those cards. The annual review will ensure that only the employees who appropriately utilize the cards have access to them and that the limitations on the cards do not exceed the amounts of the projected expenditures to be made with the cards. The Board will annually approve all modifications prior to implementation.

The Board may authorize the issuance of purchasing cards to Board members in the same manner that they are issued to employees. Board members who choose to use a district purchasing card are subject to the same policies and procedures as district employees. The superintendent is directed to notify the Board president if any Board member fails to follow district policies and procedures regarding purchasing card usage, and the Board member's usage may be temporarily suspended by the Board president until the issue is presented to the full Board. If the Board member in question is the president, or if the president is not available, the vice president will act as president in the matter.

Any employee or Board member using a district card shall sign a card usage agreement and will receive training on applicable procedures for card use. District employees and Board members issued a card must provide documentation, such as receipts and applicable budget codes, justifying expenditures. The purchasing officer will examine all documentation prior to payment and will notify the superintendent or designee immediately if any purchase was made in violation of law or district policies or procedures.

All employees and Board members issued a district card must take all reasonable measures to protect the cards against damage, loss, theft or misuse. Any damage, loss, theft or misuse of the card must be reported to the superintendent immediately. No person may use the card other than the authorized employee or Board member to whom the card was issued. District employees and



Board members will surrender all cards upon completion of their employment or term with the district or upon demand by the district.

### **Prohibited Activity and Reporting Requirements**

The district expects all staff members to comply with the letter and intent of all district policies and procedures regarding purchasing. Under no circumstances may employees use district funds to make unauthorized or personal purchases. Staff members may not artificially divide purchases to avoid bidding requirements or design bid specifications to favor a particular provider.

All district employees must report suspected fraud, theft or misuse of district funds to the superintendent or purchasing officer immediately. District employees may be disciplined or terminated from employment for failing to follow Board policy or district procedures and for any misuse of district resources, including district credit and purchasing cards.

The superintendent or purchasing officer will contact law enforcement and file a report or sign a complaint on behalf of the district in situations where a crime may have occurred.

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Adopted: March 4, 2004

Revised: December 13, 2006  
December 13, 2010  
December 9, 2013  
October 10<sup>th</sup>, 2016  
December 11, 2017  
October 12<sup>th</sup>, 2020  
March 13<sup>th</sup>, 2023

Cross Refs: ADF, District Wellness Program  
ADF-AS (1), District Wellness program- (wellness policy implementation evaluation)  
ADF-AS (2) District wellness program- (indicator grids)  
ADF-1-AP(1) DISTRICT WELLNESS PROGRAM - (K–12 Districts)  
ADF-2-AP(1) DISTRICT WELLNESS PROGRAM - (K–8 Districts)  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
BBFA-AS(2) BOARD MEMBER CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE - (Statement of Substantial Interest)  
EHBC, Data Governance and Security  
EHBC-AP(1) DATA GOVERNANCE AND SECURITY - (Incident and Data Breach Response Plan)

EHBC-AP(2) DATA GOVERNANCE AND SECURITY - (Data Management)  
EHBC-AP(3) DATA GOVERNANCE AND SECURITY -(Account Management)

EHBC-AP(4) DATA GOVERNANCE AND SECURITY - (Security Controls)  
EHBC-AS(1) DATA GOVERNANCE AND SECURITY - (Confidentiality and Security Agreement for Employees and Volunteers)  
FEB, Selection of Architectural, Engineering and Land Surveying Services  
FEC, Selection of Construction Management Services  
FED, Selection of a Construction Manager at Risk  
FEE, Selection of a Design-Build Contractor  
FEF, Construction Contracts Bidding and Awards  
FEF-1 CONSTRUCTION CONTRACTS BIDDING AND AWARDS  
FEF-1-AP(1) CONSTRUCTION CONTRACTS BIDDING AND AWARDS - (Soliciting Bids)  
FEF-1-AS(1) CONSTRUCTION CONTRACTS BIDDING AND AWARDS - (Statement of Volunteer Construction Worker)  
GBCA, Staff Conflict of Interest  
GBCB STAFF CONDUCT

Legal Refs: §§ 34.375, 5.675-.687, 177.082-.088, 34.073-.080, 34.350-.359, 432.070-.080, 8.285-.291, 162.301, 170.041, 171.181, 285.530, 292.675, 393.310, RSMo.  
5 C.S.R. 30-4.030, 680.010  
2 C.F.R. §§ 200.317 - .322  
7 C.F.R. §§ 210.16, .21, 220.16  
40 C.F.R. Part 247  
47 C.F.R. § 54.503  
*Mercantile Bank of Illinois v. School Dist. of Osceola*, 834 S.W.2d 737 (1992)

## **FEDERAL PROGRAMS AND PROJECTS**

The purpose of this policy is to ensure that federally funded programs and projects in the district are administered in accordance with federal laws. Specifically, this policy governs all purchases of goods and services using federal funds and reflects federal conflict of interest rules applicable to Board members, employees and agents involved with the selection of contractors and the approval and administration of contracts for federal programs and projects.

### **Definitions**

*Agent* - A person or entity acting on behalf of the district who is not an employee of the district.

*Contract* - As used in this policy, a legal instrument by which the district purchases property or services needed to carry out a program or project funded by a federal award.

*Contractor* - A person or entity with which the district has an executed contract to carry out a federal program or project. A contractor does not include an entity with which the district contracts that received a federal award or subaward directly from a federal or state agency.

*Gratuity* - A favor, gift or anything of monetary value.

*Immediate Family* - A spouse or dependent child of a Board member, employee or agent or any person living in the household of a Board member, employee or agent.

*Labor Surplus Area (LSA) Firm* - A business located in a civil jurisdiction, such as a county or city, which is designated as an LSA by the U.S. Department of Labor's Employment and Training Administration.

*Real, Apparent or Potential Conflict of Interest* - A situation in which a Board member, employee or agent; any member of a Board member's, employee's or agent's immediate family; any business partner of a Board member, employee or agent; or any organization that employs or is about to employ a Board member, employee or agent has a financial or other interest in a firm the district is considering contracting with or would receive a tangible personal benefit from a firm considered by the district for contracting.

### **Federal Programs Administration**

Federal programs administration must be in accordance with fiscal guidance for federal programs issued by the Missouri Department of Elementary and Secondary Education Division of Financial and Administrative Services, guidance from the federal Office of Management and Budget (OMB) and Title 2 of the Code of Federal Regulations unless otherwise advised by the district's attorney.

The superintendent shall be responsible for coordinating and administering federally funded programs and projects. The superintendent will ensure that the various departments operating these programs and projects do so in accordance with the requirements of the federal award and keep accurate and separate records, as required by Board policy and in accordance with administrative procedures. The superintendent may delegate one or more duties to appropriate employees.

If the superintendent is not the purchasing officer for the district, the superintendent will work with the purchasing officer to ensure that goods and services purchased through federal awards comply with state and federal requirements.

### **Procurement**

In addition to following the requirements of state law, Board policy and district procedures, the purchasing officer will ensure that all supplies, equipment and services purchased with federal funds are purchased in accordance with federal law. No purchase will be made unless the purchase was authorized in the approved budget for administration of the grant. Every purchase will be identified in district accounts in accordance with the federal program under which the purchase was made.

### **Solicitation of Bids and Proposals**

All notices of solicitation of bids and proposals will include notice that the district encourages bids and proposals from minority businesses, women's business enterprises, service-disabled veterans and labor surplus area firms.

### ***Bids and Requests for Proposals***

Bid specifications and requests for proposals will include a clear and accurate description of the technical requirements for the material, product or service desired and will identify all requirements and all other factors that will be used in evaluating bids or proposals.

Bid specifications will not contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used to define the performance or other requirements. The specific features of the named brand that must be met must be clearly stated.

Contractors who develop or draft specification requirements, statements of work or invitations for bids or requests for proposals for the district must be excluded from bidding on the project.

**FILE: DJFA**  
**Critical**

Pursuant to federal law, the district will not use local or state geographical purchasing preferences when purchasing goods or services related to a federal contract except when such preferences are mandated or encouraged under the applicable federal statutes. When making purchases with federal funds the district will:

1. Take all necessary affirmative steps to ensure that small businesses, minority businesses, women's business enterprises and LSA firms are used when possible. To that end, the district will:
  - < Place qualified small businesses, minority businesses and women's business enterprises on solicitation lists.
  - < Solicit bids from small businesses, minority businesses and women's business enterprises when they are potential sources.
  - < Divide total project requirements into smaller tasks or quantities, when economically feasible, to permit maximum participation by small businesses, minority businesses and women's business enterprises. This provision shall not be used to artificially divide purchases to avoid bidding requirements or design bid specifications to favor a particular provider.
  - < Establish performance and delivery schedules that encourage small businesses, minority businesses and women's business enterprises to participate when doing so is conducive with the program or project.
  - < Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  - < Require the prime contractor to use the affirmative steps of this policy when selecting subcontractors.
2. Purchase only items that contain the highest practicable percentage of recovered materials, as defined by the Environmental Protection Agency (EPA), consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000.
3. Use solid waste management services in a manner that maximizes energy and resource recovery.
4. Purchase, to the maximum extent practicable, domestic goods, products, or material produced in the United States.

The purchasing officer or designee may search state and federal surplus property offerings to determine whether any items the district needs are available at a lower cost without sacrificing quality.

***Noncompetitive Purchasing***

Noncompetitive purchases can be awarded only if one or more of the following applies:

1. The aggregate cost does not exceed the micro-purchase threshold in DJF-AP1.
2. The item is available only from a single source.
3. A public exigency or emergency will not permit the delay caused by publicizing a competitive solicitation.
4. The state or federal awarding entity expressly authorizes noncompetitive procurement in response to a written request submitted by the district.
5. After solicitation of numerous sources, competition is determined inadequate

***Contracts***

The district will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement

When making purchases using federal funds, the district will not use a time and materials contract unless there is a determination that no other contract is suitable and the district includes a ceiling price and oversees the project to ensure efficiency.

The district may use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.

The purchasing officer or designee will resolve contract and procurement disputes in accordance with good administrative practice and sound business judgment. The purchasing officer is authorized to contact the district's legal counsel for assistance in resolving disputes.

The district will maintain records sufficient to detail the history of procurement.

***Conflict of Interest***

In addition to acting in accordance with Missouri laws governing conflicts of interest and financial disclosures, Board members, employees and agents participating in the procurement of property and services using federal funds must comply with federal requirements. In cases where federal requirements are more restrictive than state requirements, federal requirements will be followed.

**FILE: DJFA**  
**Critical**

1. Board members, employees and agents will not participate in the selection, award or administration of a contract supported by a federal award if they have a real, apparent or potential conflict of interest. Such a conflict of interest would arise when the employee, board member or agent, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
2. The district will disclose any potential conflict of interest in accordance with the policy of the federal awarding agency.
3. Board members, employees and agents will not solicit or accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts but may accept unsolicited gifts of nominal value. For the purposes of this policy, a gift of nominal value is defined as an unsolicited gift of \$25 or less unless otherwise defined by federal law.
4. If the district has a parent, affiliate or subsidiary organization that is not a governmental entity, the district will develop written standards to avoid conflicts of interest with these related organizations (organizational conflicts of interest). A conflict would exist in situations where the district is unable, or appears to be unable, to be impartial in conducting a procurement action involving the related organization because of the relationship with the organization.

### **Consequences**

Board members, employees and agents are required to immediately report any violation of this policy to the superintendent or board president. In accordance with federal law the district will disclose to the state or federal agency that awarded the grant all violations of federal and criminal laws involving fraud, bribery or a gratuity violation potentially affecting the federal award. The disclosure will be made in writing in a timely manner. The superintendent, designee or board president will submit information about the violation to the state or federal awarding entity and will contact the district's attorney for assistance in making that report. See 2 C.F.R. §§ 200.113 and .318

Unless excused by the Board, Board members who violate the provisions of this policy will be prohibited from holding a Board office or representing the full Board as an official spokesperson or otherwise. Employees who violate this policy will be disciplined or terminated, and the district will reconsider and potentially end business relationships with agents who violate this

**FILE: DJFA**  
**Critical**

policy. In addition, violations of this policy or the laws it references may be reported to law enforcement, the Missouri Ethics Commission, the Attorney General's Office or DESE and other applicable funding agencies.

Adopted: October 10<sup>th</sup>, 2016

Revised: May 14, 2018  
October 8<sup>th</sup>, 2018  
March 6<sup>th</sup>, 2019  
October 12<sup>th</sup>, 2020  
March 13<sup>th</sup> 2022

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
BCC, Appointed Board Officials  
FEF, Construction Contracts Bidding and Awards  
GBCA, Staff Conflict of Interest  
IGBC, Parent and Family Involvement and Engagement  
IGBCB, Programs for Migratory Students  
IGBH, Programs for English Learners

Legal Refs: §§ 8.675 - .687, 105.450-. 458, 34.073 - .080, 8.285-.291, 162.301,  
170.041, 171.181, 285.530, 292.675, 393.310, RSMo  
2 C.F.R. §§ 200.22, .23, .38, .92, .112, .113, .317, .318, .338  
7 C.F.R. §§ 210.16, .21, 220.16  
40 C.F.R. Part 247, 576A-276A-5  
47 C.F.R. § 54.503  
20 U.S.C. § 6321, 1232c,6321  
34 C.F.R Part 76.500, .707



## **PAYMENT PROCESS**

All moneys the school district receives shall be disbursed only for the purposes for which they are levied, collected or received. No payment will be issued unless there is sufficient money in the proper fund.

The district will pay only for goods or services that are purchased in accordance with district policies and procedures, that are authorized by the appropriate district staff and for which district employees have verified that the district received the goods as ordered or that the services were provided as directed.

A majority of the entire board must vote to approve a bill or issue a warrant (order for payment). The superintendent or designee will prepare and present to the board each month a list of bills for approval of a warrant authorizing payment from district funds. Such lists will be supported by appropriate documentation (such as invoices, approved purchase orders and reimbursement forms) as determined by district policy or procedure or shall be in accordance with board-approved salaries and salary schedules. The board's approval constitutes its orders to the board's treasurer, and through that treasurer to the district, for the approved payments.

In its discretion, the board may issue a prospective payment order for transactions where an important district interest would be harmed by delay until a board vote, such as for district emergencies and prompt-payment discounts for goods and services already received that are to the satisfaction of the superintendent or designee. The board will be provided a list of all payments made under such an order on a monthly basis.

Each payment shall be recorded on the books of the district in a manner that shows the legal identification of the district by name and address and will include the depository or investment account upon which the payment is drawn. It shall also specify the amount to be paid; to whom, from what funds and for what purpose payment is made; the date of the payment; and, when applicable, the number of the check. Electronic payments will have tracking numbers or otherwise be made specifically identifiable to the corresponding record on the district's books.

### **Checks**

Paper bank checks, when used, will bear the signature of the treasurer and board president. Payments upon board orders may also be made using electronic payment systems.

### **Security Verification**

If electronic payment systems are used, the superintendent or designee must implement adequate and effective disbursement controls to authenticate payee identity and accounts for use of wire, Automated Clearing House (ACH) network, credit card system, bank transfer or other electronic payment systems the district may use to make authorized payments.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 12, 2011

Revised: August 9<sup>th</sup>, 2021

Cross Refs: BBC, Appointed Board Officials  
FEF, Construction Contracts Bidding and Awards  
IIA, Instructional Materials

Legal Refs: §§ 105.273 - .276, 162.301, 165.021, .091, RSMo.

## **SALARY DEDUCTIONS**

The district will regularly pay employees for work performed and will not make deductions from salary except as required by law or in accordance with Board policy.

### **Voluntary Deductions**

The employee must authorize all voluntary deductions in writing. The district will deduct the administrative cost of compliance in addition to the deduction amounts authorized by the employee.

The Board may authorize voluntary payroll deductions from compensation earned by employees if ten or more employees so request. These deductions may be taken for, but are not limited to, credit unions, tax-sheltered annuities, individual retirement accounts (IRAs), membership dues, group insurance premiums or other voluntary contributions. The amount deducted will be remitted to the organization, company or association authorized by the employee. The Board shall not be responsible for any good-faith error in the administration of this service.

### **Involuntary Deductions**

The district will make all deductions as required by law and will make deductions when presented a garnishment, wage attachment or other legal order. The superintendent or designee may authorize an administrative fee for processing these mandatory deductions when allowed by law.

In addition, the district may make deductions from an employee's salary or wages for unauthorized absences, absences for which there is no paid leave or absences that exceed the paid leave provided to the employee. The district may also make deductions for disciplinary purposes, such as an unpaid suspension, in accordance with law and district policy.

The district may make deductions when an employee clearly owes the district money and the deduction does not otherwise violate the law.

Salary deductions for exempt employees shall be computed by dividing the salary, excluding extra-duty pay, by the number of days in the contract period. Deductions for nonexempt employees shall be based upon the hourly rate of the individual employee.

## **Improper Deductions**

The Board of Education prohibits improper pay deductions. Employees who believe that improper pay deductions have been taken should immediately report the concern to the superintendent. Employees will be reimbursed for improper deductions. If an employee's request for reimbursement is denied, the employee may appeal that decision by following the grievance procedure set forth in Board policy. Nothing in the policy shall prevent the district from properly charging absences against sick leave, personal leave or other such leave or from making deductions from pay for unapproved or unpaid absences, as established in Board policy.

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 8, 2003

Revised: March 14<sup>th</sup>, 2005  
December 9<sup>th</sup>, 2013

Cross Refs: GBBDA, Family and Medical Leave Act  
GCBDA, Professional Staff Short-Term Leaves and Absences  
GDBDA, Support Staff Leaves and Absences

Legal Refs: §§ 168.300, RSMo.

**EXPENSE REIMBURSEMENTS**

Board members and district employees are required to use the district's regular purchasing procedures to ensure that the:

1. District pays for products and services directly.
2. Expense is clearly authorized and within the district's budget.
3. Expense is appropriately documented and coded.
4. District receives the benefit of its tax-exempt status.

In unique or emergency situations, Board members and district staff might incur expenses when carrying out their authorized duties. When this occurs, the district will reimburse the Board member or employee if the expense was authorized, is properly documented and is eligible for reimbursement pursuant to district policies and procedures.

The superintendent or designee is directed to create reasonable procedures to implement this policy.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: November 8, 2004

Revised: December 14, 2015

## **TRAVEL EXPENSES**

The district will pay for travel expenses for district employees and Board members who travel outside the district for training, professional development, attendance at district-related meetings or for other approved reasons related to their positions with the district. All persons traveling at the district's expense are expected to use good judgment, differentiate between expenditures for business and those for personal convenience and avoid unnecessary fees and excessive charges. The district is tax exempt and will not pay Missouri sales or use tax to any vendor or reimburse an employee or Board member for Missouri sales or use tax.

The following rules will apply to district employees unless the superintendent or designee determines that unusual circumstances justify an exception. Board members will follow this policy as well unless the Board or the Board president determines that unusual circumstances justify an exception. All exceptions will be documented in writing for auditing purposes.

### **Relocation**

The district will not pay for or reimburse an employee for relocation travel expenses unless such expenses are included as part of an employee's benefit package as approved by the Board.

### **Authorization for Travel**

District employees must obtain prior authorization from a supervisor for district-related travel before the employee is allowed to incur travel expenses. Travel costs that are charged to a federal grant or fund award must first be approved in writing by the superintendent or designee who oversees that particular federal program and, when required, the state or federal contact overseeing the federal funds at the Missouri Department of Elementary and Secondary Education (DESE).

In general, the Board authorizes the superintendent to attend meetings and conferences in Missouri as long as the travel expenses are within the district's budget. However, the Board reserves the right to question all travel expenditures and, if necessary, limit future travel. The Board or the Board president must first approve the superintendent's out-of-state travel if such travel is at the district's expense unless the issue is otherwise addressed in the superintendent's contract.

### **Payment Method**

1. *Direct Payment by District* - Board members and employees are required to register for meetings and make travel arrangements through the district whenever possible so that vendors are receiving payment directly from the district or through a district-issued purchasing card when available and authorized.

**FILE: DLCA**  
**Critical**

2. *Reimbursement* - Board members and employees should only pay for travel costs and seek reimbursement from the district in situations where direct payment by the district is not possible or practical, such as mileage reimbursements or payment for parking fees. Under no circumstances will a Board member or employee be reimbursed above the amount authorized by the Internal Revenue Service (IRS) as reimbursable non-income for an employee.
3. *Per Diem* - In order to avoid claims that the Board member is receiving compensation in violation of state law, the district will not pay Board members a per diem amount for travel expenses. Employees will only be paid per diem amounts if other methods are not available and the payment is authorized by the superintendent or designee.

**Documentation**

Original itemized receipts are required for all travel reimbursements with the exception of mileage. All documentation must be submitted to the superintendent or designee within 30 days of the end of the travel.

***Documentation for Use of Federal Funds***

When federal funds are used for travel, the district must be able to justify the necessity of the travel to the federal program and demonstrate that the costs incurred were reasonable and consistent with the district's travel policy. Therefore, district staff or Board members using federal funds for travel must provide sufficient documentation to the superintendent or designee who oversees the applicable federal program. Such documentation may include, but is not limited to, the following:

1. An agenda of the event attended.
2. A list of attendees at the event.
3. A written statement justifying the expense.
4. Evidence of prior written approval for the expense.

The superintendent or designee may require additional information when he or she determines it is necessary.

## **Specific Travel Rules**

### ***Traveling by Personal Vehicle***

The district will pay for mileage when employees or Board members travel using their personal vehicles, but only for the actual distance necessary to attend the event and only if the employee or Board member is appropriately licensed to drive the vehicle and insured as required by law. The vehicle must be licensed as required by law. Employees and Board members transporting students will be reimbursed only if laws and district policies regarding the transportation of students are followed.

Individuals who are traveling to the same destination are required to share transportation unless an exception is granted by the superintendent or designee or unless the employee or Board member is willing to travel at his or her own expense. When sharing transportation, only the person whose vehicle is used may claim mileage.

The mileage allowance rate represents full compensation for the costs of operating the vehicle, including fuel costs. The district will not cover physical damage to the private vehicle or loss of its personal property contents. Employees and Board members who choose to drive in lieu of flying when flying is considered more economical shall be reimbursed up to the amount of the air travel. Likewise, employees and Board members who choose to fly when driving is more economical will only be reimbursed for the amount that would have been incurred if the employee or Board member had driven.

### ***Traveling by District-Owned Vehicles or Rental Vehicles***

Employees and Board members may drive district-owned vehicles or rental vehicles only if they are appropriately licensed to drive the vehicle and insured as required by law. Employees and Board members transporting students must follow the laws and district policies regarding the transportation of students.

Employees and Board members are expected to use safe but inexpensive transportation services. Rental vehicles should be limited to mid-class or smaller economy vehicles unless a larger vehicle is needed to accommodate the number of persons attending or the price is the same or less to use a larger vehicle.

Employees and Board members who have been issued a purchasing card are required to use the card when purchasing fuel for district-related travel expenses using district-owned or rental vehicles; otherwise, the district will reimburse them for fuel purchased. The beginning and ending odometer reading for the trip must be included with the reimbursement request.



### ***Parking and Other Travel Expenses***

The district will reimburse employees and Board members for reasonable parking fees and road tolls incurred as a necessary part of the travel, as long as proper documentation is provided.

### ***Airplane or Other Transportation***

Employees and Board members are required to secure the lowest available fares for commercial airplane, train or other transportation services unless the fare would:

1. Require circuitous routing.
2. Require travel during unreasonable hours.
3. Excessively prolong the travel.
4. Result in additional costs that would offset the transportation savings.
5. Not meet the reasonable medical needs of the employee or Board member.

If a Board member or employee relies on one of the listed exceptions, that exception must be approved and documented.

### ***Business Travel Requiring Overnight Accommodations***

The district will not pay for hotel expenses unless an overnight stay is necessary to attend the function or returning to the district would be unsafe or cause the Board member or employee to travel late at night.

In general, lodging arrangements must be made prior to departure and paid by the district directly or through the use of a district purchasing card. If advanced planning is not possible, the district will reimburse employees and Board members for the reasonable cost of single occupancy hotel accommodations and a reasonable amount of gratuities. Conference or corporate rates must be utilized when available. Additional costs associated with higher-than-single-occupancy rates (spouse, children or guest) are not reimbursable and must be paid by the employee or Board member prior to check out.

### ***Meals***

Employees and Board members are expected to limit meals to a reasonable expense amount. The district will reimburse for gratuity of up to 20 percent of the meal cost. The district will not reimburse employees or Board members for alcoholic beverages, nor will the district reimburse employees or Board members for the cost of meals that will be paid for or reimbursed by the district as part of the registration fees.

### ***Seminar and Registration Fees***

Employees and Board members should register for seminars and conferences in advance so that the district may pay directly for the registration. In unusual situations where an employee or Board member must pay directly for such expenses, the district will reimburse at the lowest rate available if an adequate reason is provided. Requests for reimbursement must be accompanied by a receipt. The district will only pay for late registration fees when there is a valid reason the Board member or employee did not register earlier.

### **Unauthorized Expenses**

The district prohibits any expense that is unauthorized, excessive or unnecessary as determined by the superintendent or designee. Unauthorized expenses include, but are not limited to:

1. Costs associated with the travel of a spouse, child or other person accompanying an employee or Board member.
2. Care of a dependent of a Board member or employee during the course of the travel.
3. Alcoholic beverages.
4. Snacks in addition to regular meals.
5. Personal expenses, including personal communication expenses and laundry.
6. Entertainment, unless the entertainment expense is part of the registration for the event in which the employee or Board member is participating and the expense is business related and typical for the event. These expenses should be approved by the employee's supervisor before the trip begins.
7. Expenses for travel extending beyond the time required for the meeting or business unless it is in the district's financial interest to extend the travel to obtain rate advantages.
8. Expenses incurred by non-employees traveling with the staff member or Board member, including room surcharges.
9. Fines for parking or traffic violations.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

**FILE: DLCA  
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Adopted: December 14th, 2015

Revised: October 10<sup>th</sup>, 2016

Cross Refs: BHA, Board Training and Development  
GBCC, Staff Use of Communication Devices

Legal Refs: 5 C.S.R. 30-261.045  
2 C.F.R. § 200.474

**SURPLUS DISTRICT PROPERTY**

*(Seven-Director Districts NOT Located Totally or Partially within St. Louis County)*

The district purchases property with public funds to further the educational mission of the district, and the Board expects district employees to care for and use district property efficiently. When the district no longer needs property or the property is not suitable to the district's needs, the Board, by an affirmative vote of a majority of the whole Board, may authorize and direct the sale or lease of the property in accordance with law.

Real property may be sold or leased by listing the property with one or more real estate brokers and paying a commission upon such sale or lease. Real property not disposed of in this way may be sold or leased to the highest bidder. Personal property may be sold or leased to the highest bidder or otherwise disposed of as allowed by law. The Board reserves the right to reject all bids. Property may also be sold or leased for public uses and purposes to a city, state agency, municipal corporation or other governmental subdivision of the state located within the boundaries of the district.

The superintendent or designee shall create administrative procedures to implement this policy in accordance with state law on the sale of surplus property.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised: October 8, 2012

Cross Refs: FC, School Closings, Consolidations and Reorganizations  
GBCA, Staff Conflict of Interest  
IIA, Instructional Materials

Legal Refs: §§ 177.091, 260.269, RSMo.

## **SAFETY PROGRAM**

The Board recognizes the necessity for a planned safety program to create a safe environment for the students attending, and for the professional and support staff employed by the school district. The maintenance of healthful and safe conditions throughout the school district is a responsibility shared by the Board, superintendent and all professional and support staff.

Every attempt will be made to meet safety and health standards established by state and federal laws and regulations. The cooperation of school, home and community in providing a safe and healthful environment is encouraged by the Board.

Safe practices will be a scheduled part of instruction in the classrooms, laboratories and school shops. Proper supervision of students and other citizens using the school facilities will be required. Hazardous conditions indicated by inspectors will be reported to the Board and corrected. Each building administrator will develop and implement a safety program, report hazardous conditions to the superintendent and hold employees and students responsible for the observance of all safety rules and procedures.

The district will fully utilize federal, state and local violence prevention programs and resources available to students, teachers or staff that the district determines are necessary and cost effective for the school district. By July 1, 2001, the superintendent will designate a school safety coordinator who will have a thorough knowledge of such programs.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: March 12, 2001

Cross Refs: EBAB, Hazardous Materials

Legal Refs: §§ 160.660, 165.011, RSMo.

## **HAZARDOUS MATERIALS**

To promote the health and safety of the students, staff and patrons of the district, and to ensure that hazardous materials are handled appropriately, the board of education of the Lone Jack C-6 School District directs the administration, under the guidance of the superintendent, to develop procedures that address the purchase, storage, handling, transportation and disposal of hazardous materials for all school facilities and operations of the district.

The board directs district staff to avoid using hazardous materials to the extent feasible and to minimize the quantities of such substances used by or stored in the school district. In addition, district employees shall follow the procedures developed by the administration and shall take the necessary precautions recommended by manufacturers' warnings when handling or transporting hazardous materials.

The procedures developed by the administration shall comply with all local, state and federal laws and regulations that pertain to the proper management of hazardous materials. The superintendent or designee is responsible for identifying any substances that may be hazardous and ensuring such substances are properly disposed of in a state-approved facility or landfill.

### **Emergency Plans**

The superintendent or designee will include in district emergency plans appropriate responses and evacuation plans for situations where hazardous materials threaten the health or safety of persons on district property or when hazardous materials on district property threaten the health or safety of people in the surrounding area.

### **Asbestos**

The district will use appropriately accredited professionals and laboratories and will follow all federal and state laws regarding the identification, management and abatement of asbestos in district buildings.

The superintendent will designate an employee to supervise the implementation of the district's asbestos management plan and federal laws regarding asbestos management in the district. As required by law, the district will ensure that designated employees receive adequate training in the performance of their duties.

### **Hazardous Chemicals**

The superintendent or designee will provide information to district employees about the hazardous chemicals used in their workplaces by developing, implementing and maintaining a written chemical hazard communication program. Employees will be provided appropriate training and safety devices when handling these materials.

**Lead**

The superintendent or designee is directed to identify and develop plans to eliminate all potential sources of lead poisoning from district property. The board encourages the superintendent or designee to include in the district's lead eradication program periodic testing of drinking water. If lead levels exceed recommended standards, the district will provide notification to the school community as required by law.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 9, 2000

Revised: January 14, 2008  
June 11, 2016  
August 8<sup>th</sup>, 2021

Legal Refs: §§ 643.225, 701.200, RSMo.  
The Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641 -  
2656  
Asbestos School Hazard Abatement Reauthorization Act, 20 U.S.C. §§ 4011 -  
4022  
29 C.F.R. § 1910.1200  
40 C.F.R. Part 763

## **INTEGRATED PEST MANAGEMENT**

Recognizing the potential impact of both chemicals and pests on health and the environment, the Board of Education of the Lone Jack C-6 School District requires that all district property and facilities utilize a system of integrated pest management (IPM) for controlling insects, rodents, weeds and other pests. Integrated pest management is the use of a variety of methods for effective pest control while minimizing or eliminating chemical pesticide use.

The superintendent or designee will work with representatives of school food service, facilities management, maintenance services, building administrators and a school nurse to develop an integrated pest management plan and procedures for implementation of this policy with the ultimate goal of minimizing or eliminating the use of chemical pesticides.

### **Application of Pesticides and Notice of Treatment**

Pesticides will not be used on a routine or regularly scheduled basis in the district. However, the district may apply chemical pesticides when reasonable nonchemical approaches do not provide adequate control or in situations where pests pose an immediate threat to persons or property. In those situations, the superintendent or designee will select products that pose the least risk to people and the environment and will only authorize the use of pesticides when and where pests are present or expected to be present.

Only certified pesticide applicators, licensed under Missouri law and trained in integrated pest management, will apply pesticides on district properties. No individual may disperse any type of pest control device without authority from the superintendent or designee.

Unless an emergency exists, chemical pesticides will only be applied at a time when buildings are unoccupied, other than the individuals conducting the treatment. Notice of chemical treatment must be posted in buildings where the treatment is scheduled.

### **Exclusions**

For the purposes of this policy, chemical pesticides do not include the application of antimicrobial pesticides, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants. Insecticide or rodenticide baits in premanufactured, tamper-resistant containers and insecticide baits in gel or paste form are also not considered pesticides as long as they are placed in areas inaccessible to children and the containers are clearly labeled.

### **Complaint Resolution**

Complaints and concerns about the district's pest management program should be directed to the superintendent.



\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 13, 2006

Revised:

Legal Refs: Missouri Pesticide Use Act, §§ 281.040 - .115, RSMo.  
2 C.S.R. 70-25.010 - .120

## **ILLNESS AND INJURY RESPONSE AND PREVENTION**

The board expects district staff to appropriately assist any individual who is injured or becomes ill while on district property, on district transportation or attending a district activity. Such assistance may include providing first aid or emergency treatment if the staff member is trained to do so or contacting emergency medical services when appropriate.

### **Liability**

In accordance with law, any qualified employee will be held harmless and immune from civil liability for administering emergency medications, cardiopulmonary resuscitation (CPR) or other lifesaving methods in good faith and according to standard medical practice. A qualified employee is one who has been trained to administer medication or medical services according to standard medical practice. Procedures for handling emergencies will be established and distributed in each school building.

### **Training**

The board encourages the superintendent or designee to provide employees training in first aid and emergency treatment, particularly in buildings where there are medically fragile students.

The superintendent or designee, in consultation with the school nurse, is authorized to implement a program to train students and employees in CPR and other lifesaving methods. The district will provide instruction on CPR and the proper use of automated external defibrillators to students in grades 9–12 as required by and in accordance with law.

### **Incident Reports**

Employees must report all work-related injuries and illnesses to their supervisor immediately and will be required to provide the details of the injury or illness in writing. Staff who witness any injury or observe the onset of a serious illness on district property, on district transportation or at a district activity will prepare a written incident report on the incident report form available in each building. A copy of the incident report form will be filed with the appropriate designee as soon after witnessing the event as possible.

The superintendent is charged with providing the board periodic statistical reports on the number and types of injuries occurring on district property or at district activities as well as information on individual accidents or injuries when board action on the matter is required.

### **Protective Equipment**

The superintendent or designee will continuously review job descriptions and district activities to improve safety in the district. The district will provide protective equipment when it is required

by law or when it is determined by the superintendent or designee to be necessary to maintain district safety standards. In accordance with law, students, staff and visitors must wear eye protective devices in vocational, technical and industrial arts courses and laboratories involving chemicals, welding, construction, vehicle repair or other activities as designated by the district. When protective equipment is provided, all persons are required to use the equipment as directed. Failure to do so will result in disciplinary action, including removal from school property or the activity requiring protective gear.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: August 14, 1995

Revised: December 13, 2006  
December 12, 2011  
December 9, 2013  
November 18<sup>th</sup>, 2019  
August 9<sup>th</sup>, 2021

Cross Refs: GBEA, Workers' Compensation  
GBEBA, Drug-Free Workplace  
JFCA, Student Dress Code  
JHC, Student Health Services and Requirements  
JHCD, Administration of Medications to Students  
JHCF, Student Allergy Prevention and Response

Legal Refs: §§ 167.621, .624, .630, .635, 170.005, .310, 190.1005, RSMo.

**DO NOT RESUSCITATE (DNR) ORDERS**

The health and safety of all students of the school district are of vital concern to the Board. Therefore, it is the policy of the Board that all staff members will provide first aid or emergency treatment to students in the case of sudden illness or injury to the best of their ability, given the extent of their knowledge and training. School medical personnel and emergency medical resources available in the community will be used. Implementation of a "Do Not Resuscitate" (DNR) order is not consistent with this policy.

When a student with special health needs is enrolled, an Individualized Health Plan (IHP) shall be prepared and reviewed at least annually as part of the Individualized Education Plan (IEP) for students with disabilities.

Should any student's parent/guardian and physician present the district with a written DNR order, the IEP committee will be convened as soon as practical to review the student's current program and placement to determine appropriateness. Specialist consultations shall be obtained as appropriate.

In the unlikely event that parent and physician can demonstrate to the IEP Committee that special circumstances justify alternate life-sustaining approaches, an individually designed medical resuscitation plan may be incorporated into the IHP for life-threatening situations. This plan shall not deny all life-sustaining activities, but may describe emergency procedures appropriate to the individual student. Specialists shall be included in development of the plan and in training for implementation as needed.

It is the intent of the Board that the underlying principle of any response to a DNR order shall be that no student is to be denied the fullest genuine, appropriate efforts to preserve life and health.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: August 14, 1995

Revised:

Legal Refs: P.L. 94-142, Individuals with Disabilities Education Act  
P.L. 93-112, The Rehabilitation Act of 1973, Section 504  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

## **LACTATION SUPPORT**

For the convenience of district staff, students and the public and to support the care of children, the district will provide accommodations as required by law for lactation activities. For the purposes of this policy, "lactation activities" include expressing breast milk, breastfeeding a child or addressing other needs related to lactation. The district will provide employees and students a minimum of three opportunities during a school day, at intervals agreed upon by the district and the individual, to express breast milk or breastfeed a child for at least one year following the child's birth.

### **Lactation Rooms**

In accordance with state law, the district allows breastfeeding or expressing breast milk, with discretion, in any public or private location where the person is otherwise authorized to be. To further accommodate lactation activities, the superintendent or designee will identify at least one room that is not a restroom in each school building to be used exclusively for lactation activities. The room will meet the requirements of state law.

### **Employees**

Employees are encouraged to notify their supervisors in advance if they need accommodations for lactation activities. The supervisor will work with the employee to address arrangements and scheduling to ensure that the employee's duties are covered during the break time and minimize disruptions to the school day.

Providing breaks to classroom teachers and other employees who directly supervise students throughout the day is particularly challenging because students cannot be left unsupervised and student learning cannot be disrupted. The district expects these employees to be particularly flexible and, when possible, to use planning periods, lunch breaks, routine breaks in their class schedule or other free time to meet their lactation-related needs.

This policy does not entitle an employee to bring or keep an infant at work during times when the employee is required to be working.

### **Students**

Lactating students should contact the counselor, who will make arrangements with the student to create a schedule that results in the least amount of missed class time. Students will be allowed to make up work missed due to lactation activities. If it is not possible to make up the missed work, the student will be provided an alternative assignment.

This policy does not entitle a student to bring an infant to school during the school day when the student is required to be in class.

**Public**

Members of the public are allowed to engage in lactation activities while on district property and may use the district's designated lactation rooms to do so.

**Search the index for this section and the cross references to identify related policies, administrative procedures and forms.**

Adopted: June 13<sup>th</sup>, 2022

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination, Harassment and Retaliation  
GBA, Exempt and Nonexempt Employees  
JECC, Assignment of Students to Grade Levels/Classes  
KK, Visitors to District Property/Events

Legal Refs: §§ 160.995, 191.918, RSMo.  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
29 U.S.C. 207  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e-1 - 2000e-17  
Pregnancy Discrimination Act, 42 U.S.C. § 2000e-(k)

**EMERGENCY PLANS/SAFETY DRILLS**  
*(Districts Not Required to Hold Earthquake Drills)*

The superintendent or designee has the responsibility for developing and maintaining the district's emergency preparedness plans and emergency drill schedules. The district will supply the schools with safety equipment and train staff on emergency preparedness and violence prevention.

Operational guidelines and policies will be closed to the public when they are developed, adopted or maintained by the district in its capacity as an entity responsible for law enforcement, public safety, first response or public health for use in responding to or preventing any critical incident that is or appears to be terrorist in nature and that has the potential to endanger individual or public safety or health. Public interest in nondisclosure outweighs the public interest in disclosure because disclosure would impair the district's ability to protect the safety or health of persons.

**Emergency Drills**

Emergency preparedness drills (fire, severe weather, tornado, bus evacuation, bomb threat, lockdown, shelter-in-place and evacuation) will be developed by the superintendent or designee in cooperation with the building principals. A sufficient number of drills will be conducted in each building to give instruction and practice in proper actions by staff and students. Emergency exiting procedures will be posted near the door in each instructional area. Instruction in fire drills shall be given early in the school year, and drills shall be held regularly throughout the year.

The decision to call for and execute drills will be the responsibility of the superintendent and/or the building principal. The district will cooperate and coordinate drills with other community agencies such as the fire department, law enforcement officials, emergency medical services and local emergency planning committees.

**District Emergency Plans**

It shall be the responsibility of the building principal, in cooperation with the appropriate emergency preparedness officials, to determine shelter areas in the school building or outside that are best suited for the protection of students from severe storms, tornadoes or other emergencies, as well as determine the safest routes to reach those areas. In addition, the district will work with emergency preparedness officials to address off-site emergencies that may occur, such as accidents involving school transportation or emergencies on field trips.

Students and staff members may be retained for safety reasons at the school buildings or another safe place during actual emergency conditions. The district plan will include information on communicating with parents and instructions on how parents will locate their students in an emergency.

During actual emergency conditions, emergency personnel and emergency vehicles will have priority near the schools.

### **Community Emergency Plan**

The Board directs the superintendent or designee to recommend an emergency preparedness plan, subject to Board adoption, to address the use of school resources, including school facilities, commodity foods, school transportation and equipment if a natural disaster or other community emergency occurs. The plan will authorize the superintendent or other designated school official to approve the use of school resources to provide relief to the community if an emergency occurs. The use of school resources under this section shall be subject to review by the Board within 30 days of authorization or as soon as reasonably possible.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised: March 14, 2005

Cross Refs: IC, School Calendar/Year/Day

Legal Refs: §§ 160.480, 320.010, 610.021, RSMo.  
5 C.S.R. 30 - 261.010



**CRISIS INTERVENTION PLAN**

The Lone Jack C-6 School District has a crisis intervention plan to help school district administrators and faculty deal effectively with crises that could interfere with the normal daily operation of school. This plan outlines and describes the district's guidelines for responding to most crises. All staff members with a need to know will be provided in-service training concerning these guidelines. Specific information regarding the crisis intervention plan is available to concerned parties upon request in the central and building offices.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: November 12, 2001

Cross Refs: MO Safe Schools & Safe Communities Consortium - Unified Emergency Contingency Plans for Schools

## **BUILDING AND GROUNDS SECURITY**

It is the goal of the Lone Jack C-6 School District to provide a safe learning environment for students and a safe working environment for employees. The Board directs the superintendent or designee to routinely inspect the district's property and bring proposals for improving security to the Board.

### **Property Access**

In general, district buildings and property are not open to the public unless the district has specifically opened a building or property for public use or for an event to which the public is invited. The superintendent or designee will establish regular business hours and locations where members of the general public may contact the district and interact with district employees.

The superintendent or designee will set hours when parents/guardians may drop off and pick up their students. The district is not responsible for the supervision of students except during regular school hours or other times designated by the district.

The superintendent or designee will determine which district employees need access to district buildings or grounds outside regular building hours and provide those employees with keys or electronic access. The district will maintain a list of employees with access and will routinely monitor this list to ensure that only current employees continue to have access. An employee's access may be revoked at any time.

All district employees and volunteers are required to maintain security in district buildings, enforce building access rules and take action when doors are left unsecured or district security is otherwise compromised.

### **Security Personnel**

The district may employ or contract for trained and appropriately licensed personnel or independent contractors to provide security during the regular school day, after regular business hours or during events or activities where additional security is determined necessary.

### **Surveillance Cameras**

The district utilizes surveillance equipment on district property and in district facilities for security purposes.

### **Firearms and Other Weapons**

No person shall carry a firearm, a concealed weapon or any other weapon readily capable of lethal use into any school, onto any school transportation or onto the premises of any function or activity sponsored or sanctioned by the district, except for authorized law enforcement officials. Adults may possess weapons on school property for the limited purpose of facilitating or participating in a school-sanctioned firearm-related event. School officials are prohibited from authorizing any person to bring weapons on school property or to school activities, including concealed weapons, beyond the exceptions stated in this policy. Students may participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district School Board.

Any person who possesses a weapon in violation of this policy will be asked to leave district property. In addition, district administrators may report the incident to law enforcement officials, ban the person from school property or school events in accordance with policy KK or seek other legal remedies. Possession of weapons by students is governed by policy JFCJ and regulation JG-R1.

### **Loss, Damage and Theft**

The superintendent or designee will establish controls to prevent the loss, damage and theft of district property. The administrators, department heads and supervisors of programs, buildings and departments are responsible for creating and enforcing practices and protocols to secure equipment and supplies and for budgeting for the locks, safes or storage facilities necessary to prevent loss and theft and to protect district property.

All district employees must report missing or damaged property to their supervisor as soon as they become aware that property is missing or damaged. District patrons and students are encouraged to report incidents of damage to or theft of district property. All reports of missing or damaged property will be investigated.

The Board shall seek all legal redress against persons found to have committed acts of willful or malicious abuse, destruction, damage or theft of district property. The superintendent or designee is authorized to file charges on behalf of the district for theft, vandalism or other criminal activity involving district property.

Students found guilty of theft or willful damage to any district property will be disciplined in accordance with Board policies and regulations. Any employee whose actions or inactions cause the loss, damage or theft of district property may be disciplined or terminated. The district will seek restitution for willful damage to district property under the laws of this state. In the case of minors, restitution will be sought from their parents/guardians.

## **Security Records**

In accordance with law and district policy, the district has closed records pertaining to district security guidelines, policies and response plans; structural plans of real property; security systems; and access and authorization codes for security systems. Other security-related records will only be provided to members of the public upon request when required by law.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 8<sup>th</sup>, 2004

Revised: December 14<sup>th</sup>, 2015  
February 15<sup>th</sup>, 2017

Cross Refs: BDC, Closed Meetings, Records and Votes  
DID, Inventory Management  
JFCJ, Weapons in School  
JGD, Student Suspension and Expulsion  
KG, Community Use of District Facilities  
KK, Visitors to District Property/Events  
KKB, Audio and Visual Recording

Legal Refs: §§162.215, 168.201, 171.011, 177.031, 211.181, .185, .188, 537.045, 571.030,  
.107, 574.085, 610.021, RSMo.  
11 C.S.R. 75-17.010-040  
2 C.F.R. 200.313

## **BUILDING AND GROUNDS MAINTENANCE**

The Board of Education is charged with the care and keeping of all property provided to the district by the public. Research shows that the condition of the district's facilities has an impact on both teaching and learning. Well-maintained facilities improve student achievement, and inadequately maintained facilities have a negative impact on student achievement and staff and student morale. Based on its recognition that student achievement is the top priority in the Lone Jack C-6 School District, the Board directs the superintendent or designee to implement a program of preventive maintenance to protect and improve the district's facilities. The program will include:

1. Regularly scheduled inspections.
2. Procedures for reporting dangerous conditions.
3. Procedures for receiving and responding to requests for repairs. These procedures will include methods for tracking the completion of requested repairs and documenting reasons any repairs are not made.
4. Annual evaluation of maintenance staffing needs.
5. A cleaning/disinfecting checklist based on best practices for minimizing the spread of disease.
6. The use of cleaning products and procedures in accordance with recommendations by the Missouri Department of Elementary and Secondary Education (DESE). A list of recommended products and procedures will be provided to each school in the district.

The superintendent and the administrative staff will ensure that all professional and support staff know and follow the proper procedures for the maintenance of school property. Failure of any employee to implement procedures as directed will result in discipline.

Pursuant to state law, the superintendent will direct those responsible for the maintenance of the district's grounds to implement procedures to prevent any noxious weeds located on district property from going to seed. All control methods used will be consistent with any integrated pest management procedures used by the district.

Annual budget recommendations by the superintendent shall include adequate allocations for maintenance of district facilities.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8<sup>th</sup>, 2008

Revised: October 12<sup>th</sup>, 2012

Cross Refs: DB, Annual Budget  
FB, Facilities Planning  
FFA, Memorials on Facilities and Grounds  
KH, Public Gifts to the School

MSIP Refs: 6.5, 8.10

Legal Refs: §§ 161.365, 177.011 - .031, 263.190, RSMo.

## **TRAFFIC AND PARKING CONTROLS**

The district allows driving on district property and parking in designated spaces on district property for the convenience of students, employees and visitors to district facilities.

Driving and parking on district property are privileges, not rights. District administrators have the authority to prohibit any person from driving or parking on district property and may direct any person to move his or her vehicle. District buses and other vehicles the district owns or uses will be given preference over other vehicles. A person who does not yield to district vehicles, refuses to move a vehicle as directed by district employees, operates a vehicle in a manner that is not safe, or otherwise refuses to follow district rules or employee directives will be prohibited from driving or parking on district property and may be excluded from district property. District employees and students may also receive additional discipline.

Any behavior or item prohibited in school (including, but not limited to, weapons, alcohol and tobacco products) is also prohibited in district parking lots and in vehicles on district property.

Vehicles parked on district property may be searched in accordance with law.

The superintendent or designee, with the aid of local traffic authorities, will develop a plan for accommodating the flow of traffic on school driveways, particularly at the beginning and end of the school day and before and after school events. The superintendent or designee is directed to appropriately designate crosswalks and loading zones for the safety of students and others. When necessary, the district will request assistance with traffic control from local law enforcement.

The superintendent or designee is directed to clearly mark and maintain parking spaces and will designate parking areas for students and employees. The district will also designate parking spaces for individuals with disabilities and appropriately mark them in accordance with law. Students who drive to school and wish to park on school property during the school day must obtain and display a parking permit to do so. If the number of permit requests exceeds the number of available spaces, the superintendent or designee will develop a system of processing requests, such as giving priority to seniors, students who have mobility issues or students who participate in activities that occur before or after school. The superintendent or designee may assign other conditions for receiving parking permits including, but not limited to, maintaining adequate grades and good conduct.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

**FILE: ECD**  
**Critical**

Adopted: October 9, 2000

Revised: October 8, 2012  
June 11, 2016

Cross Refs: JFG, Interrogations, Interviews and Searches  
JG-R1, Student Discipline  
KK, Visitors to District Property/Events

Legal Refs: §§8.610 - .655, 171.011, 177.011, 301.143, RSMo.  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213



## **ANIMALS ON DISTRICT PROPERTY**

Animals are not allowed on district property, including district transportation, except in accordance with law and policy.

### **Definitions**

The following definitions shall be used for the purpose of applying this policy.

*Animal* – Any nonhuman creature.

*Handler* – The individual responsible for the care and control of an animal. The handler for a service animal will generally be the individual with a disability served by the animal; however, under some circumstances, the handler may be someone other than the individual with the disability.

*Mental Health or Psychiatric Service Dog* – A dog individually trained for its owner to perform tasks that mitigate or assist with difficulties directly related to the owner's diagnosed psychiatric disability, medical condition or developmental disability as recognized in the most recently published *Diagnostic and Statistical Manual of Mental Disorders*.

*Service Animal* – Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical or sensory disability or a psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the disability of the individual being served. Examples of work or tasks include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks; alerting individuals who are deaf or hard of hearing to the presence of people or sounds; providing nonviolent protection or rescue work; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items such as medicine or a telephone; providing physical support and assistance with balance and stability to individuals with mobility disabilities; and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The term "service animal" includes a mental health or psychiatric service dog as defined in Missouri law. For the purposes of this policy and subject to the limitations herein, a miniature horse will also be considered a service animal.

*Tether* – A harness, leash or other similar restraint.

*Therapy Animal* – Any animal that is not a service animal and whose primary purpose is to provide emotional support, well-being, comfort or companionship.

## **Service Animals**

Service animals are permitted on district property, including district transportation, in accordance with law. The district will make modifications as necessary to allow for the presence of service animals; however, if the service animal is a miniature horse, the district will first determine if such modifications are reasonable by considering the size and weight of the miniature horse and whether the horse's presence in the facility compromises legitimate safety requirements.

All service animals must be under the control of their handlers. Service animals must have a tether unless the handler is unable to use one or unless the use of a tether would interfere with the service animal's safe, effective performance. Animals that are not tethered must be under the control of the handler through some other means, such as voice commands or hand signals.

The district will not allow service animals to remain on district property if they are not housebroken or are out of control. If a service animal is properly excluded from district property, the individual with a disability served by the animal will be given the opportunity to participate in the program, service or activity without having the service animal on district property.

District officials may verify that an animal qualifies as a service animal by asking whether the animal is required because of a disability and what work or tasks the animal has been trained to perform, if it is not readily apparent. Except as otherwise specified in this policy, district officials will not inquire about the nature or extent of the individual's disability or require the individual to provide documentation that the animal is a service animal.

It is a crime to misrepresent a dog as a service dog when requesting to use the dog as an accommodation under the Americans with Disabilities Act.

## **Animals as Accommodations for Employees and Students**

Employees and students may use service animals pursuant to the "Service Animals" section of this policy; however, the district may make additional inquiries about the nature and extent of the employee's or student's disability as permitted by law.

Employee requests for use of an animal other than a service animal as an accommodation must be made in accordance with board policy. If the employee's request for an animal other than a service animal is granted, the rules for use of the animal will be specified at the time the accommodation is granted.

A student with a disability will be allowed to have an animal other than a service animal as an accommodation only in accordance with the student's individualized education program (IEP) or Section 504 plan. If a student's IEP or Section 504 plan allows the use of an animal other than a service animal, the special education director, compliance officer or designee will work with the student and the parents/guardians of the student to create a plan for the animal's care. The student

will be primarily responsible for the care and control of any animal used as an accommodation unless otherwise provided in the IEP or Section 504 plan.

### **Animals Used in Instruction**

#### ***General***

1. Animals with venom that is harmful to humans will not be allowed on district property.
2. An animal will not be allowed on district property without proof of current vaccinations to prevent the spread of diseases, such as rabies, to humans unless vaccinations are not required in the opinion of a veterinarian.
3. Animals are prohibited from being on district property if anyone has been ticketed or charged for the behavior of the animal.
4. Animals will never be maintained in or near an area where outside air is brought into district buildings.
5. Live animals may not be transported on district transportation that is used primarily for student transportation and must be kept in a pen, cage or tank while on district property unless the building administrator specifically permits an exception.
6. If students will be handling live animals, the employee responsible for the animal must instruct the students in proper handling techniques designed to minimize the danger of injury to the students and the animal. Protective clothing or equipment must be used when warranted.

#### ***Therapy Animals***

Staff members may use therapy animals in the course of their regular duties only after receiving permission from the administrator of the building where the animal will be used. Before permission to use therapy animals is granted, staff members must provide:

1. Proof that the animal is certified to be a therapy animal.
2. An explanation of how the animal will be used, including research supporting the use of therapy animals.
3. A plan for how the staff member will provide for the care and control of the animal.
4. A plan for how the staff member will accommodate students with allergies to the animal.

### ***Animals Used as Part of the Curriculum***

Staff members who wish to use live animals to implement the curriculum must obtain permission from the administrator of the building where the animal will be used prior to introducing an animal into the curriculum. Before permission to use live animals to implement the curriculum is granted, staff members must provide their building administrator with:

1. A statement that the animal does not present a danger to students or staff members.
2. A statement of the instructional purpose, tied to the district's curriculum, that the animal will serve.
3. A plan for how the staff member will provide for the care and control of the animal.
4. A plan for how the staff member will accommodate students with allergies to the animal.

The requirements of this subsection will be waived for courses that routinely use live animals, such as courses in the district's agriculture instruction program, when the course curriculum has been approved by a supervisor.

### ***Animal Habitats***

As part of the instructional program, students and staff members may be granted permission to develop habitats that attract various forms of wildlife. Any plan to develop a habitat must be presented to the appropriate building administrator in advance of the project. The building administrator will consult with the central office administrator responsible for facilities and grounds prior to giving approval for the project.

### ***Animals Used by Law Enforcement***

The district allows the use of animals by law enforcement personnel in conjunction with the performance of their official duties. The district will work with law enforcement to avoid frightening students or unduly disrupting instruction when using animals.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 8<sup>th</sup>, 2012

**FILE: ECG**  
**Critical**

Revised: December 9<sup>th</sup>, 2013  
August 9<sup>th</sup>, 2021

Cross Refs: AC, Prohibition against Illegal Discrimination, Harassment and Retaliation  
GBE, Staff Health and Safety  
IGB, Accommodation of Students with Disabilities  
IGBA, Special Education  
JFG, Searches of Students  
JHCF, Student Allergy Prevention and Response  
JHD, Student Counseling Program  
KK, Visitors to District Property/Events

Legal Refs: §§ 209.150 - .162, .200 - .204, RSMo.  
28 C.F.R. Part 35

## **STUDENT TRANSPORTATION SERVICES**

The Board, in accordance with state law, may provide free transportation for eligible students attending the district's schools. The superintendent shall ensure that the transportation services of the district meet all of the requirements established by the Missouri Department of Elementary and Secondary Education as well as the policies that pertain directly to the qualifications of transportation operators and operational procedures adopted by the Board of Education.

Resident students living three and one-half miles or more from school will be entitled to free transportation to and from school. The Board of Education may also provide transportation to resident students who live less than three and one-half miles from school.

Transportation for a student with a disability will be provided if the IEP team determines that such transportation is necessary as a related service due to the student's disability. Transportation for special education students or students classified as homeless will be provided in accordance with law.

The superintendent shall ensure that the transportation services of the district meet all state and federal laws as well as other requirements of the Board of Education. Students may be transported in leased vehicles, private vehicles, common carriers or other contracted transportation as allowed by law and permitted by the Board. All district employees or other persons who drive district-owned or district-leased transportation or who transport students in private vehicles as an agent for the district must meet applicable state and federal laws as well as district policies and procedures.

The superintendent will present to the Board a plan for student transportation services for the district no later than the end of October of each year for initial approval and no later than the end of June for the final approval of modifications made during the school year. The plan should follow the procedures set by the State Board of Education.

### **Transportation Records and Reports**

The superintendent or designee shall provide for the proper accounting of student transportation records and reports in the school district and shall be responsible for preparing and submitting to the State Board of Education the necessary reports for apportioning state transportation aid, in addition to reports for statistical purposes and for the proper maintenance and administration of the district's transportation services.

### **District Transportation Safety**

School officials must provide safe transportation of district students to and from school. Drivers, students and district personnel will follow all laws and district policies and procedures.

District vehicles carrying students will be considered extensions of the school environment. Any student whose conduct on district transportation is improper or jeopardizes the safety of other students may be suspended from district transportation services and may be disciplined in accordance with district policy. Uniform rules of conduct and disciplinary measures will be enforced. Students with disabilities will be disciplined according to law.

Access to all district transportation is limited to authorized riders and staff. All district staff and drivers shall report any instance of trespass to appropriate administrators and law enforcement agencies.

### **Special Use of District Transportation**

District vehicles will be used solely for district-sponsored activities, including district extracurricular activities and organizations.

**NOTE:** For further information, see the *School Transportation Administrator's Handbook*.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised:

Cross Refs: IGBCA, Programs for Homeless Students  
JFCC, Student Conduct on School Transportation

Legal Refs: §§ 162.670 - .995, 163.161, 167.231 - .251, 178.510, 301.010,  
302.272, 304.050, 304.060, 569.155, RSMo.  
5 CSR 30-261.010  
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 - 1487  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42  
U.S.C. § 11431 *et seq.*  
*McVey v. Hawkins*, 258 S.W. 2d 927 (Mo. banc 1953)  
*Luetkemeyer v. Kaufman*, 364 F. Supp. 376 (W.D. Mo. 1973)

## **SCHOOL BUS SCHEDULING AND ROUTING**

Bus routes, schedules and stops will be developed under the direction of the superintendent following procedures set by the State Board of Education. The purpose of bus scheduling and routing will be to achieve maximum service with a minimum fleet of buses and to render reasonable and equal service to all eligible students.

School bus routes will be approved by the Board no later than October for initial approval, and no later than June for the final modifications made during the school year.

Bus routes will follow the most direct roads practicable for bus travel to serve those students entitled to transportation service. Where an alternate route may be selected without sacrifice of efficiency or economy, preference will be given to that route serving the largest number of students more directly.

Routes will be designed to eliminate as many turn-around points as possible and to employ as nearly as practicable the full carrying capacity for each bus trip. No bus will be overloaded. New routes will be established only when capacity of the existing routes has been reached or is imminent.

Authorized bus stops will be located at convenient intervals for students and in places where students may board and get off, cross highways and await arrival of buses with the utmost safety permitted by highway conditions. The location of the students' residences, the age and grade of the students, the road conditions and the funds available will be considered when determining bus routes.

Students will ride their assigned buses, getting on and getting off at their regularly assigned stops, unless a note from their parent or guardian authorizes students to depart at other than their regular stop or to ride a bus other than their assigned bus. Notes will be subject to approval by the superintendent or designee. In unusual or emergency situations, parents/guardians may request to have their child picked up or dropped off at a different spot by directly communicating to the superintendent or designee.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted:

Legal Refs: §§ 163.161, 167.251, RSMo.  
5 CSR 30-261.010  
*Missouri Pupil Transportation Administrative Handbook*



**FILE: EEAB  
Critical**

*Missouri Minimum Standards for School Buses*  
*Missouri Certified Bus Driver Instructor's Manual*  
*Missouri School Bus Procedures Manual*

## **FOOD SERVICE MANAGEMENT**

The food service program provided by the school district is designed to provide nutritious school meals, snacks and milk to district students in accordance with law. The food service program operates as an integral part of the total school program and contributes to the district's efforts to improve student achievement.

The superintendent, in cooperation with the food service director, is charged with implementing Board policy as it pertains to the school food service program and making recommendations to the Board about the program and food service personnel. Food service personnel in the schools will be directly responsible to the food service director.

The school food service program will comply with all applicable laws, ordinances, rules and procedures pertaining to health, sanitation, storage and the service of foods. The district will meet all state and federal requirements necessary for participation in school meal programs. The superintendent or designee is authorized to work with the necessary parties to ensure district compliance and, when necessary, submit appeals on behalf of the district.

The principal of each school shall administer the food service program in his or her school. Each building principal is responsible for ensuring a safe dining environment and coordinating the food service program with instructional activities and other school and district programs as appropriate.

The food service director is responsible for ensuring that all foods and beverages sold to students during the school day on any property under the jurisdiction of the district meet the nutrition standards established by the U.S. Department of Agriculture (USDA). The food service director will maintain records verifying that all foods meet required nutrition standards or will document any applicable exemption.

### **Meal Prices and Charges**

Meal prices shall be established annually by the Board of Education in accordance with law.

Unless meals are provided at no charge, the district expects students and employees to pay for meals prior to or at the time of receipt. The ability to charge meals is a privilege, not a right, and is subject to the limitations established in administrative procedures.

### **Contracted Food Services**

The district will contract with a third party to administer its meal services if the Board, after consultation with the superintendent, determines it is in the best interest of the district and its students to do so. Contracted food services will be bid in accordance with state and federal law and Board policy.

### **Nondiscrimination Statement and Complaint Process**

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 Special Milk Program, the School Breakfast Program and the Summer Food Service Program.

All information the district uses to inform parents/guardians, students and the public about the district's food service program will include a nondiscrimination statement and information on how a complaint may be filed with the USDA.

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 listed in policy AC. Only the U.S. Secretary of Agriculture may extend the time for filing a complaint. Any person who files a complaint will be advised of the application of confidentiality laws, such as the Privacy Act of 1974.

District staff who receive a complaint alleging illegal discrimination in the district's nutrition program will forward the complaint to the district's compliance officer immediately. The compliance officer will note whether the allegation was made verbally or in person and will transcribe the complaint if it is not provided in writing. As required by the USDA, the compliance officer will forward the complaint to the USDA Office of the Assistant Secretary for Civil Rights immediately and will not first attempt to resolve the complaint prior to contacting the USDA. However, once the complaint has been directed to the USDA, the district will take action to investigate the concern and make necessary corrections as required by this policy.

### **Community Use of Food Service Facilities**

Outside organizations that use food service facilities may be charged a fee in accordance with Board policy. The food service director will ensure that supplies provided for the regular food service program, including USDA commodities, are not used by outside organizations.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 10, 1988

Revised: November 8, 2004  
September 9, 2019

Cross Refs: ADF, District Wellness Program  
DLB, Salary Deductions  
JHCF, Student Allergy Prevention and Response  
KG, Community Use of District Facilities

Legal Refs: §§ 167.201, .211, RSMo.  
Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1760  
Child Nutrition Act, 42 U.S.C. §§ 1777-1785

## **FREE AND REDUCED-COST FOOD SERVICES**

School officials will determine student eligibility based on guidelines established under the national school lunch program and state and federal law. Eligible students will be provided nutritionally acceptable meals, snacks and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or designee may establish rules and procedures as needed to accomplish this goal.

The criteria for determining a student's need and the procedures for securing free and reduced-cost lunches for the student will be outlined and published each year by the district. The criteria and procedures are established at the state and federal level.

The district will establish a school breakfast program or will adopt a resolution requesting a waiver excusing the district from this requirement, in accordance with law. The resolution, if adopted, will be filed with the Missouri Department of Elementary and Secondary Education.

The students who participate in the free or reduced-cost meals program will not be overtly identified, distinguished or served differently than other students and will have the same choice of meals or milk as other students. The district may charge all students for à la carte menu items. The names of students receiving free and reduced-cost meals will be kept confidential and will only be released to district personnel or persons administering the district's program on a need-to-know basis, in accordance with law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised:

Cross Refs: JO, Student Records  
KB, Public Information Program

Legal Refs: §§ 167.201, .211, RSMo.  
42 USC § 1751 et seq.  
7 CFR Part 210-250  
5 CSR 30-680.010, .020, .030, .050, .060, .070

## **REPRODUCTION OF COPYRIGHTED MATERIALS**

It is the intent of the Board to abide by the provisions of current copyright and intellectual property laws as they affect the school district and its employees. The superintendent or designee will create procedures to train employees on the law and monitor district compliance.

Copyrighted materials, whether they are print or nonprint, will not be duplicated, reproduced, distributed or displayed for district-sponsored activities or by using district equipment except in accordance with law.

Details about "fair use" and other relevant information regarding copyright law will be made available to all employees. A summary of these standards will be posted or otherwise made easily available at each machine used for making copies.

The Board does not sanction or condone illegal duplication, reproduction or distribution in any form. It is the responsibility of all district staff to notify the superintendent or designee of any potential violation of law or policy. Once notified of a violation, the superintendent or designee will take reasonable steps to remedy the violation. Employees who violate this policy may be disciplined or terminated. Students who violate this policy may be disciplined. All persons who use district resources in violation of law may be prohibited from using district resources in the future and will assume liability for their actions. The district may also seek other legal remedies.

### **Copyright Infringement Using District Technology**

All persons are prohibited from using district technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with district technology. Further, no person will use the district's technology to post, publicize or duplicate information in violation of copyright law. The Board directs the superintendent and/or designee to take all reasonable measures to prevent the use of district technology in violation of the law. All persons using district technology in violation of law may lose their user privileges in addition to other sanctions.

If a content owner reasonably believes that the district's technology has been used to infringe upon a copyright, the owner is encouraged to notify the following designated agent immediately:

Mrs. Kathryn Butler, Superintendent  
Lone Jack C-6 School District  
816-697-3539

The district will notify the U.S. Copyright Office of the designated agent's identity. Further, the district's website will include information on how to contact the district's designated agent and a copy of the district's copyright policy. Upon notification, the district's designated agent will take

all actions necessary to remedy any violation. The district will provide the designated agent appropriate training and resources necessary to protect the district.

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: February 10, 2002

Cross Refs: EHB, Technology Usage  
IIAC, Instructional Media Centers/School Libraries  
JG, Student Discipline

Legal Refs: 17 U.S.C. § 101 *et seq.*  
Digital Millennium Copyright Act

## **TECHNOLOGY USAGE**

### **TECHNOLOGY USAGE**

The Lone Jack C-6 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 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: computers; modems; printers; scanners; fax machines and transmissions; telephonic equipment; mobile phones; audio-visual equipment; Internet; electronic mail (e-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 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, voice mail, 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 investigating 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 minors and operate a technology protection measure (Acontent 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 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.

The superintendent or designee will create a procedure that allows students, employees or other users to request that the district review or adjust the content filter to allow 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 cyberbullying awareness and response and appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms.

This 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.

**FILE: EHB**  
**Critical**

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 a 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 all district technology resources in accordance with the district's policies on inventory management. 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 property.

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

Use of technology resources in a disruptive, inappropriate or illegal manner impairs the district's mission, squanders resources and shall not be tolerated. Therefore, a consistently high level of personal responsibility is expected of all users granted access to the district's technology resources. Any violation of district policies or procedures regarding technology usage may result in temporary, long-term or permanent suspension of user privileges. 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 the 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, will be charged to the user. District administrators have the authority to sign any criminal complaint regarding 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.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: February 2, 2002

Revised: December 8, 2008  
July 9<sup>th</sup>, 2012  
December 8, 2012  
June 11, 2016  
December 11, 2017

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
DID, Inventory Management  
DN, Surplus Property  
GBCC, Staff Use of Communication Devices  
GBH, Staff/Student Relations  
IGAEB, Teaching about Human Sexuality  
IGDB, Student Publications

IGDBA, Distribution of Noncurricular Student Publications  
JFCF, Bullying  
JFCG, Hazing  
JG-R1, Student Discipline  
JO, Student Records  
KB, Public Information Program

MSIP Refs: I-11

Legal Refs: §§ 170.051, 182.827, 431.055, 537.525, 542.402, 569.095 - .099, 610.010 - .028,  
RSMo.  
Chapter 109, RSMo.  
Chapter 573, RSMo.  
Electronic Communications Privacy Act, 18 U.S.C. §§ 2510 - 2520  
Stored Communications Act, 18 U.S.C. §§ 2701 - 2711  
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g  
Children's Internet Protection Act, 47 U.S.C. § 254(h)  
47 C.F.R. § 54.520  
Federal Rule of Civil Procedure 34  
*City of Ontario v. Quon*, 130 S. Ct. 2619 (2010)  
*Reno v. ACLU*, 521 U.S. 844 (1997)  
*Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260 (1988)  
*Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675 (1986)  
*Sony Corp. of America v. Universal City Studios, Inc.*, 464 U.S. 417 (1984)  
*FCC v. Pacifica Foundation*, 438 U.S. 726 (1978)  
*Ginsberg v. New York*, 390 U.S. 629 (1968)  
*Biby v. Bd. of Regents of the Univ. of Nebraska*, 419 F.3d 845 (8th Cir. 2005)  
*Henerey v. City of St. Charles Sch. Dist.*, 200 F.3d 1128 (8th Cir. 1999)  
*Bystrom v. Fridley High Sch. Ind. Sch. Dist.*, 822 F.2d 747 (8th Cir. 1987)  
*Beussink v. Woodland R-IV Sch. Dist.*, 30 F.Supp. 2d 1175 (E.D. Mo 1998)  
*Parents, Families, and Friends of Lesbians and Gays, Inc. v. Camdenton R-III  
Sch. Dist.*, 853 F.Supp. 2d 888 (W.D. Mo. 2012)

## **DATA GOVERNANCE AND SECURITY**

To accomplish the district's mission and comply with the law, the district must collect, create and store information. Accurately maintaining and protecting this data is important for efficient district operations, compliance with laws mandating confidentiality, and maintaining the trust of the district's stakeholders. All persons who have access to district data are required to follow state and federal law, district policies and procedures, and other rules created to protect the information.

### **Definitions**

*Confidential Data/Information* - Information that the district is prohibited by law, policy or contract from disclosing or that the district may disclose only in limited circumstances. Confidential data includes, but is not limited to, personally identifiable information regarding students and employees.

*Critical Data/Information* - Information that is determined to be essential to district operations and that must be accurately and securely maintained to avoid disruption to district operations. Critical data is not necessarily confidential.

### **Responsibility and Data Stewardship**

All district employees, volunteers and agents are responsible for accurately collecting, maintaining and securing district data including, but not limited to, information that is confidential or is critical to district operations.

### ***Information Security Officer***

The Superintendent's secretary is the district's information security officer (ISO) and reports directly to the superintendent or designee. The district's information security officer is directed to create and review district procedures on collecting and protecting district data including, but not limited to, securely maintaining confidential and critical information. The ISO is responsible for implementing and enforcing the district's security policies and procedures applicable to electronic data and suggesting changes to these policies and procedures to better protect the confidentiality and security of district data. The ISO will work with the district's technology department to advocate for resources and implement best practices to secure the district's data.

Technology Assistant/Registrar is the district's alternate ISO and will assume the responsibilities of the ISO when the ISO is not available.

### ***Data Managers***

All district administrators are data managers for all data collected, maintained, used and disseminated under their supervision as well as data they have been assigned to manage in the district's data inventory. Data managers will monitor employee access to the information to ensure that confidential information is accessed only by employees who need the information to provide services to the district and that confidential and critical information is modified only by authorized employees. Data managers will assist the ISO in enforcing district policies and procedures regarding data management.

### **Confidential and Critical Information**

The district will collect, create or store confidential information only when the superintendent or designee determines it is necessary. The district will provide access to confidential information to appropriately trained district employees and volunteers only when the district determines that such access is necessary for the performance of their duties. The district will disclose confidential information only to authorized district contractors or agents who need access to the information to provide services to the district and who agree not to disclose the information to any other party except as allowed by law and authorized by the district.

District employees, contractors and agents will notify the ISO or designee immediately if there is reason to believe confidential information has been disclosed to an unauthorized person or any information has been compromised, whether intentionally or otherwise. The ISO or designee will investigate immediately and take any action necessary to secure the information, issue all required legal notices and prevent future incidents. When necessary, the district's superintendent, ISO or designee is authorized to secure resources to assist the district in promptly and appropriately addressing a security breach.

Likewise, the district will take steps to ensure that critical information is secure and is not inappropriately altered, deleted, destroyed or rendered inaccessible. Access to critical information will only be provided to authorized individuals in a manner that keeps the information secure.

All district staff, volunteers, contractors and agents who are granted access to critical and confidential information are required to keep the information secure and are prohibited from disclosing or assisting in the unauthorized disclosure of confidential information. All individuals using confidential and critical information will strictly observe protections put into place by the district including, but not limited to, maintaining information in locked rooms or drawers, limiting access to electronic files, updating and maintaining the confidentiality of password protections, encrypting and redacting information, and disposing of information in a confidential and secure manner.

## **Using Online Services and Applications**

District staff members are encouraged to research and utilize online services or applications to engage students and further the district's education mission. However, before any online service or application is purchased or used to collect or store confidential or critical information, including confidential information regarding students or employees, the ISO or designee must approve the use of the service or application and verify that it meets the requirements of the law and Board policy and appropriately protects confidential and critical information. This prior approval is also required when the services are obtained without charge.

## **Training**

The ISO will provide appropriate training to employees who have access to confidential or critical information to prevent unauthorized disclosures or breaches in security. In accordance with law, all school employees will receive annual training in the confidentiality of student records.

## **Data Retention and Deletion**

The ISO or designee shall establish a retention schedule for the regular archiving and deletion of data stored on district technology resources. The retention schedule must comply with the *Public School District Records Retention Manual* as well as the *General Records Retention Manual* published by the Missouri Secretary of State.

## **Litigation Hold**

In the case of pending or threatened litigation, the district's attorney will issue a litigation hold directive to the superintendent or designee. The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal or destruction of relevant documents until the hold has been lifted by the district's attorney. E-mail and other technology accounts of separated employees that have been placed on a litigation hold will be maintained by the district's information technology department until the hold is released. No employee who has been notified of a litigation hold may alter or delete any electronic record that falls within the scope of the hold. Violation of the hold may subject the individual to disciplinary actions, up to and including termination of employment, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

## **Consequences**

Employees who fail to follow the law or district policies or procedures regarding data governance and security may be disciplined or terminated. Volunteers may be excluded from providing services to the district. The district will end business relationships with any contractor who fails to follow the law, district policies or procedures, or the confidentiality provisions of



any contract. In addition, the district reserves the right to seek all other legal remedies, including criminal and civil action and seeking discipline of an employee's teaching certificate.

The district may suspend all access to data or use of district technology resources pending an investigation. Violations may result in temporary, long-term or permanent suspension of user privileges. The district will cooperate with law enforcement in investigating any unlawful actions. The superintendent or designee has the authority to sign any criminal complaint on behalf of the district.

Any attempted violation of district policies, procedures or other rules will result in the same consequences, regardless of the success of the attempt.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12, 2011

Revised: December 11, 2017

Cross Refs: BDC, Closed Meetings, Records and Votes  
BDDL, Release of Information  
DJF, Purchasing  
GBEBC, Criminal Background Checks  
GBL, Personnel Records  
GBLB, References  
IGBA, Programs for Students with Disabilities  
JHDA, Surveying, Analyzing or Evaluating Students  
JO, Student Records  
KI, Public Solicitations/Advertising in District Facilities

Legal Refs: §§ 43.540, 109.260, 160.261, 210.150, .865, 407.1500, 576.050, 610.010 - .028,  
RSMo.  
The Children's Online Privacy Protection Act, 15 U.S.C. 6501 - 6506  
Federal Privacy Act of 1974, 5 U.S.C. § 552a  
E Sign Act of 2000, 15 U.S.C. § 7001  
Fair Credit Reporting Act, 15 U.S.C. § 1681a  
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g  
Individuals with Disabilities Education Act, 20 U.S.C. §§1400 - 1417  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h  
The Elementary and Secondary Education Act of 1965, 20 U.S.C. § 7926  
29 C.F.R. § 1630.14

## **PROPERTY AND LIABILITY INSURANCE**

The Board of Education shall maintain adequate insurance programs, within the requirements and limits of the law, to cover district property, legal liability and the liability of employees and Board members acting on behalf of the district and within the scope of their duties. The administration will recommend to the Board the type and amount of insurance needed and will administer insurance authorized by the Board, unless directed otherwise.

The district will maintain liability coverage of up to the statutory caps set by state law for individual claims and single occurrences. Every effort shall be made to obtain insurance at the most economical cost consistent with the district's needs. The contract for insurance will be submitted to competitive bidding at least every six years.

This policy does not waive any immunity including, but not limited to, sovereign immunity available to the district or its employees. This policy does not obligate the district to provide insurance coverage for all employee acts, and employees are encouraged to obtain personal insurance coverage.

District employees are required to immediately notify the superintendent or designee of any event that might result in legal liability for the district or its employees. The superintendent or designee will promptly notify the district's insurance carrier(s) in situations where coverage might be applicable.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised: December 8<sup>th</sup>, 2012

Cross Refs: BHE, Board Member Liability/Insurance

Legal Refs: §§ 67.150, 162.013, .063, 376.696, 537.610, .620, RSMo.

## **FACILITIES PLANNING**

The Board of Education will make the necessary provisions to carry out the goals and objectives of the school district through careful facilities planning.

The Board shall periodically review the long-range school facilities plan. This review will provide guidance for capital outlay expenditures and will ensure that the school district has well-planned school buildings at proper locations when needed and at reasonable costs. The superintendent shall report to the Board annually the status of facilities needed, based on enrollment projections and other factors. Enrollment projections shall cover five (5) years and include current registration figures, community population trends, local birth rates and a review of proposed land development in the community, including residential construction rates.

The Board or superintendent will generally initiate facility planning; however, the Board and superintendent will consider suggestions from staff or patrons. Principals, staff and patrons shall be consulted during the planning stage through final layout. The superintendent will present a detailed summary of this consultation to the Board prior to the approval of any building plan. The summary will include recommendations based on activities that will take place in the building; organization of instruction and curriculum to be housed in the building; specific architectural characteristics desired; equipment required; the spatial relationship to other district facilities; and other pertinent factors. Building plans for new construction or major structural renovation will be designed in accordance with seismic design standards if required by law and will comply with access requirements for persons with disabilities as required by law.

The district may acquire real property necessary for facility improvement or expansion through eminent domain only in accordance with law. The district will provide for the relocation of any persons displaced by the acquisition of property through eminent domain as required by and in accordance with law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 9, 2000

Revised: December 13, 2006

Legal Refs: §§ 8.610 - .655, 319.200, 523.205, RSMo.  
Chapters 177, 523, RSMo.  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 – 12213

**SELECTION OF ARCHITECTURAL/ENGINEERING AND/OR  
LAND SURVEYING SERVICES**

The Board may select qualified firm(s) and negotiate contract(s) for architectural, engineering and land surveying services for the various building projects in the school district. Selection shall be made on the basis of demonstrated competence and qualifications for the types of services specified by the district at fair and reasonable prices.

In selecting such firm(s), the following criteria will be considered:

- < Training, specialized experience and technical competence, including that of partners and associates, demonstrated either with the district or elsewhere with respect to the type of services desired by the Board.
- < Planning ability, efficiency and promptness of the firm(s), including the capacity and capability of the firm(s) to perform the tasks requested, as well as any specialized services, within the time limitations established for the completion of the project.
- < Demonstrated educational specifications writing, to include accuracy and sufficiency of detail.
- < Inspection of job effectiveness, to include an analysis of the past record of performance of the firm(s) with respect to control of costs, quality of work, design, appearance, utility and the ability to meet time schedules.
- < Proximity to and familiarity with the geographical area in which the project shall be located.

When considering the need for architectural, engineering and/or land surveying services, the Board or designee shall prepare a written description of the services desired by the district. Interested firms may be requested to submit statements of their qualifications and performance data with respect to the above criteria and also to submit a fee schedule. The Board or designee shall analyze the data received and list the top three (3) qualified firms. The Board shall select the firm(s) considered best qualified and capable of performing the desired services and shall negotiate a contract. Should the Board be unable to negotiate a contract with the firm(s) first selected, the Board may negotiate a contract with another firm from the list, or may direct the superintendent to seek additional statements of qualifications from other firm(s) and then submit a new list of qualified firms.

**FILE: FEB**  
**Critical**

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*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: November 12, 2001

Legal Refs: §§ 8.285 - .291, 327.091, .181, .272, RSMo.

## **SELECTION OF A CONSTRUCTION MANAGER AT RISK**

The Board may, at its discretion and in accordance with law, use the construction manager at risk method for construction of civil works projects in excess of \$2,000,000 and noncivil works projects in excess of \$3,000,000.

### **Definitions**

*Civil Works Projects* - Construction projects such as roads, streets, bridges, utilities, storm drainage and flood control projects that are in excess of \$2,000,000 and commonly designed by professional engineers.

*Construction Manager at Risk (CMAR)* - For the purposes of this policy, a construction manager at risk is a sole proprietorship, partnership, corporation or other legal entity that assumes the risk for the construction, rehabilitation, alteration or repair of a project at the contracted price as a general contractor and provides consultation to a political subdivision regarding construction during and after the design of the project.

*Noncivil Works Projects* - Construction projects, such as buildings, site improvements and other structures, in excess of \$3,000,000 and commonly designed by architects.

### **Process**

In accordance with law, a CMAR will be selected using the following process:

1. Unless the district employs an engineer or architect, the district will select an engineer or architect using the process outlined in policy FEB to prepare the construction documents for the project. The engineer or architect for a project may not serve as the CMAR alone or in combination with others.
2. At least one week prior to publishing the request for qualifications, the Board will publicly disclose at a regular meeting its intent to use the construction management at risk method and the criteria it will use to select a CMAR.
3. The superintendent or designee will prepare a request for proposals or qualifications for a CMAR that includes:
  - < General information on the project site, scope and schedule.
  - < Selection criteria. The selection criteria may include the CMAR's experience, past performance, safety record, proposed personnel and methodology, and other appropriate factors that demonstrate the capability of the construction manager at risk.

- < The time and place for receipt of proposals or qualifications.
- < Other information that may assist the district in its selection of a CMAR.

The district will not request fees or prices in the initial request for proposals or qualifications.

4. Prior to opening the proposals or qualifications, the district will publish the request for proposals or qualifications once a week for two consecutive weeks in a newspaper of general circulation published in a county where the district is located. Alternatively, the district will publish the request for proposals or qualifications by a virtual notice procedure. In accordance with law, the district will use the virtual notice procedure only if the district uses virtual notice for at least 20 various purchases, design contracts, construction contracts or other contracts each year.
5. The superintendent or designee will publicly open and read aloud the names of the CMARs from whom the district received a response.
6. Within 45 days of opening the proposals or qualification submissions, the superintendent or designee will evaluate and rank each proposal or qualification submitted. The Board, superintendent or designee will select, based solely on qualifications, five or fewer CMARs to submit additional information, including the proposed fee and price for fulfilling the general conditions.
7. The superintendent or designee will publicly open the submissions from the CMARs regarding fees. A CMAR's qualifications will account for a minimum of 40 percent of the evaluation, and cost will account for a maximum of 60 percent of the evaluation. The Board shall interview, in open session, at least two of the top-qualified offerors as part of the final selection.
8. The Board will select the CMAR that submits the proposal offering the best value for the district based on the published selection criteria and on its ranking evaluation.
9. The superintendent or designee will negotiate a contract with the selected CMAR. If the superintendent or designee is unable to negotiate a satisfactory contract, the superintendent or designee shall end negotiations by sending a written notice to the CMAR. The superintendent or designee will then proceed to negotiate with the next CMAR in order of ranking. The Board must approve the final contract with a vote of the majority of the whole Board.
10. The CMAR must furnish a performance bond if the project is estimated to exceed \$50,000.

## **Bidding and Selecting Contractors and Subcontractors**

The district's CMAR will publicly advertise and receive bids or proposals from contractors or subcontractors for the performance of all major elements of the work, other than the minor work that may be included in the general conditions.

CMARs may seek to perform portions of the work themselves if they submit sealed bids or sealed proposals for those portions of the work in the same manner as other contractors or subcontractors. However, the district has the authority to restrict CMARs from submitting bids. A CMAR will be selected only if the CMAR's bid or proposal offers the best value for the district.

All sealed bids or proposals shall be submitted at the time and location specified in the advertisement for bids or proposals and shall be opened publicly. The identity of each bidder and the bid amount will be read aloud.

The CMAR and the Board, superintendent or designee will review all bids or proposals received in a manner that discloses the bid or proposal contents only to persons employed by the district, CMAR, engineer or architect. After all proposals have been evaluated and clarified, the award of all subcontracts shall be made public.

If the district accepts a bid or proposal against the recommendation of the CMAR, the district will compensate the CMAR by a change in price, time or guaranteed maximum cost for any additional cost and risk that the CMAR may incur.

If a contractor or subcontractor materially defaults in the performance of its work or fails to execute a contract, the CMAR may fulfill the contract requirements or select a replacement contractor or subcontractor without advertising.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 11<sup>th</sup>, 2017

Revised: October 12<sup>th</sup>, 2020

Cross Refs: DGA, Authorized Signatures  
DJF, Purchasing

Legal Refs: §§ 8.675 - .687, 67.5050, 107.170, RSMo



## **SELECTION OF A DESIGN-BUILD CONTRACTOR**

The Board may, at its discretion and in accordance with law, use the design-build construction method for civil works projects regardless of cost or noncivil works projects in excess of \$7,000,000.

### **Definitions**

*Civil Works Projects* - Roads, streets, bridges, utilities, storm drainage and flood control projects.

*Design-Builder* - Any individual, partnership, joint venture or corporation subject to a qualification-based selection that offers to provide or provides design services and general contracting services through a design-build contract in which services within the scope of the practice of professional architecture or engineering are performed respectively by a licensed architect or licensed engineer and in which services within the scope of general contracting are performed by a general contractor or other legal entity that furnishes architecture or engineering services and construction services either directly or through subcontracts or joint ventures.

*Design Criteria Consultant* - A person, corporation, partnership or other legal entity duly licensed and authorized to practice architecture or professional engineering in Missouri that is employed by or contracted by the district to assist the district in the development of project design criteria, requests for proposals, evaluation of proposals, the evaluation of the construction under a design-build contract to determine adherence to the design criteria, and any additional services requested by the district to represent its interest in relation to a project. The design criteria consultant may not submit a proposal or furnish design or construction services for the design-build contract for which its services were sought.

*Design Criteria Package* - The scope and specifications for the design-build project sufficient to permit a design-builder to prepare a response to the district's request for proposals for a design-build project. The package may include capacity; durability; standards; ingress and egress requirements; performance requirements; description of the site; surveys; soil and environmental information concerning the site; interior space requirements; material quality standards; design and construction schedules; site development requirements; provisions for utilities, storm water retention and disposal; parking requirements; applicable governmental code requirements; preliminary designs for the project or portions thereof; and other criteria for the intended use of the project.

*Noncivil Works Projects* - Buildings, site improvements and other structures in excess of \$7,000,000 commonly designed by architects.

## **Process**

In accordance with law, the district will use the following process when selecting a design-builder:

1. Unless the district employs a design criteria consultant, the district will select and negotiate for the services of a design criteria consultant using the same selection process detailed in policy FEB.
2. At least one week prior to publishing the request for proposals (RFP) for a design-builder, the Board will publicly disclose at a regular meeting its intent to utilize the design-build method and the project design criteria that will be used to select the design-builder.
3. The district will solicit proposals in a three-stage process. Phase I shall be the solicitation of the design-build team. Phase II shall be the solicitation of a technical proposal, including conceptual design for the project. Phase III shall be the proposal of the construction cost. The district will assign points to each proposal in accordance with law and as set out in the instructions of the RFP.
4. Prior to opening the proposals, the district will publish notice of the RFP once a week for two consecutive weeks in a newspaper of general circulation published in the county where the district is located. Alternatively, the district will publish the RFP by a virtual notice procedure. In accordance with law, the district will use the virtual notice procedure only if the district uses virtual notice for at least 20 various purchases, design contracts, construction contracts or other contracts each year. The notice will include a description of the project, the procedures for submission and the selection criteria to be used. The RFP will include a time, place and other specific instructions for the receipt of proposals. Proposals not submitted in strict accordance with the instructions will be subject to rejection.

The RFP must minimally include the following information about the project and the process:

- < The procedures to be followed for submitting proposals, the criteria for evaluating proposals and their relative weight, and the procedures for making awards;
- < The proposed terms and conditions for the design-build contract, if available;
- < The design criteria package;
- < A description of the drawings, specifications or other information to be submitted with the proposal, with guidance as to the form and level of completeness of the drawings, specifications or other information that will be acceptable;

- < A schedule for planned commencement and completion of the design-build contract, if any;
  - < Budget limits for the design-build contract, if any;
  - < Requirements, including any available ratings, for performance bonds, payment bonds and insurance, if any;
  - < The amount of the stipend that will be available (at least one-half of one percent of the total project budget); and
  - < Any other information that the district in its discretion chooses to supply including, but not limited to, surveys, soil reports, drawings of existing structures, environmental studies, photographs, references to public records, or affirmative action and minority business enterprise requirements consistent with state and federal law.
5. In Phase I of the RFP, the district will require design-builders to submit a statement of qualification that will include, but is not limited to:
- < Demonstrated ability to perform projects comparable in design, scope and complexity;
  - < References of owners for whom design-build projects, construction projects or design projects have been performed;
  - < Qualifications of personnel who will manage the design and construction aspects of the project; and
  - < Names and qualifications of the primary design consultants and the primary trade contacts with whom the design-builder proposes to subcontract or form a joint venture. The design-builder may not replace an identified contractor, subcontractor, design consultant or subconsultant without the written approval of the district.
6. In Phase I, the superintendent or designee and the design criteria consultant will evaluate the qualifications of all the design-builders who submitted proposals in accordance with the instructions in the RFP. Architectural and engineering services will be evaluated in accordance with policy FEB. The district will have the discretion to disqualify any design-builder that lacks the minimum qualifications, based on the opinion of the district.

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**Critical**

Upon recommendation of the superintendent or designee and the design criteria consultant, the Board will select not more than five and not fewer than two design-builders with the appropriate qualifications to proceed to the next step in the process. The district will not consider price or fees when making this decision. The points assigned in Phase I of the evaluation process will not carry forward. The final decision on a design-builder will be made based on points given in Phases II and III.

7. The design-builders selected in Phase I will be invited to participate in Phase II and Phase III. The Phase II and III proposals will be submitted to the district concurrently in separate envelopes or separately submitted using other methods designated by the district. The district will reject any proposal that is not submitted on time.
  - < Phase II requires the design-builder to submit its design for the project to the level of detail required in the RFP. The design-builder also needs to indicate whether the builder is able to deliver the project on time and within the district's budget. However, the Phase II proposal will not contain any reference to the cost of the design-builder's proposal.
  - < Phase III requires the design-builder to submit a firm, fixed cost of design and construction. The Phase III proposal will include bid security and any other information required in the request for proposal.
8. The designs submitted in Phase II will be evaluated, assigned points and ranked in order by the superintendent or designee and the design criteria consultant. The ranking will be presented to the Board for review, revision and final approval. Phase II will account for at least 40 percent of the total point score. Up to 20 percent of the points awarded in Phase II may be based on the design-builder's qualifications and ability to design, contract and deliver the project on time and within the budget. The district will post notice of the points attributed to each design-builder and the design-builder's ranking in the same location the district posts notice of Board meetings.
9. Once the Phase II rankings have been posted, the Phase III cost proposals will be opened and read aloud at the time and place specified in the RFP. Phase III will account for not less than 40 percent of the total point score as specified in the RFP.
10. The lowest responsive bidder will be awarded the total number of points for Phase III. For all other bidders, cost points will be calculated by reducing the maximum points available in Phase III by at least one percent for each percentage point by which the bidder exceeds the lowest bid.
11. The points assigned in Phase III will be added to the points given in Phase II to each design-builder. The responsive bidder with the highest number of points will be awarded the contract. All design-builders who participate in Phase II and Phase III will receive a reasonable stipend as detailed in the RFP. Upon payment of the stipend to any

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**Critical**

unsuccessful design-builder, the district will acquire a nonexclusive right to use the design submitted. Design-builders who decide to retain all rights in the design forfeit the stipend.

12. If the Board, superintendent or designee determines that it is not in the best interest of the district to proceed with the project with the design-builder with the highest number of points, the district will reject all proposals. If this occurs, all qualified and responsible design-builders with lower point totals will receive a stipend, and the design-builder with the highest number of points will receive an amount equal to two times the stipend. The district may solicit new proposals using different design criteria, budget constraints or qualifications.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 11, 2017

Revised:

Cross Refs: DGA, Authorized Signatures  
DJF, Purchasing

Legal Refs: § 67.5060, RSMo.

## **CONSTRUCTION CONTRACTS BIDDING AND AWARDS**

The Lone Jack C-6 School District seeks to provide and maintain safe facilities capable of supporting the education mission of the district, while at the same time utilizing public funds prudently.

### **Definitions**

For the purposes of this policy, the following definitions apply:

*Construction* - Building a new facility or improving, enlarging, altering, painting, decorating, excavating, demolishing or performing major repairs on an existing facility.

*Facility* - A building, structure, stadium, field or parking lot, or part thereof, such as a roof or heating or air conditioning system.

*Major Repair* - Replacement or repair of existing facilities when the size, type or extent of the facility is changed or increased.

*Personal Representative* - Unless otherwise specified in a construction contract, the district's personal representative is the superintendent or designee.

### **Project Planning**

Construction projects will be planned to cause the least disruption to the district's education program and ensure the safest possible environment for students, staff and the public. District staff will rely on the district's long-term facilities plan when making decisions regarding construction and major repair of district facilities. The district is committed to providing accessible facilities. All projects will comply with laws regarding accommodations for individuals with disabilities, and the district will consider other recommended accommodations as well.

Before bidding a project, the district will determine whether engineering, architectural or land surveying services are required and whether the district will use a construction manager, a construction manager at risk, a general contractor or a design-build contractor. These professional services will be selected in accordance with law and Board policy. The superintendent or designee is authorized to contact legal counsel for assistance in complying with the applicable laws and drafting or reviewing proposed contract language.

## **Purchasing Materials**

All materials purchased either directly by the district or indirectly by the contractor or subcontractors must comply with legal requirements, including the purchasing preferences required by law. In addition, materials purchased for use in projects funded by federal awards must comply with federal requirements.

## **Bidding**

All construction projects that may exceed an expenditure of \$50,000 shall be advertised in a newspaper of general circulation once a week for two consecutive weeks, in accordance with law, and should also be advertised in places likely to get responses from contractors. Those places should include business, trade or minority newspapers or other modes of communication, such as the district's website or other websites. Projects will not be split or artificially divided for the purpose of avoiding these competitive bidding requirements.

Prior to advertising for bids, the superintendent or designee and the architect or construction manager, if applicable, will draft detailed bid specifications for the construction project. Bid specifications will include all legal mandates including, but not limited to, requiring:

1. Payment of the prevailing wage or the public works contracting minimum wage (PWCMMW) when required by state law.
2. Laborers to receive mandatory safety training.
3. Contractors bidding on a contract for services in excess of \$5,000 to provide a sworn affidavit and supporting documentation that affirms the contractor's participation in a federal work authorization program, such as E-Verify, and that the bidder will not employ unauthorized workers for the project. A contractor is only required to provide this affidavit to the district annually.
4. A performance bond if the project is estimated to exceed \$50,000.

The district may also require a bidder's bond in an amount determined by the estimated cost of the project.

In accordance with the Sunshine Law and Board policy, the Board may discuss bid specifications in closed session, and the content of those bid specifications will remain confidential until they are officially approved by the Board or published for bidding. Likewise, sealed bids and related documents will be closed until the bids are opened.

Sealed bids may be opened at a public meeting of the Board of Education or by administrative personnel. In either case, all bids shall be publicly opened, and the date, time and place of the

bid opening shall be included in the bid notice. Notice of the bid opening will also be posted for the public.

The district will not entertain bids that are not made in accordance with the specifications furnished by the district. The district reserves the right to waive minor technical defects in a bid, reject any or all bids, reject any part of a bid and advertise for new bids. If the scope of the project changes substantially, the district will rebid the project.

The Board will determine which responsible bidder has the lowest bid and direct the superintendent or designee to negotiate a satisfactory contract prior to final approval of the bid.

### **Contracting**

The superintendent or designee is authorized to consult legal counsel regarding contract language. Any contract the district enters into must include all legally required provisions. The contract must be approved by an affirmative vote of a majority of the whole Board to be binding.

### **Payment and Retainage**

Unless contrary to any federal funding requirement or unless funds from a state grant are not received in a timely manner, the district's personal representative will ensure that prompt payment is made to the contractor and any professional engineer, architect, landscape architect or land surveyor in accordance with law and the contract governing the construction project.

The Board must approve the payment of all bills by an affirmative vote of a majority of the whole Board.

The personal representative shall pay any professional engineer, architect, landscape architect or land surveyor the amount due within 30 days following the receipt of an invoice prepared and submitted in accordance with the contract terms. In addition to the payment due, the contracting agency shall pay interest at the rate of one and one-half percent per month calculated from the expiration of the 30-day period until fully paid.

### ***Contractors***

In accordance with law, the district's personal representative may retain a portion of the payment to a contractor, not to exceed five percent of the value of the contract or subcontract, until after the entire project has been completed. If the contractor is not required by law to obtain a bond because the cost of the project is not estimated to exceed \$50,000, the district's personal representative may retain an amount not to exceed ten percent of the value of the contract or subcontract.



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**Critical**

When applicable, the architect or construction manager shall approve all payment requests prior to submission to the Board of Education for payment. The superintendent or designee will examine all work performed on projects where no architects or construction managers are used.

If the prevailing wage or the PWCMW is required by law, the contractor must file an Affidavit of Compliance with the district before final payment will be approved or paid. The district will withhold and retain any amounts due prior to making final payment to any contractor who fails to pay the appropriate wage as required by law.

**Change Orders**

Change orders in excess of \$5,000 will not be approved without Board action except as outlined in this policy. The district's personal representative may authorize change orders of less than \$5,000 but must submit written documentation of the change order to the Board as soon as possible. The personal representative may not restructure a change order in an attempt to circumvent the requirement for Board approval.

The personal representative may also approve change orders that exceed \$5,000 if the time it would take to obtain Board approval would negatively affect the construction timeline or project budget and if the change order does not include work outside the scope of the original project that would be considered a new, separate project. This exception should be used rarely, if ever. When used, the personal representative must submit documentation of the change order to the Board immediately with an explanation as to why it was approved prior to Board action, and the change order will be placed on the Board's next meeting agenda for ratification.

If a change order increases the cost of a project to over \$75,000, the district will require the contractor to pay either the prevailing wage or the PWCMW for the portion of the project that exceeds \$75,000 and provide an Affidavit of Compliance to the district prior to payment.

All change orders approved by the Board or the personal representative shall be documented and retained with other documents related to the construction project. If a submitted change order includes work outside the scope of the original project that results in a substantial change, the Board will rebid the work contained in the change order.

**Construction Projects Conducted on Behalf of the District**

The district appreciates business and community support of its education mission and welcomes both financial and physical contributions to the district. It is important for taxpayers and patrons to understand that various laws apply to projects conducted on behalf of the district even when those projects are not directly funded by the district. Further, it is essential that all construction projects adhere to the highest level of quality and safety. The district and the donor must ensure compliance with all applicable laws before a construction project is conducted on school grounds regardless of the labor source or payment method.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 8, 2004

Revised: December 14, 2009  
December 9, 2013  
July 13, 2015  
December 11<sup>th</sup>, 2017  
October 12<sup>th</sup>, 2020

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
DGA, Authorized Signatures  
DJF, Purchasing  
DJFA, Federal Programs and Projects  
DK, Payment Process  
IGB, Accommodation of Students with Disabilities

Legal Refs: §§ 34.057, .059, .209, .216, 67.5050, .5060, 107.170, 162.301, 177.086, 285.530,  
290.210 - .340, 292.675, 432.070 - .080, 493.010 - .140, 610.021, RSMo.  
8 C.S.R. 30-3.010 - .060

## **PART-TIME AND SUBSTITUTE EMPLOYMENT**

The district may employ part-time employees and employees who will work on a substitute basis in the district. These employees must meet the same qualifications as full-time staff, must be appropriately certified or licensed when necessary, and are subject to the same policies, procedures and other rules as full-time employees. Part-time and substitute employees must satisfactorily complete the same background checks and screenings required of full-time employees.

### **Substitute Employees**

In accordance with law, a majority of the whole Board must approve the employment of all employees, which includes substitute employees. The superintendent will present an initial list of substitute employees to the Board for approval. If substitute employees are added to or removed from the list, the superintendent will submit the revised list or the individual changes to the Board for approval.

### **Part-Time Employees**

The superintendent or designee may create part-time employment positions in situations where the district will benefit from employing part-time staff or where full-time staff are not necessary to accomplish the district's goals. The district will employ persons in part-time positions in accordance with the district's regular hiring practices and Board policy.

### **Job Sharing**

The district may employ classroom teachers through a job-sharing arrangement in accordance with law. Classroom teachers in a job-sharing position shall receive paid legal holidays and paid leave applicable to all classroom teachers on a pro rata basis.

A job-sharing position shall mean any position that is shared with one other employee, requires employment of at least 17 and no more than 20 hours per week on a regular basis and requires at least 70 percent of all time spent in classroom instruction. Instructional support or school services positions (such as school counselors, media coordinators, psychologists, social workers, audiologists, speech-language pathologists and nursing positions) are not eligible for job sharing under state law but may still be employed on a part-time basis.

## **Employing Retirees**

The district may employ persons retired and currently receiving a retirement allowance from a public retirement system, but the district shall consult with that public retirement system before hiring one of their beneficiaries.

## **Contracts**

The contracts of all teachers employed on a regular, part-time basis must explicitly state the percentage of full-time equivalent (FTE) work for which they are contracted so that the district may accurately calculate the accumulation of tenure.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 8, 2004

Revised: December 13, 2006  
December 12, 2011  
December 9, 2013  
June 11, 2016  
March 6<sup>th</sup>, 2019

Legal Refs: §§ 162.301, 168.101 - .130, .303, 169.322, .324, .331, .475, .560, .561, .596, .660,  
RSMo.  
5 C.S.R. 20-400.110, .220  
16 C.S.R. 10-5.010, 6.060

## **EXEMPT AND NONEXEMPT EMPLOYEES**

### **Definitions**

*Compensatory (Comp) Time* - Time off awarded to nonexempt employees at the rate of one and one-half times the number of actual hours worked in excess of 40 in a workweek.

*Exempt Employees* - Those employees whose duties and compensation meet the requirements to be an exempt executive, administrative, professional or computer employee as defined in federal law and who are not eligible for overtime compensation or compensatory time.

*Hours Worked* - For the purposes of this policy, hours worked means all hours during which the individual is required to be on dutyCgenerally from the required starting time to normal quitting timeCand all hours an employee is permitted to work, in accordance with law. Meal periods of 30 minutes or longer and break periods of 20 minutes or longer do not count as hours worked as long as the employee is relieved of all duties and is free to leave his or her duty post. Breaks for nursing mothers to express breast milk are also not considered as hours worked.

*Nonexempt Employees* - This includes all district employees not specifically identified as exempt under federal law. This generally includes noncertificated staff; however, in some circumstances noncertificated staff members may qualify for exempt status. The Board directs the superintendent to ensure that job positions are classified as exempt or nonexempt and that employees are made aware of these classifications. Employees in doubt about their status should contact their immediate supervisor.

*Overtime* - Actual hours worked in excess of 40 hours in a workweek.

### **Compensation**

Exempt and nonexempt employees will be compensated in accordance with the applicable Board policy. Unless otherwise permitted by law, exempt employees will be compensated on a salary basis. Nonexempt employees may be compensated on either a salary or hourly basis, although amounts paid for overtime work and deductions for unpaid leave will be calculated using an employee's regular hourly rate of pay. The district will comply with minimum wage laws, when applicable.

All nonexempt employees are required to complete a daily time record showing actual hours worked. Supervisors of nonexempt employees must verify the accuracy of such records on a weekly basis. Failure to maintain or verify such records or falsification of these records will be grounds for disciplinary action.

## **Overtime**

The Board discourages overtime work by nonexempt employees. A nonexempt employee shall not work overtime without the express approval of his or her supervisor. Nonexempt employees who begin work earlier or work later than their assigned hours without prior authorization from their immediate supervisor are subject to discipline, including termination.

Unless a nonexempt employee works in one of the classifications listed in the "Comp Time" section of this policy, he or she will be paid one and one-half times his or her regular rate of pay for each hour of overtime.

## **Comp Time**

The district uses comp time in lieu of overtime compensation for the following classifications of employees:

Secretarial and Paraprofessionals, if approved by administration

This policy constitutes an agreement or understanding in advance that these employees will be given comp time off for overtime work. Employees will be awarded such comp time off at the rate of one and one-half hours for each hour of overtime worked.

The following provisions apply to comp time:

1. Comp time may be accrued up to 240 hours (160 overtime hours). Overtime work beyond this maximum accrual will be monetarily compensated at the rate of one and one-half times the individual's regular rate of pay. The district may require an employee to use accrued comp time to avoid excessive accumulation or monetary liability.
2. Every effort will be made to permit the use of comp time at a time mutually agreed upon by the individual and his or her supervisor. However, when the individual's absence would unduly disrupt the district's operations, the district retains the right to postpone comp time usage.
3. Upon leaving the district, individuals will be paid for any unused comp time at a rate not less than the higher of the average regular rate received by the employee during his or her last three years of employment or his or her final regular rate of pay.

## **Required Breaks**

In accordance with law, the district will provide a reasonable break time for an employee to express milk for her nursing child each time the employee has a need to express for one year after the child's birth. The district will provide a location, other than a bathroom, that is shielded

from view and free from intrusion from coworkers and the public that employees may use to express milk.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: February 15, 2017

Revised:

Legal Refs: Fair Labor Standards Act, 29 U.S.C. §§ 201 - 216  
*Garcia v. San Antonio Metro. Transit Auth.*, 469 U.S. 528 (1985)

## **STAFF EXTRA-DUTY ASSIGNMENTS**

All staff members are expected to perform reasonable duties over and above their regular responsibilities when the district determines that such additional work is necessary to supervise students, monitor an event, assist in an emergency situation or otherwise further the district's education mission. For example, employees may be assigned to sell tickets for extracurricular events or supervise students at district activities as part of their regular job duties.

The Board directs the district administrative staff to carefully plan for staffing needs in advance, equitably distribute duties among qualified staff members when possible, and avoid situations where the district is obligated to pay overtime compensation when possible.

The district expects all employees to act professionally in all of their duties, regardless of whether it is the employee's regular position or an extra duty and regardless of whether the employee is compensated an additional amount for the duty. An employee's actions while performing an extra-duty position will be included in the employee's regular performance evaluation and may be used to determine the employee's suitability for continued employment in the district in any capacity.

### **Compensated Extra-Duty Positions**

If the Board determines that a particular assignment would make a major demand on an employee's time, the Board may decide to create a compensated extra-duty position. An affirmative vote of a majority of the Board is necessary to assign an employee to a compensated extra-duty position. The Board will approve regular extra-duty assignments and compensation for those assignments on an annual basis.

Extra-duty positions may be at-will positions, or the Board may enter into an employment contract for them. Employees will be compensated as directed in policies GCBA and GDBA. The district will avoid assigning extra duties to an employee if such assignment would result in payment of overtime compensation, unless the superintendent or designee determines the assignment is necessary and the additional amount is included in the budget for extra duties. Extra-duty positions are not subject to the provisions of the Teacher Tenure Act.

### ***Occasional or Sporadic Extra Duties***

If the Board decides to compensate employees for occasional or sporadic extra duties, such as taking tickets at events, the superintendent or designee will annually recruit current employees who are interested in earning additional compensation for these duties. The Board will approve the list of interested employees and will set compensation for the duties. After approval, the superintendent or designee has the responsibility for equitably assigning approved employees to those extra duties throughout the year.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: February 15, 2017

Revised:

Legal Refs: Fair Labor Standards Act, 29 U.S.C. §§ 201 - 216  
*Garcia v. San Antonio Metropolitan Transit Authority*, Nos. 82-1913, 82-1915,  
15LW4135

## **STAFFING WITH AND EMPLOYING RETIREES**

For the purposes of this policy, a "retiree" is defined as a person who is receiving retirement benefits from the Missouri Public School Retirement System, the Public Education Employee Retirement System, the Kansas City Public School Retirement System or the Public School Retirement System of the City of St. Louis.

The Lone Jack C-6 School District encourages the superintendent or designee to consider past public school experience when making staffing decisions. When the district will benefit, the district may employ a retiree or contract with a retiree as an independent contractor. The district may also utilize the services of a retiree employed by a third party including, but not limited to, a staffing agency. The district will not create a position solely to benefit a retiree, but the district encourages retirees to apply for positions with the district.

However, given the strict regulation of retirees, the district will staff with a retiree only in situations where the applicable retirement laws will not be violated and the retiree's retirement benefits will not be jeopardized. To avoid compromising a retiree's benefits, the district will not reach a written or unwritten agreement for future employment with a person who has retired or is going to retire until the person has received his or her first retirement benefit payment.

The superintendent or designee may seek legal advice on compliance with the applicable laws and regulations.

### **Records**

Retirees required by law to limit the number of hours they work for the district will maintain accurate records of the dates and hours they have worked as directed by the district and will provide those records to the district. Such records will be maintained by the district.

### **Staffing Using Independent Contractors**

The district may staff positions using retirees serving as independent contractors, but the superintendent or designee will consult the district's legal counsel or auditor when necessary to ensure that the retiree is appropriately categorized for tax and withholding purposes. In accordance with law, any person performing work for the district for which teacher or administrator certification is required must be an employee of the district, not an independent contractor.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

**FILE: GBAC  
Critical**

Adopted: March 6<sup>th</sup>, 2019

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation

Legal Refs: §§ 161.855, 169.322, .324, .331, .475, .560, .561, .596, .660, RSMo.  
Age Discrimination in Employment Act, 29 U.S.C. §§ 621- 634  
16 C.S.R. 10-5.010, 6.060

## **TELEWORK**

For the purposes of this policy, telework is defined as a flexible work arrangement where employees perform some or all of their job duties from home or another approved worksite. Employees who are approved to telework are considered present for attendance purposes.

In general, the Lone Jack C-6 School District prefers that employees perform their duties at their assigned district buildings or offices to build relationships with students and families, ensure appropriate supervision and enable collaboration with coworkers. However, there are some positions that require employees to occasionally work remotely. There are other occasions where telework might increase district and student access to qualified employees, decrease absenteeism, be an appropriate accommodation for a disability or be a necessary alternative to closing district operations completely during an emergency.

Telework is not an entitlement and, unless there is a district emergency or disruption of operations, will be approved only when the district benefits from the arrangement and employees can effectively complete their job duties remotely. Teleworking employees will be held to the same performance expectations as other employees and are expected to follow all district policies, procedures and supervisor directives. The superintendent or designee may revise or withdraw permission to telework.

The Board directs the superintendent or designee to create procedures to implement this policy.

### **District Emergency or Disruption of Operations**

The district may include telework in its emergency operations plan. If the district determines that a school building must close due to inclement weather, an epidemic or another emergency or disruption in district operations, an employee may be required to telework. While these situations are not common, telework is an essential function of an employee's position if the district determines that such work is necessary to maintain district operations. The superintendent or designee will include telework requirements in employee job descriptions.

When telework is necessary, the district will provide employees with equipment and reasonable supports to assist with the transition. When telework is considered an essential function of an employee's position, an employee may be disciplined or terminated for refusing to work remotely or may be required to use paid leave days when available.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 12, 2020

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
EHB, Technology Usage  
EHBA, Data Governance and Security  
IC, Academic Calendar  
JO, Student Records

## **FAMILY AND MEDICAL LEAVE**

The district will administer leave that qualifies for Family and Medical Leave Act (FMLA) protection in accordance with federal law. This policy is intended for guidance and shall not be interpreted to expand the district's responsibilities beyond the requirements of the law. For employees who are not eligible for FMLA leave, including employees who have exhausted available FMLA-protected leave, requests for leave shall proceed according to the district's established policies.

### **Definitions**

The following definitions apply to FMLA leave:

*Armed Forces* - Army, Navy, Air Force, Marine Corps and Coast Guard, including the National Guard and Reserves.

*Child* - A biological, adopted or foster child; a stepchild; a legal ward; or a child of a person acting as a parent if the child is under 18 or 18 or over but incapable of self-care due to mental or physical disability at the time that FMLA leave is to commence. For the qualifying exigency leave and military caregiver leave only, the age of the child does not matter.

*Covered Active Duty* - In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country. In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in accordance with law.

*Covered Servicemember (for qualifying exigency leave)* - The employee's spouse, child or parent under a federal call or order to covered active duty.

*Covered Servicemember (for military caregiver leave)* - The employee's spouse, child, parent or next of kin who is 1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or 2) a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date the eligible employee takes FMLA leave to care for the veteran.

*Instructional Employees* - Employees whose principal function is to teach and instruct students in a class, a small group or an individual setting. This term includes athletic coaches, driving instructors and special education assistants, such as signers for the hearing impaired. It does not include teachers' assistants or aides who do not have as their principal job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists or

**FILE: GBBDA**  
**Critical**

curriculum specialists. It also does not include cafeteria workers, maintenance workers or bus drivers.

*Next of Kin* - For the purposes of military caregiver leave, the nearest blood relative other than a spouse, parent, son or daughter, in order of priority as established by 29 C.F.R. § 825.127.

*Outpatient Status* - Covered service member assigned to a military medical treatment facility or a unit established for the purpose of providing command and control of members of the Armed Forces as outpatients.

*Parent* - The biological, adoptive, stepparent or foster parent of a "child" as defined in this policy.

*Qualifying Exigency* - Issues that arise due to covered active duty or a call to covered active duty of an employee's spouse, child or parent, including issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, parental care, and other activities as defined by 29 C.F.R. § 825.126.

*Serious Health Condition* - Illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical facility or continuing treatment by a healthcare provider.

*Serious Illness or Injury (for military caregiver leave)* - 1) In the case of a current member of the Armed Forces, an injury or illness incurred in the line of duty on active duty in the Armed Forces (including the National Guard or Reserves) or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty, that may render the service member medically unfit to perform the duties of the service member's office, grade, rank or rating; and 2) in the case of a veteran, an injury or illness that meets one or more of the standards listed in 29 C.F.R. § 825.127 and that was incurred in the line of duty on active duty in the Armed Forces, or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty, and that manifested itself before or after the service member became a veteran.

*Spouse* - Husband or wife. In accordance with law and for the purposes of this policy, this includes the other person with whom an individual entered into marriage as defined or recognized under state law in the state in which the marriage was entered into. If the marriage was entered into outside of any state, the marriage will be recognized if it is valid in the place where it was entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage.

*Veteran* - An individual who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee

takes FMLA leave to care for the veteran. For veterans discharged or released prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, does not count toward the determination of the five-year period mentioned in the previous sentence.

### **Eligibility**

To be eligible for FMLA leave benefits, the employee must:

1. Have been employed in the district for at least 12 months (but not necessarily consecutively).
2. Have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the leave.
3. Be employed at a worksite where 50 or more employees are employed by the district within 75 miles of that worksite.

An absence may qualify for FMLA protection if it is for one of the following reasons:

1. Birth and first-year care of the employee's child.
2. Adoption or foster placement of a child with the employee.
3. Serious health condition of the employee that makes the employee unable to perform one or more of the essential functions of his or her job or the serious health condition of the employee's spouse, child or parent.
4. Care of a spouse, child, parent or next of kin who is a covered servicemember (including some veterans) with a serious illness or injury (military caregiver leave).
5. A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty, in the Armed Forces.

### **Notice to Employees**

#### ***General Notice***

The district will post notice to employees explaining FMLA benefits in accordance with law. If the district employs 50 or more employees, it will include FMLA notice in an employee handbook or other written guidance to employees concerning employee benefits or leave rights or will distribute a copy of the general notice to each new employee upon hiring. Notice may be provided electronically in accordance with law.



***Eligibility and Rights and Responsibilities Notices***

Absent extenuating circumstances, the district will provide the employee notice of the employee's eligibility to take FMLA leave and the rights and responsibilities of the employee within five business days of the request for leave or acquiring knowledge that an employee's leave may be for an FMLA-qualifying reason. Such notice will be provided at the commencement of the first instance of leave for each FMLA-qualifying reason in the applicable 12-month period, and no subsequent notice is required in the 12-month period unless leave is taken for a different qualifying reason or the employee's eligibility status has changed.

***Designation Notice***

When the district has enough information to determine whether the leave is being taken for an FMLA-qualifying reason, the district will provide written notice to the employee within five business days, absent extenuating circumstances, regarding whether the leave will be counted as FMLA leave. The district will notify the employee if a fitness-for-duty certification is required before returning to work and, if required, include a list of the essential functions of the employee's position. The district will notify the employee of the number of hours, days or weeks that will be counted against the employee's FMLA leave entitlement, if known. The district may designate leave as FMLA leave retroactively if the retroactive designation will not cause harm or injury to the employee.

**Employee Notice to the District**

An employee must notify the district of the need for leave and explain the reasons for the leave so the district can determine whether the leave qualifies for FMLA. The leave may be delayed or denied if the employee fails to give such notice.

In all cases of foreseeable leave, the employee must provide notice, in the same manner that is required under the district's leave policies, to the superintendent or designee of the reasons for the leave, the anticipated duration of the leave and the anticipated start of the leave. If an employee fails to provide the required notice, the district may delay or deny the FMLA-protected leave.

When the approximate timing of the need for leave is not foreseeable, an employee must provide notice to the district as soon as practicable under the facts and circumstances of the particular case, in the same manner that notice is required under the district's leave policies. The employee or the employee's spokesperson, if necessary, shall provide sufficient information for the district to reasonably determine whether the FMLA may apply to the leave request.

If the leave is for a qualifying exigency, an employee must provide notice as soon as practicable, regardless of how far in advance the leave is foreseeable. For all other qualifying reasons, an employee must provide 30 days' notice of the need to take FMLA leave when the need for leave

is foreseeable. When 30 days' notice is not practicable, the employee must provide notice as soon as practicable and must explain upon request why 30 days' notice was not practicable.

"As soon as practicable" means as soon as both possible and practical under all the facts and circumstances of the individual case.

### **Leave Use**

For all FMLA purposes except military caregiver leave, the district adopts a 12-month leave year beginning on July 1 and ending the following June 30.

1. All eligible employees are entitled to leave for a period not to exceed 12 workweeks per leave year for:
  - < The birth and first-year care of the employee's child.
  - < The adoption or foster placement of a child with the employee.
  - < A serious health condition of the employee that makes the employee unable to perform one or more of the essential functions of his or her job or the serious health condition of the employee's spouse, child or parent.
  - < A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty, in the Armed Forces. The amount of leave available for a particular type of qualifying exigency may be limited by law.
2. The FMLA leave year for military caregiver leave begins on the first day that such leave is taken and runs for the following 12 months. All eligible employees are entitled to military caregiver leave for a period not to exceed 26 workweeks of leave per single 12-month period for the care of a spouse, child, parent or next of kin who is a covered service member. Twenty-six weeks of leave are available per covered service member, per injury/illness; however, no more than 26 weeks of leave may be used during each single 12-month period.
3. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during a single 12-month period, provided that the employee is entitled to no more than 12 workweeks of leave for one or more of the following: the birth of the employee's child or to care for such child; the placement of a child with the employee for adoption or foster care; in order to care for the employee's spouse, son, daughter or parent with a serious health condition; for the employee's own serious health condition; or because of a qualifying exigency. For example, an employee could take 16 weeks of military caregiver leave and still have ten weeks available for the birth of a child. However, an employee who used ten weeks of military caregiver leave could not

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take 14 weeks for the birth of a child because that exceeds the 12 weeks allowed for such leave. Leave that qualifies as both military caregiver leave and leave for the serious health condition of a parent, spouse or child will be designated first as military caregiver leave.

4. When both spouses are employed by the district and eligible for FMLA leave, the leave will be limited to an aggregate total of 12 workweeks during a 12-month period in cases where the leave is taken for the birth or first-year care of the employees' child, adoption or foster placement of a child with the employees, or to care for a parent with a serious health condition. However, where both spouses use a portion of the total 12-week FMLA leave entitlement for the same qualifying event, the spouses would each be entitled to the difference between the amount he or she has taken individually and 12 weeks for another qualifying purpose. When both spouses are employed by the district and use military caregiver leave or a combination of military caregiver leave and leave for the birth or first-year care of their child, adoption or foster placement of a child with the employees, or to care for a parent with a serious health condition, both employees will be limited to an aggregate total of 26 workweeks of leave.
5. The district shall apply all appropriate paid leave to an FMLA absence to the extent allowed by law and policy, giving proper notice to the employee. If an employee's accrued paid leave is exhausted, but an FMLA-qualifying reason for absence persists or a new FMLA-qualifying reason for absence occurs, the resulting absences will continue to be protected FMLA leave until allowable FMLA leave has been used, but such absences will be unpaid.
6. When an employee has an absence that meets the criteria to be an FMLA-qualified absence, the district will designate such absence as part of the employee's total annual FMLA entitlement, even if the employee has not requested FMLA leave and/or is absent under paid or unpaid leave in accordance with law or district policy. If an employee is on a Workers' Compensation absence due to an injury or illness that would also qualify as a serious health condition under the FMLA, the same absence will also be designated as an FMLA-qualifying absence and charged against the employee's FMLA-protected time entitlement.
7. FMLA leave may be taken intermittently as required for the health of the employee or family member or as reduced-schedule leave in increments no greater than the shortest period of time that the district uses to account for use of other forms of leave, provided that it is not greater than one hour and provided that the FMLA entitlement is not reduced by more than the amount of leave actually taken. Instructional employees may take intermittent or reduced-schedule leave to be with a healthy newborn only when the district and the employee have reached agreement for how the leave will be used.
8. The district reserves the right to require adequate certification and recertification of any FMLA-qualifying event or condition of the employee or employee's spouse, child, parent

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or next of kin and authentication or clarification of such certification as the district deems necessary. Failure to provide such certification when requested will result in denial of the leave, and may result in discipline or termination of employment. Employees on FMLA-designated leave must periodically report on their status and intent to return to work. The district may also require that an employee present a certification of fitness to return to work.

### **Instructional Employees**

If intermittent leave or reduced-schedule leave equals more than 20 percent of instructional time, the district may require instructional employees who take such leave due to medical reasons to take block leave or to find an alternative placement for the period of planned medical treatment. When an instructional employee on FMLA leave is scheduled to return close to the end of a school term, the district may elect to use a special rule to prolong the employee's leave until the beginning of the next school term, thus extending the leave beyond the period where an FMLA-qualifying reason exists. In such an instance, the prolonged leave time is unpaid and is not charged against the employee's annual FMLA entitlement. In cases where the special rules for instructional employees apply, the superintendent may apply those special rules or the general FMLA rules as best serves the interest of the district.

### **Leave Protections**

The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave. Eligible employees are entitled to continued participation in the district's health plan as long as they are entitled to FMLA leave protection; however, an employee who fails to return to work after the expiration of his or her allowed leave time will be expected to reimburse the district for those benefits paid, as required by law.

Eligible employees who are absent for an FMLA-qualifying reason generally may return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave, in accordance with law. However, the district has the discretion to assign employees taking intermittent leave or returning from FMLA leave to a different position or a position in a different building, grade level or classroom as long as the employee has the appropriate certification or license for the position. Depending on the circumstances, instructional employees may be assigned to substitute teacher positions, positions as in-school suspension supervisors or other district positions for which they are certificated if the district determines that such placement is necessary to ensure consistency of instruction.

The FMLA makes it unlawful for any employer to interfere with, restrain or deny the exercise of any right provided under the FMLA. Additionally, it is unlawful for any employer to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

## **Recordkeeping**

The superintendent or designee will ensure that personnel records regarding FMLA eligibility and leave are maintained in accordance with law and available for inspection, copying and transcription by representatives of the U.S. Department of Labor upon request.

## **Enforcement**

The U.S. Department of Labor is authorized to investigate and resolve complaints of violation of the FMLA. An eligible employee may bring a civil action against an employer for violations. For additional information, contact the nearest office of the U.S. Department of Labor's Wage and Hour Division.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 14, 2009

Revised: December 13, 2010  
December 14, 2015

Cross Refs: DLB, Salary Deductions

Legal Refs: 10 U.S.C. § 101 (a) (13)  
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2611-2619  
29 C.F.R. §§ 825.100 - 825.702

## **STAFF CONFLICT OF INTEREST**

All employees of the Lone Jack C-6 School District shall adhere to the laws regarding conflict of interest and avoid situations where their decisions or actions in their employment capacities violate the provisions of this policy or conflict with the mission of the district.

### **Purchases Involving Federal Funds**

In addition to the requirements of this policy, the provisions of policy DJFA and related procedures must be followed when federal funds are used.

### **Definitions**

*Business with Which an Employee Is Associated* – For the purposes of this policy, a business with which an employee is associated means:

1. A sole proprietorship owned by the employee, his or her spouse or any dependent children in the person's custody.
2. A partnership or joint venture in which the employee or spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the employee is an officer or director or of which the employee or his or her spouse or dependent children in the employee's custody, whether singularly or collectively, own more than ten percent of the outstanding shares of any class of stock or partnership units.
3. Any trust in which the employee is the settlor or trustee, or in which the employee, spouse or dependent children, singularly or collectively, are beneficiaries or holders of a reversionary interest of ten percent or more of the corpus of the trust.

*Special Monetary Benefit* – Being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected.

### **Sale, Rental or Lease of Personal Property (Property other than Real Estate)**

No employee of the district shall sell, rent or lease any personal property to the school district for consideration in excess of five hundred dollars' value per transaction or five thousand dollars' value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received.

### **Sale, Rental or Lease of Real Property (Real Estate)**

No employee of the district shall sell, rent or lease any real property to the school district for consideration in excess of five hundred dollars' value per transaction or five thousand dollars' value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice.

### **Independent Contractor Services**

No employee of the district shall perform service as an independent contractor for consideration in excess of five hundred dollars' value per transaction or five thousand dollars' value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received.

### **Additional Prohibitions**

1. Employees may not act or refrain from acting by reason of any payment, offer to pay, promise to pay or receipt of anything of actual pecuniary value paid or payable, or received or receivable, to themselves or any third person. This includes a gift or contribution made or received in relationship to or as a condition of the performance of an official act.
2. Employees shall not favorably act on any matter that is specifically designed to provide a special monetary benefit to them, their spouse or any dependent children in their custody.
3. Employees will not use their decision-making authority for the purpose of obtaining a financial gain that materially enriches them, their spouse or any dependent children in their custody by acting or refraining from acting for the purpose of coercing or extorting anything of actual pecuniary value.
4. Employees shall not offer, promote or advocate for a political appointment in exchange for anything of value to any political subdivision.
5. An employee will not attempt to directly or indirectly influence any district decision when the employee knows the result of the decision may be the district's acceptance of a service or the sale, rental or lease of any property to the district and the employee, his or her spouse, dependent children in his or her custody or any business with which the employee is associated will benefit financially.

6. An employee will not use his or her position with the district to influence purchases made by students or parents/guardians that result in the financial gain of the employee, the employee's spouse, the employee's dependent children or businesses with which they are associated, unless authorized by the Board of Education.
7. An employee will not trademark, patent, copyright or claim ownership interest in any inventions, publications, ideas, processes, compositions, programs, images or other intellectual property created by the employee in his or her capacity as an employee of the district, unless authorized by the Board of Education. The district will not pay royalties, licensing fees or other fees to employees or businesses with which they are associated for the use of intellectual property created by employees in their employment capacities, unless authorized by the Board of Education.
8. An employee will not receive compensation, other than the compensation received from the district, for tutoring students currently enrolled in a class the employee teaches unless authorized by the Board of Education. Any private tutoring of students for a fee on district property is subject to facility usage policies and procedures.
9. Employees will not accept gifts from an individual student, parent/guardian, vendor, vendor's representative or any person who does or is attempting to do business with the district unless authorized by the Board or the employee's immediate supervisor. Gifts include, but are not limited to, money, personal property, free meals, tickets to events, travel expenditures and games of golf valued in excess of the amount set by the Board. Door prizes and other randomly awarded prizes, such as those awarded from raffles or other fundraising events, are not considered a gift or gratuity.

### **Use of Confidential Information**

Employees shall not use or disclose confidential information obtained in the course of or by reason of their employment in any manner with intent to result in financial gain for themselves, their spouses, dependent children in their custody, any business with which they are associated or any other person. Even when there is no financial gain involved, misuse of confidential information or failure to keep information confidential violates Board policy and could also violate state and federal law.

### **Administrative and Executive Employees**

In addition to the above-listed requirements, the following restrictions apply to all administrative and executive employees in the school district, in accordance with law. Administrative and executive employees of the district may not:



1. Receive compensation or payment for services from any person, firm or corporation, other than the compensation provided by the district for the performance of their official duties, to attempt to influence a decision by the district.
2. Perform any service for compensation by which they attempt to influence a decision of the district for one year after the termination of their employment with the district.

### **Financial Disclosure**

The superintendent, chief purchasing officer and general counsel, if employed full-time by the district, will file an annual disclosure statement with the Missouri Ethics Commission in accordance with law and Board policy BBFA.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: September 13, 1999

Revised: December 14<sup>th</sup>, 2005  
July 13<sup>th</sup>, 2015  
October 10<sup>th</sup>, 2016  
October 12, 2020

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
DA, Fiscal Responsibility  
DD, Grants  
DJF, Purchasing  
DJFA, Federal Programs and Projects  
DN, Surplus District Property  
KG, Community Use of District Facilities

MSIP Refs: G-1

Legal Refs: §§ 105.450 - .458, .462, .466 - .467, .472, 168.114, .126, RSMo.  
2 C.F.R. §§ 200.112, .113, .317, .318, .338

## **STAFF CONDUCT**

The 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 or 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. 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.
16. Employees will not represent their personal opinions as the opinions of the district and, to avoid confusion, are required to clearly indicate when they are speaking or writing as an individual and not a representative of the district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised: March 14, 2005  
November 18<sup>th</sup>, 2019

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
CH, Policy Implementation and Dissemination  
DCB, Political Campaigns  
DJF, Purchasing  
HPA, Employee Walkouts, Strikes and Other Disruptions  
IGDF, Student Fundraising  
IND, Ceremonies and Observances  
JFG, Interrogations, Interviews and Searches  
JO, Student Records  
KI, Public Solicitations/Advertising in District Facilities

Legal Refs: §§ 105.055, 167.166, 168.114, .130, RSMo.  
U.S. Const., amend. I

## **PROTECTED STAFF COMMUNICATIONS**

The Lone Jack C-6 School District respects the opinions of district employees and will not take action against district employees solely for speech that is protected by state or federal law. The superintendent or designee may contact the district's attorney prior to taking disciplinary action to ensure compliance with these laws.

While there are numerous statutes, constitutional provisions and court cases on this subject, this policy is intended to address only the requirements of § 105.055, RSMo.

### **Definitions**

*Disciplinary Action* - Any dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal or withholding of work, regardless of whether the withholding of work has affected or will affect a district employee's compensation.

*District Employee* - Any employee, volunteer, intern or other individual performing work or services for the district.

### **Employee Responsibilities**

The district encourages district employees to be mindful of the impact their communication may have on the school district community and expects employees to take responsibility for their own communications regardless of whether the communication occurs while off duty or working. District employees are prohibited from representing their opinions as those of the district and are required to clarify, when necessary, when they are speaking as an individual and not as a representative of the district. All communications made by an employee while working for or representing the district must be professional.

### **Protected Communications**

District administrators or supervisors will not prohibit an employee from discussing the operations of the district, either specifically or generally, with any member of the legislature, the state auditor, the attorney general, a prosecuting or circuit attorney, a law enforcement agency, the news media, members of the public, or any state official or body charged with the investigation of misconduct listed in this policy unless allowed by law.

Unless a disclosure is prohibited by law, neither the district nor its administrators and supervisors will prohibit a district employee from, or take disciplinary action against a district employee for, disclosing an alleged prohibited activity under investigation, any related activity or any information the district employee reasonably believes to be evidence of:

1. A violation of any law, rule or regulation;
2. Mismanagement;

3. A gross waste of district funds;
4. An abuse of authority;
5. Any violation of district policy;
6. A waste of public resources;
7. Any alteration of technical findings or communication of scientific opinion;
8. A breach of professional ethical canons; or
9. A substantial and specific danger to public health or safety.

All district employees and volunteers who have reasonable cause to suspect fraud must immediately report that suspicion to an administrator or supervisor pursuant to policy DA.

No administrator or supervisor shall require a district employee to provide notice prior to disclosing any activity listed above or prevent a district employee from testifying before a court or an administrative or legislative body regarding any alleged prohibited activity or disclosure of information.

### **Requests for Information and Testimony**

In general and in accordance with law, the district will comply with legislative requests for information as well as any requests for information by a court or other legislative body. Likewise, the district will cooperate in situations where a court or legislative body seeks district employee testimony regarding any alleged prohibited activity.

District employees who receive a legislative request for information are required to inform district administrators or supervisors. District employees are also required to provide district administrators or supervisors information regarding the substance of any testimony the district employee makes to legislators on behalf of the district.

### **Leaving Work Areas**

District employees are required to follow all applicable rules and supervisor instructions regarding attendance. A district employee may not leave assigned work areas during normal work hours to discuss district operations or to make protected disclosures under this policy, particularly in situations where students would be left unsupervised, unless the employee:

1. Is reporting suspected child abuse or neglect;
2. Is asked by a legislator or legislative committee to appear before a legislative committee;
3. Is otherwise entitled by law or as part of his or her duties to leave the assigned work area;  
or

4. Has requested and received permission from an administrator or supervisor to be relieved of his or her job duties for the purposes of reporting misconduct to the appropriate district authority. Such requests will be granted as soon as practical given the nature of the employee's job duties.

### **Unprotected Communications**

Regardless of any protections afforded in this policy, a district employee may be disciplined for communicating information if the employee knew the information was false; if the information was disclosed in violation of the Missouri Sunshine Law or any other law; or if the disclosure was related to the employee's own violations, mismanagement, gross waste of funds, abuse of authority or endangerment of public health or safety.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 18<sup>th</sup>, 2019

Revised:

Cross Refs: BDC, Closed Meetings, Records and Votes  
DA, Fiscal Responsibility  
JHG, Reporting and Investigating Child Abuse/Neglect  
JO, Student Records  
KL, Public Complaints  
KLA, Concerns and Complaints Regarding Federal Programs

Legal Refs: §§ 105.055, 210.115, 610.010, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
Individuals with Disabilities Education Act, 20 U.S.C. §§1400 - 1417  
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2611 - 2619  
National School Lunch Program, 7 C.F.R. 210  
*Pickering v. Board of Education*, 391 U.S. 563 (1968)  
*Connick v. Myers*, 461 U.S. 138 (1983)  
*Garcetti v. Ceballos*, 547 U.S. 410 (2006)

## **STAFF ABSENCES AND TARDINESS**

Consistent contact with students and coworkers is necessary for an optimal learning environment and an effective working environment. Therefore, consistent attendance is an essential duty of any employee's position. While some absences are unavoidable, when an employee is routinely tardy, frequently absent or is absent for an extended period of time, the learning environment and district operations are negatively impacted.

Employees may be disciplined or terminated for excessive absences or tardiness, which includes situations where employees come to work late, leave early or abandon their duties without permission from a supervisor. Unless authorized by the Board or the superintendent or otherwise authorized by law, an employee's absence or tardiness will be considered excessive or unreasonable in any of the following circumstances:

1. The absence is for a reason not granted as paid or protected leave under Board policy or law.
2. The absence results in the employee exceeding the amount of leave granted by the Board.
3. The employee has not otherwise exhausted applicable leave days but the absence exceeds 8 days in a semester or 16 days in a school year or is otherwise disruptive to district operations, as determined by the district.
4. The employee fails to appropriately notify the district of an absence as soon as possible after the employee knows he or she will be absent (commonly called No-Call, No-Show).
5. The employee does not provide the district complete and accurate information about the absence, does not respond to requests for information, or does not provide documentation related to the absence as requested or required.
6. The employee does not first obtain permission to be absent from the appropriate supervisor when required to do so.
7. The absence is for any reason other than the one given for the absence.

Even if the absence or tardiness is authorized by the Board or the superintendent, if the absence or tardiness occurs for a reason not granted as paid leave under Board policy or if it exceeds the number of days the employee has been granted under a designated leave, the employee's salary will be docked. Violation of this policy constitutes misconduct and may result in the loss of unemployment benefits if a claim is filed.



Employees will not be disciplined or terminated for absences qualifying for protection under the Family and Medical Leave Act (FMLA), the Uniformed Services Employment and Reemployment Rights Act (USERRA) or other applicable law.

**Failure to Contact the District**

If an employee without an employment contract is absent from work, does not contact his or her supervisor, and does not respond to attempts by the district to contact the employee and the employee's emergency contact, the district will assume the employee has resigned his or her employment with the district and will consider the position vacant.

If an employee with an employment contract is absent from work, does not contact his or her supervisor, and does not respond to attempts by the district to contact the employee and the employee's emergency contact, the district will send a letter and any other appropriate communication to the employee stating that if the employee does not contact the district, the district will assume that the employee has voluntarily resigned from his or her position with the district. If the employee still does not contact the district, the district will assume that the employee has resigned and will consider the position vacant.

The district may share with potential employers seeking information about a former employee the fact that the employee failed to contact the district or resign.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: July 13, 2015

Revised: September 11<sup>th</sup>, 2023

Cross Refs: DLB, Salary Deductions  
HPA, Employee Walkouts, Strikes and Other Disruptions

Legal Refs: §§168.114, .116, 288.030, RSMo.  
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2611 - 2619  
Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C.  
§§ 4301-4333  
*Willis v. School Dist. of Kansas City*, 606 S.W.2d 189 (Mo. Ct. App. 1980)

**FILE: GBCBC  
Critical**

*Stewart v. Board of Educ. of Ritenour*, 574 S.W.2d 471 (Mo. Ct. App. 1978)  
*Aubuchon v. Gasconade County R-1 Sch. Dist.*, 541 S.W.2d 322 (Mo. Ct. App.  
1976)

## **STAFF USE OF COMMUNICATION DEVICES**

The Lone Jack C-6 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 portable device that sends or receives calls or text messages, allows the retrieval of e-mail or provides access to the Internet.

*Use/Using* - Answering the phone or talking on the phone; sending or responding to a text, e-mail or other communication; opening and viewing pictures or digital recordings; opening and listening to music or audio communications; continuously checking a communication device; or any activity with a communication device that interferes with the employee's job duties or appropriate supervision of students.

### **General Use**

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

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

Supervision of students 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 occurs:

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 employee has received specific and direct permission from a supervisor.
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, unless there is an emergency, employees shall not use communication devices when:

1. Driving district-provided vehicles.
2. Operating a 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.

Even in emergency 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 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.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 13<sup>th</sup>, 2010

Revised: December 9, 2013

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
EHB, Technology Usage

Legal Refs: U.S. Const. amend. IV  
47 C.F.R. §§ 54.500, .513

**STAFF HEALTH AND SAFETY**

The health and safety of all district personnel is of vital importance to the school district. The Board will seek to provide safe working conditions for all staff members and will give prompt consideration to those conditions that may present a threat to the health and safety of staff members. The district will respond to employee requests for reasonable accommodations when an employee has a disability as defined by Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA). All employees will receive annual training on universal precautions and the district's communicable disease policy.

The district will only make medical inquiries, require physical exams or keep medical information on an employee in accordance with law.

Individuals employed by the district or through a contracted service to drive district transportation must annually file a statement from a medical examiner with the district that indicates that they are physically qualified to operate district transportation for the purpose of transporting students. A new driver must file this statement prior to his or her initial operation of district transportation.

Medical records must be maintained on separate forms in separate medical files and shall be kept confidential.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: July 1997

Revised: December 13, 2006

Cross Refs: EBAB, Hazardous Materials  
EBB, Communicable Diseases

Legal Refs: §§ 162.064, 302.272, RSMo.  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

## **WORKERS' COMPENSATION**

Pursuant to state law, an employee of the Lone Jack C-6 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.

### **Reporting**

An employee must report all injuries immediately to his or her immediate supervisor by completing the district's incident report form. 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 report an injury or illness arising out of and in the course of employment within 30 days of such injury or illness 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 superintendent or designee. The superintendent or designee 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 may 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 a medical provider has been designated by the district and the employee chooses to use his or her own provider, the employee is responsible for all costs associated with the provision of those services.

## **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 nonprescribed controlled substances will result in a reduction or loss of benefits payable under this policy and pursuant to law if the injury was sustained in conjunction with the use of alcohol or nonprescribed controlled substances.

The Board authorizes post-injury testing for nonprescribed 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.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 14, 2005

Revised:

Cross Refs: EBBA, Accident Response and Prevention  
EEA, Student Transportation Services

Legal Refs: Chapter 287, RSMo.



## **DRUG-FREE WORKPLACE**

Student and employee safety is of paramount concern to the Board of Education. In recognition of the threat to safety posed by employee use or possession of drugs or alcohol, the Board of Education commits itself to a continuing good-faith effort to maintain a drug-free workplace. The Board of Education shall not tolerate the manufacture, use, possession, sale, distribution or being under the influence of controlled substances, alcoholic beverages or unauthorized prescription medications by district employees on any district property; on any district-approved vehicle used to transport students to and from school or district activities; off district property at any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district; or during any period of time such employee is supervising students on behalf of the school district or is otherwise engaged in school district business.

When it is evident that an employee has consumed alcoholic beverages or controlled substances off school property before or during a district activity, the staff member will not be allowed on school property or to participate in the activity and will be subject to the same disciplinary measures as for possession or consumption on district property.

Staff members will be tested for alcohol and controlled substances if the district has reasonable suspicion that the staff member has violated this policy. In addition, staff members who operate district transportation must submit to alcohol and drug testing as otherwise required by law. All testing will be conducted in accordance with Board policy, administrative procedures and law.

Any employee who violates this policy will be subject to disciplinary action, which may include suspension, termination and referral for prosecution. Employees may be required to satisfactorily participate in rehabilitation programs.

Each employee of this school district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and notify the superintendent or designee of any criminal drug statute conviction for a violation occurring in or on the premises of this school district, or while engaged in regular employment. Such notification must be made by the employee to the superintendent or designee in writing no later than five (5) calendar days after conviction. The superintendent or designee will provide notice in writing of such violation to the United States Department of Education or other appropriate federal agency within ten (10) calendar days after the superintendent or designee receives such notification if the district receives any federal grants directly from such agency, as opposed to federal grants received through the Department of Elementary and Secondary Education (DESE).

The district will take appropriate disciplinary action within 30 days.

The district will institute a drug-free awareness program to inform employees of the dangerous and harmful nature of drug and alcohol abuse in the workplace, of this policy of maintaining a drug-free workplace, of available counseling and rehabilitation, and of the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

**FILE: GBEBA**  
**Critical**

The Board of Education recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance. Although the district will not assume financial responsibility, an employee who requests assistance shall be referred to a treatment facility or agency in the community if such facility or agency is available.

Upon the request of DESE or an agency of the United States, the district shall certify that it has adopted and implemented the drug prevention program described in this policy. The district shall conduct a biennial review of

this policy to determine its effectiveness, implement necessary changes and ensure that the disciplinary sanctions are consistently enforced.

This policy shall be communicated in writing to all present and future employees. Compliance with this policy is mandatory.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: September 8, 1997

Revised: December 14, 2005

Cross Refs: EBBA, Accident Response and Prevention  
JFCH, Student Alcohol/Drug Abuse

Legal Refs: § 287.120, RSMo.  
Controlled Substances Act, 21 U.S.C. § 812(c)  
21 C.F.R. 1300.11-1308.15  
Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701 - 707

**EMPLOYEE ALCOHOL AND DRUG TESTING**  
*(District Contracts for Transportation Services)*

**Provisions Applicable to All Employees**

**Alcohol and Drug Prohibitions**

No employee may manufacture, use, possess, sell, distribute or be under the influence of alcohol or drugs in violation of the district's Drug-Free Workplace policy. All employees may be tested for alcohol and drugs if the district has reasonable suspicion that the employee has consumed alcohol or drugs in violation of Board policy.

**Program Coordinator**

The superintendent or designee will serve as the program coordinator to implement the district's alcohol and drug testing program within the guidelines of this policy.

**Training**

All staff who have supervisory duties over other staff members will be provided training on the effects of drug and alcohol use. The training will include physical, behavioral, speech and performance indicators of drug and alcohol use.

**Testing Program**

The district will use testing facilities with appropriately trained personnel for alcohol and drug testing. The district's drug and alcohol testing program shall provide individual privacy in the collection of specimen samples to the maximum extent possible. The specimen collection procedures and chain of custody shall ensure that specimen security, proper identification and integrity are not compromised.

**Refusal to Submit to Tests**

Drug or alcohol tests administered pursuant to this policy are mandatory. An employee refuses to submit when he or she fails to provide adequate breath or urine for testing when notified of the need to do so or engages in conduct that clearly obstructs the testing process.

## **Consequences**

Employees who refuse to submit to a test, who test positive for prohibited substances or who take deliberate action with the intent to falsify test results will be subject to discipline, including termination, in accordance with Board policy and law.

## **Treatment**

In addition to any disciplinary action taken, the district will provide employees a list containing the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs when employees have a positive drug or alcohol test, refuse to take a test or otherwise request information about substance abuse treatment.

## **District Records and Reports**

Alcohol and drug test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, an employee shall receive copies of any records pertaining to his or her use of alcohol or drugs, including any records pertaining to his or her tests. Test records shall be maintained with the separate medical files of each employee. The district shall maintain records and reports of its alcohol and drug prevention program as required by law.

Records of drug and alcohol tests and other related records shall be made available to a subsequent employer only as expressly requested in writing by the employee.

## **Notification to Employees**

The program coordinator shall ensure that all employees receive written materials explaining the district's drug and alcohol misuse prevention program, including copies of or access to applicable policies, procedures or handbooks.

Employees shall sign statements certifying that they have received the materials.

## **Provisions Applicable to Drivers**

In addition to the drug testing provisions applicable to all employees, the Lone Jack C-6 School District, which contracts with an outside vendor for the district's student transportation services, will contract only with vendors that follow the guidelines of the Omnibus Transportation Employee Testing Act and comply with state reporting requirements. In meeting these guidelines, the vendor must provide a comprehensive program that includes conducting pre-

employment drug testing and reasonable suspicion, random and post-accident testing for use of alcohol or drugs by operators of commercial motor vehicles; notifying such operators of the requirements and consequences of the program; maintaining appropriate records; participating in the Commercial Driver's License Drug and Alcohol Clearinghouse; and complying with the Missouri Department of Revenue's reporting requirements. The contract between the vendor and the district will specify this condition.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: September 13, 1999

Revised: December 14, 2005  
October 12<sup>th</sup>, 2020

Cross Refs: EEA, Student Transportation Services

Legal Refs: § 287.120, RSMo.  
Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. § 31306  
Controlled Substances Act, 21 U.S.C. § 802(6)  
49 C.F.R. Parts 40 and 382

## **CRIMINAL BACKGROUND CHECKS**

The Lone Jack C-6 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 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 Lone Jack C-6 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.

**FILE: GBEB**  
**Critical**

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. The contract will require the company to exclude persons who have exhibited behavior that is violent or harmful to children or adults.

**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, advisors 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 or unless the district pays the cost, in accordance with law.

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 will discuss the incident with the employee. The superintendent or designee is authorized to take appropriate action as allowed by law and district policy and to contact the district's attorney to discuss any legal concerns. Continued participation in the program requires all employees to be fingerprinted every six years and comply with each program's terms and conditions.



### **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 § 570.030, RSMo., when the offense involved money, property or services valued at \$5,000 or more;
2. Receiving stolen property under § 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 § 570.090, RSMo.;
4. Counterfeiting under § 570.103, RSMo.;
5. Bribery of a public servant under § 576.010, RSMo.;
6. Acceding to corruption under § 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

**FILE: GBEBC**  
**Critical**

persons who need to know the information to carry out their responsibilities with the district. 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 terminate 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.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 13, 2006

Revised: December 13, 2010  
December 8, 2012  
June 11, 2016  
March 6, 2019

Cross Refs: EHBC, Data Governance and Security  
ICC, School Volunteers

**FILE: GBEBC  
Critical**

Legal Refs: §§ 43.540, .543, 105.669, 168.071, .133, 576.050, RSMo

## **STAFF/STUDENT RELATIONS**

### **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 Lone Jack C-6 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 presume that this provision has been violated 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**

Unless an educational purpose exists or an exception as defined in this policy applies, examples of situations where professional physical and emotional boundaries are violated include, but are not limited to:

1. Being alone with a student in a room with a closed or locked door or with the lights off. Counselors or others who need to work with students confidentially must discuss with their supervisors the appropriate manner of meeting with students.
2. Meeting students in nonwork settings without the parent/guardian being present, even if the parent/guardian grants permission.
3. 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.
4. Communicating with students about sexual topics verbally or by any form of written, pictorial or electronic communication.

**FILE: GBH**  
**Critical**

5. Discussing the staff member's personal problems with or in the presence of students.
6. Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
7. Inviting students to the staff member's home.
8. Being present when students are fully or partially nude.
9. Sending students on personal errands.
10. Allowing a student to drive the staff member's vehicle.
11. 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.
12. Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
13. Giving gifts to individual students.
14. 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-provided devices, accounts and forms of communication (such as computers, phones, telephone numbers, e-mail addresses and district-sponsored

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**Critical**

webpages or social networking sites), when available. If district-provided devices, 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-provided 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. Staff use of any electronic communication is subject to the district's policies, regulations and procedures including, but not limited to, policies, regulations, procedures and legal requirements governing the confidentiality and release of information about identifiable students. Employees who obtain pictures or other information about identifiable students through their connections with the district are prohibited from posting such pictures or information on personal websites or personal social networking websites without permission from a supervisor.
4. 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.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised: November 8, 2004  
December 13, 2010  
February 13, 2012

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
JG, Student Discipline  
JHG, Reporting and Investigating Child Abuse/Neglect



**FILE: GBH  
Critical**

Legal Refs: §§ 162.069, 168.114, 210.115, RSMo.  
*Ross v. Robb*, 662 S.W.2d 257 (1983)  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
*Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629 (1999)  
*Gebser v. Lago Vista Ind. Sch. Dist.*, 524 U.S. 274 (1998)

## **PERSONNEL RECORDS**

It is the intent of the Board of Education to maintain complete and current personnel files for all district employees. Personnel records will include, but are not limited to: documentation of necessary certifications and licenses; compensation records; documentation of benefits received or offered and overtime or compensatory time earned; performance evaluations; records of disciplinary actions; and other records the district determines are necessary to effectively manage the employment relationship and verify compliance with relevant state and federal laws. Personnel records will be retained in accordance with the Missouri Secretary of State's applicable retention manuals.

### **Confidentiality**

The district creates and maintains personnel records for district purposes, and in general personnel records will only be available to district employees or independent contractors who are authorized by the district to access the information. In accordance with law, individually identifiable personnel records, performance ratings and records pertaining to employees, former employees or applicants for employment are closed and not accessible to the public. However, the names, positions, salaries and lengths of service of employees must be available to the public upon request. In addition, the district will provide access to personnel records to the district's legal counsel, to state and federal agencies with appropriate authority, and in situations where the record is used to defend the district in a legal or administrative action.

### **Storage**

Personnel records will be stored in accordance with good data management practices and in such a manner that only authorized personnel who need to know the information as part of their duties with the district have access to the records. Files containing immigration records and medical information regarding an employee will be kept separate from other personnel files.

### **Parent/Guardian Access**

In accordance with federal law, at the beginning of each school year the district will notify the parents/guardians of each student attending any school receiving Title I funds that they may request information regarding whether the:

1. Student's teacher is certified to teach in the grade levels and subject areas in which the teacher provides instruction.
2. Student's teacher is teaching under emergency or other provisional certification status.
3. Student is provided services by a paraprofessional and, if so, the qualifications of the paraprofessional.

### **Employee Access**

Upon request to and in the presence of the appropriate administrative official, any employee may inspect his or her own personnel file during regular working hours, with the exception of the ratings, reports and records created or obtained prior to the employment of the individual, including confidential placement papers and letters of reference.

### **Board Member Access**

An individual Board member has no greater access to confidential personnel records than any member of the public unless the Board member has been granted access by action of the Board or is serving in a capacity that requires such access.

If an individual Board member wants to view an employee evaluation or other confidential personnel information, the Board member may ask for the item to be put on the agenda for the next closed Board meeting. At the meeting, the Board member must explain why he or she has requested access to the record. If access is granted by the Board, the record will be available for all Board members to view at the meeting.

Employment contracts are not considered confidential personnel records, and individual Board members may inspect or copy these contracts upon request.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: June 12, 2017

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
CBG, Evaluation of the Superintendent  
CFB, Evaluation of Principals  
EHBC, Privacy Protection  
KB, Public Information Program

Legal Refs: §§ 168.128, 610.021(13), RSMo.  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
29 C.F.R. § 1630.14  
Fair Labor Standards Act, U.S.C. §§ 201 - 216  
29 C.F.R. Part 516  
Immigration Reform and Control Act, 8 U.S.C. § 1324

**FILE: GBL  
Critical**

The Elementary and Secondary Education Act of 1965, 20 U.S.C. § 6312  
*Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 528 (1985)

Adopted: November 11, 2002

Legal Refs: §§ 168.128, 610.021(13), RSMo.  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
29 C.F.R. § 1630.14  
Fair Labor Standards Act, U.S.C. §§ 201, *et seq.*  
29 C.F.R. Part 516  
Immigration Reform and Control Act, 8 U.S.C. §§ 1324, *et seq.*  
No Child Left Behind Act of 2001, P.L. 107-110  
*Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 528(1985)

## **REFERENCES**

### **Definitions**

*Employee* - Any staff member, student teacher or intern of the Lone Jack C-6 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 teacher or intern in the district in the near future.

*Potential Employer* - Another school district, charter school, business 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.; sexual contact with a student under § 566.086, 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 four of this section. The superintendent or designee is authorized to contact the district's attorney for advice on implementing this policy.

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 when required by law.
2. *Allegations of Sexual Misconduct Substantiated 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.
4. *Other Situations* - The superintendent or designee is required to consult the district's attorney when considering whether to release information regarding allegations of sexual misconduct against a former employee when the district is not required by law to do so.

### **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.

\* \* \* \* \*

Adopted: July 9, 2012

Revised: June 12, 2017  
March 13, 2023

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
ACA, Sexual Harassment Under Title IX  
BDC, Closed Meetings, Records and Votes  
BDDL, Release of Information  
EHBC, Data Governance and Security  
JHG, Reporting and Investigating Child Abuse and Neglect

Legal Refs: §§ 566.086, 162.068, 290.152, 566.083, 610.021, RSMO  
The Elementary and Secondary Education Act of 1965, 20 U.S.C. § 7926

## **STAFF GRIEVANCES**

The Lone Jack C-6 School District is interested in employee concerns and ideas for improving the district. District employees are encouraged to discuss concerns with supervisors and the administrative staff so that issues may be addressed in a timely fashion.

### **Grievance**

Because violations of Board policies, regulations and collective bargaining agreements are particularly problematic, the Board has developed this formal process for addressing these grievances.

Grievance processing should be viewed as a positive and constructive effort to establish the facts upon which the grievance is based and to accurately implement Board policies, regulations or collective bargaining agreements. The Board strictly prohibits discrimination or retaliation against an employee for filing a grievance and directs all district employees to cooperate in the grievance process.

If more than one (1) district grievance process might apply to a particular concern, the superintendent or designee will decide which process will govern. If any part of a grievance includes allegations of illegal discrimination or harassment, or if the grievance is factually similar to a complaint filed by the same employee regarding illegal discrimination or harassment, the entire grievance will be resolved in accordance with policy AC.

### **Definitions**

*Days* - Calendar days, whether occurring during the regular school year or during the summer, but excluding: weekends; district-designated holidays (whether on the original school calendar or designated thereafter); winter and spring breaks and other Board-designated breaks; and closings due to inclement weather, illness, natural disaster, or other emergencies.

*Grievance* - An allegation by an individual employee that a collective bargaining agreement or a specific, written, Board-adopted policy or regulation has been violated or misinterpreted. A grievance does not include concerns regarding performance evaluations or remedial documents, nonrenewal of contracts, employee discipline, reduction in force or termination. This policy does not apply if another Board policy or regulation or state or federal law provides due process, a hearing or a different method for addressing the issue.

*Grievant* - district employee who has filed a grievance.

*Performance Evaluations or Remedial Documents* - Any assessment of employee performance including, but not limited to, notice of deficiencies, job targets, professional development plans and professional improvement plans.

## **Grievance Process**

1. Grievances must be filed within ten (10) days of the occurrence that is the basis of the grievance. The grievance must be in writing, on the forms provided by the district, and include a copy of the provision of the collective bargaining agreement, policy or regulation alleged to be violated or misinterpreted, as well as a statement of the relief requested.
2. Grievances will be processed according to the step-by-step process outlined below, with the following exceptions. If a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step. If a grievance is directly based on official Board action, the grievance shall be directed to the Board secretary. The grievance may be heard by the Board at the sole discretion of the Board.
3. No new information may be added and no new claims may be made after Step 1. Each subsequent appeal will address only the facts and issues presented at Step 1.
4. The deadlines established under this policy may be extended upon the written request of the grievant or the supervisor, but the final decision regarding any extension shall be made by the superintendent at his or her sole discretion. Investigation and reporting deadlines will be extended when more time is necessary to adequately conduct an investigation and to render a decision. The grievant will be notified when deadlines are extended.
5. Failure of the grievant to appeal within the timelines given will be considered acceptance of the findings and remedial action taken. The district will not consider late appeals.
6. Once a decision is rendered under this grievance process, the decision is final. Grievance decisions cannot be the subject of a new grievance.
7. Because the point of a grievance is to provide resolution outside the court system, an employee is not entitled to bring an attorney to grievance proceedings. Once an attorney becomes involved in the process, the superintendent or designee will refer the matter to the district's private attorney and the grievance process will end.

### ***Immediate Supervisor (Step 1)***

1. Employees are encouraged to informally notify their immediate supervisor of a grievance. If the issue is not resolved, the employee should submit a written grievance, on forms provided by the district, to the immediate supervisor. The written grievance must clearly indicate that it is a grievance and specify which provision(s) of policy, regulation or collective bargaining agreement were allegedly violated.

**FILE: GBM**  
**Basic**

2. Within ten (10) days of receiving the written grievance, the immediate supervisor will investigate the matter and render a decision in writing. A copy of the decision will be provided to the grievant.

***Principal or Designee (Step 2)***

This step may be omitted if the principal or designee serves as the immediate supervisor at Step 1 or if the employee's supervisor is not under the direct supervision of a principal.

1. Within five (5) days after receiving the decision at Step 1, the grievant may appeal the decision in writing, using forms provided by the district, to the principal or designee. The appeal must clearly state why the previous decision is erroneous.
2. The principal or designee will, within ten (10) days of receipt of the appeal, review the investigation and render a decision in writing to the grievant and the grievant's immediate supervisor.

***Superintendent or Designee (Step 3)***

1. Within five (5) days after receiving the decision at Step 2, the grievant may appeal the decision in writing, using forms provided by the district, to the superintendent or designee. The appeal must clearly state why the previous decision is erroneous.
2. The superintendent or designee will, within ten (10) days of receipt of the appeal, review the investigation and render a decision in writing to the grievant, the principal or designee and the grievant's immediate supervisor.

***School Board or Board Committee (Step 4)***

Within five (5) days after receiving the decision at Step 3, the grievant may appeal the decision in writing, using forms provided by the district, to the Board of Education. The Board of Education, at its sole discretion, may decide to hear the grievance.

**Documentation**

A grievant will receive a written response or report regarding his or her grievance, but the grievant and persons investigated in the course of the grievance are not entitled to view or receive copies of the investigation file or notes taken during the investigation, unless required by law. If an employee is disciplined as a result of the grievance, the discipline may be recorded in the employee's personnel file and discussed with the employee. Information recorded in an employee's personnel file will not be shared except as provided in Board policy or required by law.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised: December 12, 2011

Cross Refs: BDDH, Public Participation at Board Meetings  
HA, Negotiations with Employee Representatives  
KL, Public Complaints

**PROFESSIONAL STAFF POSITIONS**

The Board of Education may, upon the recommendation of the superintendent, employ professional staff, assistant principals, principals, directors and other supervisory personnel as may be required for the accreditation of the schools and to accomplish the district's goals and objectives.

The term "professional staff" will be used to designate positions that legally require a certificate issued by the Department of Elementary and Secondary Education (DESE) or that have been designated by the district as "professional" positions in the relevant job descriptions. Positions not designated as "professional" will be considered "support staff" positions for the purposes of Board policies.

The superintendent will maintain a comprehensive and current set of job descriptions for all positions in the district. Job descriptions shall be available in the office of the superintendent during regular business hours.

The superintendent or designee shall have general responsibility for coordinating the employment of all professional staff and maintaining adequate personnel records. The superintendent or designee will assign all professional staff one or more immediate supervisors who will provide training, direction and performance evaluations.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: November 12, 2001

Revised: December 9, 2013

## **PROFESSIONAL STAFF COMPENSATION**

The Lone Jack C-6 School District needs highly qualified employees to accomplish its education mission and must offer competitive compensation to attract and maintain experienced professional staff in the district. The Board directs the superintendent or designee to annually research regional and statewide trends in employee compensation and consult with district employees to prepare competitive salary schedules and salary recommendations for the Board to consider within the constraints of the district's finances. Only the Board has the authority to increase an employee's regular compensation or grant employees an extra-duty position or stipend.

As required by law, teachers will be paid in accordance with a Board-adopted salary schedule. All full-time teachers will be paid at least the minimum teacher's salary as required in state law. Noncertificated professional staff and certificated staff members other than teachers will be compensated in accordance with a Board-approved salary schedule or will receive the amount of compensation approved by the Board for particular positions or particular employees.

### **All Professional Staff Salary Schedules**

The Board is required to adopt salary schedules for the compensation of teachers and may use a salary schedule to compensate administrative and noncertificated professional staff. When creating a salary schedule, the Board may recognize characteristics beneficial to the district, such as certification in high-need areas, in addition to traditional factors, such as experience and education.

The following rules apply to all district professional staff salary schedules unless determined otherwise by the Board:

1. The Board will make every effort to adopt salary schedules prior to the statutory deadline for issuing teacher and administrator contracts, but salary schedules and other compensation must be determined along with the district budget no later than June 30. Any Board-adopted salary schedule will remain in effect and continue to operate until the Board takes action to change or eliminate the salary schedule.
2. The Board may freeze the operation of the salary schedule when warranted by the financial condition of the district or for other relevant reasons, as determined by the Board. Once a salary schedule is frozen, employees will not advance on the salary schedule until the Board votes to authorize movement on the salary schedule. If the salary schedule is frozen for more than one year before the Board authorizes movement, employees will advance to the next step for which they were eligible at the time the schedule was frozen unless the Board determines that it is financially feasible to allow employees to move through all steps missed while the schedule was frozen. Alternatively, the Board may adopt a new salary schedule that accurately reflects the salary associated with the appropriate years of service.

3. An employee may not advance more than one step vertically and one column horizontally per year on the salary schedule unless such movement is allowed by the Board-adopted rules and is uniformly applicable to that particular salary schedule or is otherwise approved by the Board.
4. An employee cannot progress on the salary schedule after entering into a contract for a school year unless such movement is specifically authorized in the contract.
5. Education courses and other professional development may not be used to advance on a salary schedule unless the employee had prior administrative approval to take the course or participate in the professional development and count it for advancement on the salary schedule.
6. The district may recognize an employee's previous experience when placing that employee on the salary schedule. The Board delegates to the superintendent or designee the authority to set guidelines on which previous experiences qualify. In addition, the district may recognize military service or work experience that the district considers beneficial to the position. Employees are responsible for fully apprising the district of their relevant background experiences when first employed in the position. Once the employee is initially placed on the salary schedule, the district is under no obligation to review the placement.

### **Teacher Salary Schedules**

In accordance with law, participation in a certified teacher externship program will qualify for movement on the salary schedule to the same extent and in the same manner as other graduate-level course credit.

### **Compensation for Extra Duties**

Additional duties, such as supervising activities, may be assigned to professional staff without additional compensation. In some situations and with Board approval, the district may provide an employee with extra-duty compensation or a stipend to compensate the employee for performing additional duties. In those situations, the Board will determine the amount of compensation, which may be set by adopting an extra-duty salary schedule or approving a specific amount for the position.

### **Employee Responsibility**

Employees are responsible for verifying that their salary schedule placement, compensation rate and paychecks are accurate. Employees are required to notify the district within 30 days of receiving an inaccurate payment, and failure to do so could lead to discipline, forfeiture of amounts owed or deductions for excess pay received, as allowed by law.



## **Compensation Disbursement**

In general, professional staff will be paid in equal installments over 12 months even if the employee's regular work schedule is less than 12 months. However, payment for extra duties that are seasonal or limited to a specific timeframe may be paid in the month the work was performed.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: July 14, 1997

Revised: February 15, 2017  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
DLB, Salary Deductions  
HA, Negotiations with Employee Representatives

Legal Refs: §§ 163.172, 168.025, .101, .110 (2), RSMo.  
Equal Pay Act, 29 U.S.C. § 206(d)

## **PROFESSIONAL STAFF SHORT-TERM LEAVES**

Consistent contact with students and staff is important to the learning environment and district operation and therefore is an essential duty of a professional staff member's position. However, the board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

The district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The following leaves with pay will be provided to full-time professional staff employees. Regular part-time professional staff employees will receive these leaves on a pro rata basis. This policy does not apply to temporary or substitute staff members unless otherwise noted.

1. **Sick Leave** – Professional staff employees whose assignments call for 12 months of full-time employment will receive 10 days of sick leave/PTO. Professional staff employees whose assignments call for full-time employment only during the regular school term will receive 10 days of sick leave. Unused sick leave will be cumulative to 95 sick leave days. Absences will be counted by the number of hours the individual is out of the district.

Absences may be charged against sick leave for the following reasons:

- a. Illness, injury or incapacity of the employee. The board reserves the right to require a healthcare provider's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.
- b. Illness, injury or incapacity of a member of the immediate family. The board defines "immediate family" to include:
  - The employee's spouse.
  - The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
  - Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(Note: "Family" for FMLA purposes is more limited.)

- c. Illness, injury or incapacity of other relatives, with permission granted by the superintendent.
- d. Pregnancy, childbirth and adoption leave in accordance with this policy.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

A district employee may not use sick leave during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Any certificated employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the district or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

- 2. **Personal Leave** – Personal leave will be available preschool year as part of the staff member's PTO.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law or policy provides for paid leave.
- c. Wedding, graduation or funeral.
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on a Saturday, Sunday or before or after school hours, including parent-teacher conferences.
- f. Absences under leaves authorized by law, policy or the board that would otherwise be unpaid including, but not limited to, leave under the FMLA.
- g. Leave for other purposes as approved by the principal.

Whenever possible, it is expected that requests for leave will be made in writing to the designated administrator at least 48 hours in advance of the time leave is requested. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request. A district employee may not use personal leave days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

3. **Vacation** – All professional staff employed on a 12-month basis will receive 2 weeks of vacation per year for the first five years and 3 weeks of vacation for the remainder of their years of service. An employee must submit a written request for vacation to the superintendent or designee and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the superintendent or designee has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

A district employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

4. **Bereavement Leave** – When a death occurs in an employee's immediate family, the employee may take up to five days off with pay to attend the funeral or make funeral arrangements. The district may require verification of the need for the leave. The board defines "immediate family" to include:

- The employee's spouse.
- The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

After the exhaustion of the five days of bereavement leave, the employee may use personal leave.

Unless otherwise provided, the following leaves will be provided to full-time and part-time professional employees.

1. **Holidays** – The district will grant paid and unpaid holidays in accordance with the academic calendar adopted by the board. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.

**Professional Leave** – Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth

activities. Professional leave must be approved by the superintendent or designee, arranged well in advance and is not considered personal leave.

2. **Military Leave** – The board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 B September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.
3. **Election Leave** – Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.
4. **Leave to Vote** – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit the employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.
5. **Jury Duty Leave** – An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.
6. **Leave for Court Subpoena** – If the subpoena is directly related to the employee's school duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.
7. **Firefighter Leave** – Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency.

Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

8. **Crime Victim Leave** – Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.
9. **Civil Air Patrol Leave** – Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.
10. **Coast Guard Auxiliary Leave** – Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.
11. **Victims' Economic Safety and Security Act (VESSA) Leave** – Employees may take unpaid leave in accordance with law for absences related to domestic or sexual violence where an employee, an employee's family member or a person residing in the employee's household has been the victim of domestic or sexual violence. Leave may be taken intermittently or on a reduced work schedule. Two workweeks of unpaid leave will be available in a 12-month period, except that employees of districts with fewer than 50 employees but at least 20 employees will be limited to one workweek of unpaid leave. Employees may use accumulated paid leave or compensatory time concurrently with unpaid VESSA leave. VESSA leave does not create a right for employees to take unpaid

leave that exceeds the amount of unpaid leave time under FMLA. Employees are required to give 48 hours' notice of the need for leave unless such notice is not practicable. The district may require certification of the need for leave, which may include documentation from an entity aiding the victim, a police or court record, or other corroborating evidence.

Information provided by the employee in conjunction with the use of this leave will be confidential in accordance with law.

### **Pregnancy, Childbirth and Adoption Leave**

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall only apply up to six weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation or unpaid leave. Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

**Search the index for this section and the cross references to identify related policies, administrative procedures and forms.**

Adopted: December 14<sup>th</sup>, 2009

Revised: December 13<sup>th</sup>, 2010  
December 8<sup>th</sup>, 2012  
December 9, 2013  
July 13, 2015  
August 9<sup>th</sup>, 2021  
June 6<sup>th</sup>, 2022

Cross Refs: DLB, Salary Deductions  
HA, Negotiations with Employee Representatives  
IC, Academic Calendar/Year/Day

**FILE: GCBDA  
Critical**

Legal Refs: §§41.1000, .1005, 105.270 - .271, 115.102, .639, 168.122, 169.595, 320.200, .330  
- .339, 494.460, 595.209, RSMo.

Fair Labor Standards Act, 29 U.S.C. §§ 201 – 218(c)

Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2611 - 2619

Title VII of the Civil Rights Act of 1964 as amended by the Pregnancy  
Discrimination Act, 42 U.S.C. § 2000e-1 - 2000e-17

29 C.F.R. §1604.10



## **PROFESSIONAL STAFF LONG-TERM LEAVES AND ABSENCES**

The Board of Education recognizes that the personal welfare and the professional growth of its employees may require occasional extended absences from duty. Therefore, the Board may grant the following long-term leaves of absence under specified conditions.

### **Sabbatical Leaves of Absence**

The Board of Education may grant sabbatical leaves of absence to certificated employees for further professional study at the graduate level under the following conditions:

1. The leave of absence shall be based upon an application by the employee and the recommendation of the superintendent and shall not be granted for a period longer than one year.
2. The applicant shall have been a certificated employee of the school district for not less than 6 consecutive years immediately preceding the application.
3. The teacher shall request the leave 90 calendar days prior to the end of the school year preceding the leave period.
4. The Board of Education will not grant a sabbatical leave of absence unless the district is able to find a satisfactory replacement for the teacher.
5. The number of leaves granted in any one year shall be left to the discretion of the Board of Education.
6. Upon the staff member's return to the school system, the employee shall be reinstated at the proper position on the salary schedule, losing only that time during which regular duties were not performed. The Board retains the right to reassign the teacher.
7. The leave of absence shall be without pay or benefits by the school district.

### **Military Leaves of Absence**

The Board of Education will grant military leave as required by law and as described in Board policy.

1. Pursuant to federal law, employment and re-employment rights shall be maintained for periods of service up to five years or more as required by statute.
2. Pursuant to state law, employees taking military leave are entitled to up to 120 hours of paid leave for military duty. Pay will only be available for hours of military leave that occur at a time when the employee would otherwise have been required to be at work.

3. Leaves for military service will not be counted as continuous full-time service when computing tenure but shall not impair tenure previously acquired nor affect any credit toward tenure previously earned.
4. After initial employment with the district, time spent on military leave shall be counted in determining placement on the salary schedule.

### **One-Year General Leaves of Absence**

The Board of Education may grant a one-year general leave of absence for reasons other than the continuation of professional study -- for example, illness, child rearing, adoption or other personal reasons. If applicable, the provisions of the Family and Medical Leave Act (FMLA) will be followed as required by law. General leaves are subject to the following conditions:

1. The leave of absence shall be based upon application by the teacher; it shall coincide with the school year and not be for a period of more than one year. Leaves will not be counted as continuous full-time service when computing tenure but shall not impair tenure previously acquired nor affect any credit toward tenure previously earned.
2. The applicant shall have been a certificated employee of the school district for not less than 6 consecutive years immediately preceding the application.
3. The teacher shall request the leave 90 calendar days prior to the end of the school year preceding the leave period.
4. The Board of Education shall be able to make satisfactory arrangements for the performance of the ordinary duties of the applicant during the period for which the leave of absence is requested.
5. The number of leaves granted in any one year shall be left to the discretion of the Board of Education.
6. Upon the staff member's return to the school system, the employee shall be reinstated at the proper position on the salary schedule, losing only that time during which regular duties were not performed. The Board retains the right to reassign the teacher.
7. The leave of absence shall be without pay or benefits by the school district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

**FILE: GCBDB  
Critical**

Adopted: November 11, 2002

Revised: December 9, 2013

Cross Refs: GCBC, Professional Staff Fringe Benefits  
GCBDA, Professional Staff Short-Term Leaves and Absences

Legal Refs: §§ 105.270,271, 168.122, 169.595, RSMo.  
16 CSR 10-4.041  
Uniformed Services Employment and Re-employment Rights Act of 1994  
(USERRA), 38 U.S.C. §§ 4301 - 4333

## **PROFESSIONAL STAFF RECRUITING AND HIRING**

Because an effective educational program requires quality staff members, the Board and the administration of the Lone Jack C-6 School District will make every effort possible to attract and retain qualified, highly skilled and experienced personnel.

The district's hiring procedures will comply with all federal and state laws, including laws prohibiting discrimination. The district is an equal opportunity employer and hires only citizens of the United States and persons who are legally authorized to work in the United States. The Lone Jack C-6 School District will enroll and actively participate in a federal work authorization program in accordance with law.

A majority of the Board must vote affirmatively to employ any person or enter into an employment contract.

### **Recruiting and Advertising**

The district will recruit the best-qualified candidates for open positions. New or vacant positions will be posted for at least five business days in the district's buildings and publicized externally by other means as determined appropriate by the superintendent or designee. However, if the superintendent or designee determines that it would be detrimental to wait five business days or that a longer period is necessary, the position will be advertised for the number of days deemed appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the vacancy. A position is not considered vacant if the superintendent or designee transfers or reassigns an existing employee to the position. Board approval is required when a transfer or reassignment results in a change to the employee's compensation, benefits or contract.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current, qualified employee meeting the stated requirements may apply for new or vacant positions in the district.

All requests for information concerning professional staff vacancies in the district shall be directed to the superintendent or designee.

### **Screening Process**

Applicants must complete a formal application and provide all required information. The superintendent or designee shall conduct interviews, review references and obtain other information as deemed necessary.

The superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy and will check references in accordance with law and policy GBLB.

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. The superintendent or designee shall request information about the applicant's previous job performance from the most recent school district or charter school that employed the teacher.

Generally, all teachers and administrators must have valid certification to teach in Missouri schools, and the superintendent or designee will verify that applicants currently possess the required certification or license before the Board votes to employ them in a position that requires a certificate or other professional license. The superintendent or designee will also reverify licenses and certifications once they are renewed. When the district determines that employing someone without the appropriate certificate or license is necessary or unavoidable, the employee will be required to obtain the appropriate certificate or license by a district-specified deadline.

Any applicant who provides false information or inaccurate academic credentials will immediately be removed from consideration.

### **Hiring**

A position other than the superintendent's position will be filled by the Board only after receiving the recommendation of the superintendent or designee. It is the policy of the Board to employ qualified teachers with postsecondary degrees from fully accredited universities and the appropriate teaching certificates. In making recommendations, the superintendent or designee shall give first consideration to applicants who, in addition to proper general education qualifications, have special training and other qualifications for the particular type of vacancy to be filled.

All applicants for a particular position will be promptly notified once the position has been filled.

### ***Board Members***

The district will not accept an employment application from a Board member, consider a Board member for employment or decide to employ a Board member while the member remains on the Lone Jack C-6 School District Board of Education. Board members who wish to apply for employment in the district must first resign from the Board.

### ***Spouses of Board Members***

In accordance with law, a Board member's spouse will be hired to fill a vacant or new position only if the position has been advertised in accordance with this policy and the superintendent has submitted a written recommendation supporting the employment of the spouse. If a Board member's spouse is hired, the names of all applicants for that position and the name of the individual hired will be included in the appropriate Board meeting minutes.

***Retirees***

The district may employ persons who are retired and currently receiving a retirement allowance from a public retirement system as permitted by law.

**Employment Contracts**

The district will offer employment contracts only to certificated employees who are required by law to receive a contract. All other professional staff employees will be considered at-will employees and will not be offered contracts.

All employment contracts will comply with applicable law. The superintendent or designee is authorized to seek legal advice regarding district employment contracts.

When an employee is initially offered employment, he or she will be given a written copy of the applicable contract and a deadline by which the signed contract must be returned to the district.

**Eligibility for Public Service Loan Forgiveness**

In accordance with law, the district will provide current, accurate and complete information to each new employee regarding eligibility for public service loan forgiveness. The notice will be provided within ten days following the start of employment.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: September 13, 1999

Revised: March 14, 2005  
December 14, 2005  
December 14, 2009  
December 13, 2010  
December 12, 2011  
February 15, 2017  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
DD, Grants  
DGA, Authorized Signatures

MSIP Refs: R-10

Legal Refs: §§ 105.255, .1445, 161.855, 162.068, .261, .301, 168.101 - .133, 169.331,  
.596, 213.010, .055, .070, 285.530, 290.400 - .410, 335.075, RSMo.  
Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
Equal Pay Act, 29 U.S.C. § 206(d)  
Age Discrimination in Employment Act, 29 U.S.C. § 621 - 634  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Family and Medical Leave Act, 29 U.S.C. § 2615  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e - 2000e-17  
Genetic Information Nondiscrimination Act, 42 U.S.C. §§ 2000ff - 2000ff-11  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

## **PROFESSIONAL STAFF PROBATION AND TENURE**

The superintendent shall recommend employment for the professional staff, maintain personnel records, administer leaves, evaluate performance, keep the Board apprised of the performance of district employees and take action when necessary to discipline or terminate employees. If a question exists as to when a teacher will earn tenure or whether an employee is tenured, the superintendent or designee is authorized to contact the district's attorney for advice.

### **Definitions**

The following definitions shall apply in the administration of district policies and are intended to merely summarize the legal definitions under Missouri law. If for any reason the following definitions contradict Missouri law, the legal definitions will control in the application of district policy.

*Teacher* -- Any employee of a school district regularly required to be certified under laws relating to the certification of teachers, except superintendents, assistant superintendents and any other persons regularly performing supervisory functions as their primary duty, but including certified teachers who teach at the pre-kindergarten level within a pre-kindergarten program in which no fees are charged to parents or guardians.

*Permanent or Tenured Teacher* -- A teacher who meets the definition of a "permanent" teacher in the Missouri Teacher Tenure Act, including:

- < Teachers who have been employed as a teacher in the district for five (5) successive years and who continue to be employed by the school district.
- < Teachers who have been employed in any other school system as a teacher for two (2) or more years, who have been employed as a teacher in the district for four (4) successive years and who continue to be employed by the school district.
- < Teachers who were tenured in the district, resigned or were permanently separated from employment by the district, and were re-employed by the district. Once re-employed, the first school year is probationary. However, if the employee is employed for the succeeding year, the employment constitutes a permanent (tenured) contract.
- < Any permanent or tenured teacher who is promoted with his or her consent to a supervisory position, including a principal or assistant principal, or who is first employed by a district as a principal or assistant principal, shall not have permanent status in such



position, but shall retain tenure in the position previously held within the district, or, after serving two (2) years as principal or assistant principal, shall have tenure as a permanent or tenured teacher of that system.

- < Any teacher employed under a part-time contract by the district shall accrue credit toward permanent or tenured status as described above on a prorated basis.

*Probationary Teacher* -- Any teacher as herein defined who is not classified as a "permanent" or "tenured" teacher by law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 14, 1991

Revised: March 14, 2005  
December 12, 2005

Legal Refs: §§ 168.101 - .130, RSMo.

## **PROFESSIONAL STAFF REASSIGNMENTS AND TRANSFERS**

The district recognizes that assigning qualified staff members to positions throughout the district is essential to providing an excellent education program for all students. Every effort will be made to assign district staff to areas of the greatest need for the benefit of the students.

### **Definitions**

*Reassignment* - District-initiated movement of an employee from one position or building to another.

*Transfer* - Movement of an employee from one position or building to another at the request of the employee.

### **Reassignments**

The Board directs the superintendent to annually assess the professional staffing needs of the district and reassign staff as necessary to meet those needs. Although the superintendent will take the employee's expressed preference into consideration, the ultimate decision must be based on the district's needs. The superintendent may reassign staff members at any time, including after a contract has been signed or during the school year. Board approval is required when a reassignment results in a change to the employee's compensation, benefits or contract.

### **Transfers**

Professional staff may request a transfer to a different position or building by submitting the appropriate form to the superintendent or designee. The district will grant employee transfer requests only when they are in the best interest of the district. Board approval is required when a transfer results in a change to the employee's compensation, benefits or contract.

Transfer requests for the following school year must be submitted on or before March 1. Transfers during the school year are discouraged and will be considered only in extraordinary circumstances. Professional staff requesting a transfer during the school year must submit the appropriate form and discuss the request with both the employee's immediate supervisor and the superintendent or designee.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12, 2005

Revised: October 12, 2020

Cross Refs: FC, School Closings, Consolidations and Reorganizations

## **PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES**

The Board of Education of the Lone Jack C-6 School District recognizes the relationship between high-quality professional development and student achievement and therefore commits to a high-quality professional staff development program. The program will be aligned with the current Comprehensive School Improvement Plan (CSIP) and based on available student achievement data and the results of needs assessment at the school and district level.

In support of this commitment the Board will:

1. Establish a Professional Development Committee (PDC) that will create and implement a Professional Development Plan (PDP) based on the district's CSIP. The PDP must be approved by the Board prior to implementation.
2. Allocate adequate funding for high-quality professional development activities as defined by law.
3. Provide leave and dismissal time for approved professional growth activities and reimbursement for expenses related to conferences and visitations.
4. Provide opportunities for increased compensation or advancement on the salary schedule with additional education or training in accordance with Board policies and procedures.
5. Provide opportunities for collective participation by staff members in the same school community, subject area, grade level or department.

### **Professional Development for Teachers**

The professional development program for teachers will:

1. Be sustained over time.
2. Focus on specific content areas or instructional practices.
3. Support the collective learning of teachers.
4. Align with district, school and teacher goals.
5. Be infused with active learning and provide teachers the opportunity to practice and apply new knowledge.

Professional development for teachers will include a beginning teacher assistance program and a mentoring program that meets or exceeds the standards established by the Department of Elementary and Secondary Education (DESE).

### **Professional Development for Administrators**

Professional development activities will be provided for superintendents, principals and other district personnel charged with administrative functions. As with professional development for teachers, professional development for administrators will be available on an individual basis and as part of a collective group.

Professional development for administrators will align with the Missouri Leader standards and focus on support of classroom instruction.

Administrators will participate in the Mentoring Program for Administrators (MPA) supported by the Missouri Partnership for Mentoring School Leaders.

### **Program Evaluation**

The PDC will conduct an annual evaluation of the professional development program to determine whether professional development is aligned with the district's CSIP and identified instructional priorities. To the extent possible, the evaluation will determine the effect of the professional development program on student achievement as measured by assessments of student mastery of grade-level expectations.

### **Professional Development for Certification**

Many certificated employees are required by state law to continue their professional development to maintain their certificates. The state-required professional development may include completion of additional college credit hours, district-provided or district-recognized professional development, and other training acceptable to DESE. In addition, the following activities will qualify for professional development hours for the purposes of maintaining a certificate in accordance with law:

1. The district may supervise a teacher in a local business externship for professional development hours. The externship must provide the teacher practical experience at a business in the local community in which the teacher is employed through observation and interaction with employers and employees who are working on issues related to subjects taught by the teacher (§ 168.024, RSMo.).
2. District-offered training on dyslexia and related disorders will count for up to two hours of professional development (§ 167.950, RSMo.).

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 8, 2008

Revised: December 9, 2013  
November 18<sup>th</sup>, 2019

Cross Refs: ADF, District Wellness Program  
IGAB, Instructional Interventions

MSIP Refs: TL-2

Legal Refs: §§ 160.530, 163.021.4, 167.950, 168.021, .023, .024, .400, RSMo.  
5 C.S.R. 20-400.380

**PROFESSIONAL STAFF CAREER LADDER PROGRAM**

The Lone Jack C-6 School District supports a voluntary Career Ladder Program as a method for teachers to provide student services and assistance beyond the traditional teaching responsibilities. The district's participation in this program will be considered on an annual basis, depending on the local funds available as well as state funding for the program.

The Board directs the superintendent to revise the district's Career Ladder Plan to address expectations when state funding for the program is cut or eliminated and to present the plan to the Board for approval. In years in which the Board chooses not to participate in the Career Ladder Program, the superintendent or designee will make recommendations to the Board regarding services previously performed under the Career Ladder Program that will be eliminated and strategies for replacing services when necessary.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 14, 1991

Revised: December 12, 2011

Legal Refs: §§ 168.500 - .515, RSMo.

## **EVALUATION OF PROFESSIONAL STAFF**

The Board requires a program of comprehensive, performance-based evaluations for the teachers and other professional staff members it employs in order to ensure high-quality staff performance that improves student achievement. Evaluation instruments used by the district will minimally reflect the Essential Principles of Effective Evaluation as adopted by the Missouri State Board of Education (State Board). Pursuant to these principles, the evaluation process should:

1. Use research-based performance targets aligned with state standards;
2. Establish indicators of performance articulated across differentiated levels with standards specifying expectations at all levels of practice;
3. Be aligned with the probation period for the educator as specified in state law and provide for the accurate and appropriate accumulation of performance data;
4. Use student growth in learning as a significant contributing factor in the evaluation of practice at all levels, using a wide variety of student performance measures;
5. Assess performance on a regular basis, providing timely feedback from multiple sources that promotes formative development at all career stages and supporting overall improvement;
6. Be designed to ensure that evaluators who collect evidence of performance and provide feedback are highly trained and objective, ensuring that ratings are fair, accurate and reliable; and
7. Be designed to guide district decisions regarding determinations of status, recognition, development, interventions and policies that impact student learning in the system.

### **Evaluation of Professional Staff Other Than Teachers**

All professional staff members contribute toward the achievement of the district's students and the overall success of the district. To ensure continuous improvement and growth, the supervisors of professional staff members or their designees will set performance goals in consultation with the employee, conduct continuous performance evaluations and complete a written summative evaluation annually.

### **Teacher Evaluations**

The superintendent or designee ("evaluator") will annually complete a summative evaluation of the performance of the district's teachers.



**FILE: GCN**  
**Critical**

The primary purpose of the evaluation is to improve student performance by promoting the continuous growth of teachers in a manner that is aligned with the district's Comprehensive School Improvement Plan (CSIP) and, where applicable, building improvement plans (BIPs). Results of the evaluation will inform employment decisions, but may not be the only factor considered.

The superintendent or designee, in consultation with the district's teaching staff, will develop procedures and instruments for professional staff evaluation.

**Teacher Evaluation Standards**

The evaluator will measure performance based on the Missouri Teacher Standards. In accordance with these standards, detailed below, the teacher must demonstrate the knowledge and ability to ensure the success of all students.

1. *Content Knowledge Aligned with the Appropriate Instruction:* The teacher understands the central concepts, structures, and tools of inquiry of the discipline(s) and creates learning experiences that make these aspects of subject matter meaningful and engaging for all students.
2. *Student Learning, Growth and Development:* The teacher understands how students learn, develop and differ in their approaches to learning. The teacher provides learning opportunities that are adapted to diverse learners and support the intellectual, social and personal development of all students.
3. *Curriculum Implementation:* The teacher recognizes the importance of long-range planning and curriculum development. The teacher develops, implements and evaluates curriculum based on student, district and state standards data.
4. *Critical Thinking:* The teacher uses a variety of instructional strategies and resources to encourage students' critical thinking, problem-solving and performance skills.
5. *Positive Classroom Environment:* The teacher uses an understanding of individual/group motivation and behavior to create a learning environment that encourages active engagement in learning, positive social interaction and self-motivation.
6. *Effective Communication:* The teacher models effective verbal, nonverbal and media communication techniques with students, colleagues and families to foster active inquiry, collaboration and supportive interaction in the classroom.
7. *Student Assessment and Data Analysis:* The teacher understands and uses formative and summative assessment strategies to assess the learner's progress and uses both classroom and standardized assessment data to plan ongoing instruction. The teacher monitors the performance of each student and devises instruction to enable students to grow and develop, making adequate academic progress.

8. *Professionalism:* The teacher is a reflective practitioner who continually assesses the effects of choices and actions on others. The teacher actively seeks out opportunities to grow professionally in order to improve learning for all students.
9. *Professional Collaboration:* The teacher has effective working relationships with students, parents/guardians, school colleagues and community members.

### **Counselor and Librarian Evaluation Standards**

The district adopts the model standards for librarians and counselors developed by the Department of Elementary and Secondary Education and adopted by the State Board.

### **Evaluation Records**

The summative evaluation and any written responses by the teacher or professional staff member will be maintained in the employee's personnel file in accordance with the state retention manuals applicable to schools. The district will not share the evaluation with any state or federal agency unless it is required by law to do so.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 14, 1991

Revised: December 13, 2010  
December 14, 2015

MSIP Refs: 6.5.2

Legal Refs: §§ 160.045, 161.855, 168.128, RSMo.  
5 C.S.R. 20 - 400.375

**REDUCTION IN PROFESSIONAL STAFF WORK FORCE  
(Instructional Personnel)**

The Board of Education may place as many teachers on unrequested leave of absence as may be necessary due to a decrease in student enrollment, school district reorganization or the financial condition of the school district. The Board of Education shall be the sole judge that one or more of the above conditions exist.

If it becomes necessary to reduce the number of certificated, professional staff members in the district through unrequested leaves of absence, the following philosophy will govern the reduction:

*Because the school district exists for the students, and the main obligation of the Board of Education is to provide an education for the district's students, and not to provide employment, the Board will, through procedures carried out by the administration, determine which employees can best serve the needs of the students.*

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised:

Legal Refs: § 168.124, RSMo,  
Mo. Atty. Gen. Op., 101 - 83  
*Fast v. School District of Ladue, et. al.*, 728 F.2d 1030 (8th Cir. 1984)

## **RESIGNATION OF PROFESSIONAL STAFF MEMBERS**

The district encourages employees to notify the superintendent or designee in writing as soon as they decide not to return or not to accept another contract with the district. Resignations become effective at the end of the school year in which they are submitted unless the district is notified otherwise. Resignations will be submitted to the Board for notification, or approval when required, at the next regular Board meeting, and the superintendent will make recommendations to the Board in situations where an employee is seeking release from a contract.

### **Employees without Contracts**

Employees without employment contracts are considered at-will employees and may resign at any time by submitting a written resignation to the superintendent or designee. The resignation is considered accepted once it is received by the superintendent or designee. The district requests that employees give notice at least ten business days prior to departure so that a replacement can be found or alternative arrangements can be made. The fact that an employee resigned without adequate notice may be shared with potential employers seeking information about the employee.

### **Employees with Contracts**

In general, professional staff members including, but not limited to, probationary teachers and principals, have a binding contract with the district once the employee and the Board have executed a contract in accordance with law. A tenured teacher has a binding contract with the district for the next school year if the teacher does not notify the district of his or her resignation in writing by June 1.

Employees may notify the district that they will no longer work for the district at the end of the existing contract by submitting a written resignation notice to the superintendent or designee at any time. Tenured teachers who do not want to work for the district in the next school year must submit a written resignation notice to the superintendent or designee no later than June 1. In these situations, the resignation is considered accepted once it is received by the superintendent or designee.

Employees who seek to resign during the course of a contract or after a contract has been executed and is binding, even if performance has not begun, must notify the superintendent or designee in writing of the request to resign. Only the Board has the authority to release an employee from a contract in these situations. The Board considers serious illness, transfer of a spouse and military service legitimate reasons for resignation of professional staff, but the Board will consider each resignation on an individual basis. An employee will not be released from a contract unless a suitable replacement is found.

The Board reserves the right to pursue all available legal remedies when an employee breaks a contract with the district including, but not limited to, filing charges to have a teaching certificate

or professional license revoked or seeking a monetary judgment. In addition, the district may share with potential employers seeking information about the employee the fact that the employee broke a contract with the district.

### **Due Process and Allegations of Sexual Misconduct with a Student**

In general, the district does not provide a Board hearing to employees who resign regardless of the reason for the resignation. However, if a district employee is allowed to resign as a result of an allegation of criminal sexual misconduct involving a child, as defined by § 566.083, RSMo., or sexual misconduct as defined in Board policy or as determined by the Children's Division of the Department of Social Services, the district may be legally required to release, or may choose to release, information regarding the allegation to potential employers as detailed in policy GBLB. In these circumstances, the district will provide the employee or former employee a due process hearing when required by law. The superintendent or designee is authorized to consult with the district's attorney to determine the appropriate level of due process, if any, to provide.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised: December 9, 2013  
July 13, 2015  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
JHG, Reporting and Investigating Child Abuse and Neglect

Legal Refs: §§ 162.068, 168.101 - .133, RSMo.  
U.S. Const. amend. XIV

## **SUSPENSION OF PROFESSIONAL STAFF MEMBERS**

The Board delegates to the superintendent the authority to suspend staff members or put them on administrative leave for any legal reason in accordance with district policy and law. An employee will be immediately suspended or put on administrative leave in situations where the superintendent or designee determines that suspension is necessary to prevent disruption to the education environment, protect the safety of the students, appropriately investigate alleged misconduct, or in other circumstances where suspension serves the district's interests.

### **Definitions**

*Administrative Leave* - Involuntary paid leave, without charge to any annual or sick leave, due to misconduct or investigation of misconduct of an employee.

*Suspension* - Any involuntary leave, whether paid or unpaid, that is not administrative leave as defined in this policy.

### **Administrative Leave**

The superintendent or designee may place any professional staff member on paid administrative leave. The superintendent's decision will stand approved unless reversed by the Board.

A probationary teacher is put on administrative leave when the district notifies the teacher. In accordance with law, the following process will be followed when any other employee is put on administrative leave:

1. Within seven days of placing an employee on administrative leave, the superintendent or designee will provide the employee with written notice of the general reason or reasons for being placed on administrative leave.
2. The superintendent or designee will inform the Board within 30 days after placing an employee on administrative leave of the reason or reasons for the employee's placement on leave. The superintendent or designee will provide an update on the status of the employee at every meeting thereafter.
3. If an employee is not removed from administrative leave within 30 days of being placed on leave, the district will hold a hearing within 60 days of the date the employee was first placed on leave. The hearing and determination may be continued for good cause but may not continue more than 180 days past the date the employee was placed on administrative leave. This hearing requirement does not apply to an employee who is put on paid administrative leave due to misconduct, or an investigation of misconduct, when the district refers such misconduct to a law enforcement agency or another state or federal agency or when the law enforcement agency or other state or federal agency has

commenced its own investigation of the misconduct for which the employee was placed on administrative leave.

### ***Superintendent***

The Board of Education may place the superintendent on paid administrative leave. The Board president or the district's attorney will provide the superintendent with written notice of the action within seven days of the Board's decision and will provide an update on the status of the superintendent's employment at every Board meeting until the issue is resolved. The superintendent may be subject to a hearing as outlined above to the same extent as other professional employees, as required by law.

### **Suspensions**

#### ***Employees without Contracts***

The superintendent may suspend, with or without pay, professional staff members who are not under contract. The superintendent shall report any such suspension to the Board of Education. The superintendent's decision will stand approved unless reversed by the Board.

#### ***Employees with Contracts***

Employees with contracts may be suspended with pay in accordance with law, district policy and the employment contract when applicable.

Employees with contracts may be suspended without pay only after appropriate due process unless the employee consents in writing to a suspension without pay. Prior to suspending a professional staff member without pay during the term of a contract, the district will notify the employee of the charges, give the employee an opportunity to discuss the charges and inform the employee of the opportunity to appeal the suspension to the Board of Education. The employee must request an appeal within ten days of notice of suspension without pay. If the employee appeals, the employee may also be suspended with pay pending the appeal. In general, pay will not be withheld until the Board renders its decision unless an appeal has been waived or the employee consents in writing to a suspension without pay.

### **Special Circumstances Requiring Suspension or Administrative Leave**

Pursuant to state law, any employee who strip searches a student in violation of law will be immediately suspended without pay and may be terminated. Prior to placing an employee with an employment contract on unpaid suspension, the district will notify the employee of the charges, give the employee an opportunity to discuss the charges and inform the employee of the opportunity to appeal the suspension to the Board of Education. If the Board reverses the suspension, the employee will be reimbursed for any pay withheld.

**FILE: GCPD**  
**Critical**

If the district receives information that an employee has allegedly been involved in sexual misconduct with a student or any other child, the district may suspend the employee or place the employee on administrative leave pending an investigation. In accordance with law, the district will suspend or continue a suspension of an employee if the Children's Division (CD) of the Department of Social Services finds that an allegation of sexual misconduct with a student is substantiated, but the district may return the employee to his or her position if the finding is reversed by a court on appeal and becomes final. The district reserves the right to suspend, place on administrative leave or terminate an employee for any legal reason, including sexual misconduct, regardless of whether another agency or a court substantiates the claim. A hearing will be provided to an employee upon request when required by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised: March 14, 2005  
December 12, 2011  
December 8, 2012  
July 13, 2015  
June 12, 2017

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
ILA, Test Integrity and Security  
JFCF, Bullying  
JFCG, Hazing  
JFG, Interrogations, Interviews and Searches  
JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: §§105.264, 162.068, 167.166, 168.071, .101 - .133, RSMo.  
U.S. Const. amend. XIV

ILA, Test Integrity and Security  
JFCF, Hazing and Bullying  
JFG, Interrogations, Interviews and Searches  
JHG, Reporting and Investigating Child Abuse/Neglect



## **TERMINATION OF PROFESSIONAL STAFF MEMBERS**

### **Noncertificated Personnel**

#### *Noncertificated Employees with Employment Contracts*

Employees with employment contracts will be terminated after due process in accordance with the contract and law.

#### *Noncertificated Employees without Employment Contracts*

The superintendent or designee may terminate employees who are not under contract. The superintendent shall report any such termination to the Board of Education, and the decision will stand approved unless reversed by the Board.

### **Certificated Personnel**

Employees whose positions require a teaching certificate in accordance with law (certificated personnel) shall be terminated in accordance with the provisions of the Teacher Tenure Act of Missouri or other applicable law.

#### *Tenured Teachers*

##### **I. Method**

- A. A tenured teacher may be terminated by the Board of Education of a school district for one or more of the following reasons:
  - 1. Physical or mental condition unfitting him or her to instruct or associate with children. This provision will not be used for termination unless the district is also in compliance with other state and federal laws requiring the reasonable accommodation of persons with disabilities.
  - 2. Immoral conduct.
  - 3. Incompetency, inefficiency or insubordination in the line of duty.
  - 4. Willful or persistent violation of or failure to obey the school laws of the state or the published regulations of the Board of Education of the school district employing him or her.
  - 5. Excessive or unreasonable absence from performance of duties.
  - 6. Conviction of a felony or crime involving moral turpitude.

**FILE: GCPE**  
**Critical**

- B. In determining the professional competency or efficiency of a tenured teacher, consideration should be given to the teacher's performance evaluations, other documentation or evidence of performance, and any written standards of performance adopted by the Board.
- C. A tenured teacher's contract may not be terminated by the Board of Education until after service upon the teacher of written charges specifying with particularity the grounds alleged to exist for termination of such contract, notice of a hearing on charges and, if requested by the teacher, a hearing by the Board of Education.
- D. If the charges are for incompetency, inefficiency or insubordination, at least 30 days before service of the notice of charges, the superintendent will give the teacher a warning in writing stating specifically the causes which, if not removed, may result in charges. Thereafter, the superintendent or designee and the teacher shall meet in an effort to resolve the matter. Thirty days' notice is not necessary for termination for charges other than incompetency, inefficiency and insubordination.
- E. Notice of a hearing upon charges, together with a copy of charges, shall be served on the tenured teacher at least 20 days prior to the date of the hearing. The notice and copy of charges may be served upon the teacher by certified mail with personal delivery, addressed to the employee at his or her last known address. If the teacher or the teacher's agent does not, within ten days after receipt of the notice, request a hearing on the charges, the Board may, by a majority vote, order the contract of the teacher terminated. If a hearing is requested by either the teacher or the Board of Education, it shall take place not less than 20 or more than 30 days after notice of the hearing has been furnished to the tenured teacher.
- F. On the filing of charges in accordance with this section, the Board may suspend the teacher from active performance of duty until a decision is rendered by the Board, but the teacher's salary shall be continued during such suspension unless the law requires the suspension to be without pay. If a decision to terminate a teacher's employment is appealed and the decision is reversed, the teacher shall be paid his or her salary lost while the appeal was pending.

II. Termination Hearing

If a hearing is requested on the termination of a tenured contract or is otherwise used for the termination of a professional staff member under this policy, it shall be conducted by the Board of Education in accordance with the following provisions:

- A. The hearing shall be public.

**FILE: GCPE**  
**Critical**

- B. Both the teacher and the person filing charges may be represented by counsel who may cross-examine witnesses.
- C. Testimony at hearings shall be on oath or affirmation administered by the president of the Board of Education, who shall have the authority to administer oaths in accordance with law.
- D. The Board shall have the power to subpoena witnesses and documentary evidence as provided in § 536.077, RSMo., and shall do so on its own motion or at the request of the teacher against whom charges have been made. The Board shall hear testimony of all witnesses named by the teacher. However, the Board may limit the number of witnesses to be subpoenaed on behalf of the teacher to not more than ten.
- E. The Board of Education shall employ a stenographer who shall make a full record of the proceedings of the hearings and who shall, within ten days after the conclusion thereof, furnish the Board of Education and the teacher, at no cost to the teacher, a copy of the transcript of the record, which shall be certified by the stenographer to be complete and correct. The transcript shall not be open to public inspection unless the hearing on the termination of the contract was an open hearing or if an appeal from the decision of the Board is taken by the teacher.
- F. All costs of the hearing shall be paid by the Board except the cost of counsel for the teacher.
- G. The decision of the Board of Education resulting in the demotion of a tenured teacher or the termination of a tenured contract shall be by a majority vote of the members of the Board of Education, and the decision shall be made within seven days after the transcript is furnished them. A written copy of the decision shall be furnished to the teacher within three days thereafter.

III. Appeal

- A. The teacher may appeal the decision of the Board of Education to the circuit court of the county where the district is located. The appeal shall be taken within 15 days after service of a copy of the decision of the Board of Education upon the teacher, and if an appeal is not taken within that time, the decision of the Board of Education shall become final.
- B. The appeal may be taken by filing notice of appeal with the Board of Education, whereupon the Board of Education, under its certificate, shall forward to the court all documents and papers on file in the matter, together with a transcript of the evidence, the findings and the decision of the Board of Education, which shall

thereupon become the record of the cause. Such appeal shall be heard as provided in Chapter 536, RSMo.

### ***Probationary Teachers***

A probationary teacher may be terminated during the course of a contract for any legal reason including, but not limited to, the reasons for terminating a tenured teacher.

If in the opinion of the Board of Education any probationary teacher has been doing unsatisfactory work, the Board of Education, through its authorized administrative representative, shall provide the teacher with a written statement definitely setting forth his or her alleged incompetency and specifying the nature thereof in order to furnish the teacher an opportunity to correct his or her fault and overcome the incompetency. If improvement satisfactory to the Board of Education has not been made within 90 days of receipt of the notification, the Board of Education may terminate the employment of the probationary teacher immediately. Termination on other grounds may progress immediately.

Any motion to terminate the employment of a probationary teacher shall include only one person and must be approved by a majority of the members of the Board of Education. A tie vote thereon constitutes termination. A probationary teacher will receive due process as required by law prior to termination. The district may utilize the hearing process detailed above for the termination of tenured teachers.

### ***Certificated Administrative Staff Ineligible for Tenure***

Certificated employees ineligible for tenure (other than the superintendent) in their present positions, such as principals and assistant principals, may be terminated during the course of a contract for any legal reason including, but not limited to, the reasons for terminating instructional personnel. No improvement period is required prior to the notice of charges.

If an administrator other than the superintendent is also a tenured teacher, the district will provide the terminated administrator a teaching position for which he or she is qualified if a position is available in accordance with law, unless the teaching contract has also been terminated.

An administrator will receive due process prior to termination as required by law. The district may utilize the process for dismissal of tenured teachers.

### ***Additional Remedies***

In addition to termination, the district reserves the right to seek the revocation or discipline of a teaching or administrative certificate with the State Board of Education, pursuant to state law. The district may petition the Attorney General's Office to file charges with the State Board of Education on behalf of the school district for any reason other than annulment of contract. The district may also file criminal charges or seek other civil damages when appropriate.

***Notification to the State Board and the Attorney General***

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 or revoke a teaching certificate.

**Notification to Retirement Systems**

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 § 570.030, RSMo., when the offense involved money, property or services valued at \$5,000 or more;
2. Receiving stolen property under § 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 § 570.090, RSMo.;
4. Counterfeiting under § 570.103, RSMo.;
5. Bribery of a public servant under § 576.010, RSMo.;
6. Acceding to corruption under § 576.020, RSMo.; or
7. Any substantially similar offense under federal law.

**Due Process and Allegations of Sexual Misconduct with a Student**

If a district employee is terminated as a result of an allegation of criminal sexual misconduct involving a child, as defined by § 566.083, RSMo., or sexual misconduct as defined in Board policy or as determined by the Children's Division of the Department of Social Services, the district may be legally required to release, or may choose to release, information regarding the allegation to potential employers as detailed in policy GBLB. In these circumstances, the district will provide the employee or former employee a due process hearing when required by law if such a hearing was not already provided. The superintendent or designee is authorized to consult with the district's attorney to determine the appropriate level of due process, if any, to provide.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 14, 2005

Revised: December 12, 2011  
December 9, 2013  
July 15, 2015  
October 8<sup>th</sup>, 2018  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
HPA, Employee Walkouts, Strikes and Other Disruptions  
ILA, Test Integrity and Security  
JFCF, Bullying  
JFCG, Hazing  
JFG, Interrogations, Interviews and Searches  
JHG, Reporting and Investigating Child Abuse and Neglect

Legal Refs: §§ 105.669, 162.068, 168.071, .101, .114, .116, .118, .120, .126, RSMo.  
U.S. Const. amend. XIV

## **RENEWAL OF PROFESSIONAL STAFF MEMBERS**

The Lone Jack C-6 School District will consider professional staff performance and the district's future staffing needs at least annually and make decisions regarding the continued employment of professional staff members for the next school year.

### **Employment Contracts**

Certificated employees whose employment has been renewed will receive contracts no later than May 15.

Professional employees subject to contract renewal by law shall have 15 calendar days from receipt of a contract to sign and return the contract to the designated person in the district, or the district, in its discretion, may consider the employment offer revoked. The district may also set a date for the return of contracts that are not regulated by law. Failure to return the contract by that date will be considered a rejection of the district's offer of employment.

In accordance with law, if a certificated employee has a multi-year contract in which the employee's salary is set in the contract for the next fiscal year, the Board cannot take action to increase the salary in the existing contract unless the employee's duties are increased.

### **Tenured Teachers**

By law tenured teachers have an indefinite contract with the district and are therefore automatically considered employed for the next school year without Board action. In accordance with law, the district will notify these teachers on or before May 15 of their compensation for the next school year in accordance with the salary schedule and the school calendar.

### **Probationary Teachers**

On or before April 15 of each school year, the Board shall provide written notification of contract nonrenewal to probationary teachers who the district will not retain. If the teacher's contract was nonrenewed due to a decrease in student enrollment, school district reorganization or the financial condition of the school district, the written notice will include the reason for nonrenewal. Otherwise, upon request, the district will provide a concise written statement of the reason or reasons the contract was not renewed.

### **Certificated Administrative Staff Ineligible for Tenure**

The following rules apply to the employment renewal of all certificated administrative staff other than the superintendent. On or before April 15 of the year in which a contract expires, the Board shall notify administrators in writing concerning their re-employment. Any motion regarding re-employment of such employees shall include only one person and shall be made in the positive. A majority of the elected members voting in the affirmative shall constitute re-employment.

Nonrenewed administrators who have tenure as a teacher in the district will be offered a teaching position in accordance with law and must provide written notice to the district by June 1 if they do not intend to accept the position.

If an administrator is nonrenewed or demoted, and if the employee has been re-employed five times by the district, the employee may, within ten days following receipt of the notice, request a written statement of reasons. The statement shall be provided within ten days of receipt of the request. The employee shall be granted a hearing if requested in writing within ten days after receipt of the statement of reasons. The hearing shall be held within ten days of the receipt of the request and shall be open at the employee's request. The employee may have counsel, testify, offer evidence and cross-examine witnesses. After the hearing, no further action by the Board shall be required.

### **Noncertificated Professional Staff**

In general, the district does not enter into employment contracts with noncertificated professional staff. Noncertificated professional staff employees are considered at-will employees and will continue to be employed with the district from year to year unless notified otherwise. When applicable, the district will provide reasonable assurance of continued employment status to employees prior to the summer break.

### **Due Process and Allegations of Sexual Misconduct with a Student**

If a district employee's contract is not renewed as a result of an allegation of criminal sexual misconduct involving a child, as defined by § 566.083, RSMo., or sexual misconduct as defined in Board policy or as determined by the Children's Division of the Department of Social Services, the district may be legally required to release, or may choose to release, information regarding the allegation to potential employers as detailed in policy GBLB. In these circumstances, the district will provide the employee or former employee a due process hearing when required by law if such a hearing was not already provided. The superintendent or designee is authorized to consult with the district's attorney to determine the appropriate level of due process, if any, to provide.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 14, 2005

Revised: December 9, 2013



**FILE: GCPF  
Critical**

July 13, 2015  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
CBC, Superintendent's Contract/Compensation and Benefits  
JHG, Reporting and Investigating Child Abuse and Neglect

Legal Refs: Mo Const. art III, §§38(a), 39(3)  
§§ 162.068, 168.101, .126, RSMo.  
U.S. Const. amend. XIV

## **SUPPORT STAFF POSITIONS**

The Board of Education recognizes the importance of having well-qualified personnel to support the district's educational mission and directs the superintendent or designee to recommend the employment of persons necessary to efficiently operate the district's programs.

The term "support staff" will be used to designate all positions in the district that are not otherwise designated as "professional" positions in accordance with Board policy.

The superintendent will maintain a comprehensive and current set of job descriptions for all positions in the district. Job descriptions shall be available in the office of the superintendent during regular business hours.

The superintendent or designee shall have general responsibility for coordinating the employment of all support staff and maintaining adequate personnel records. The superintendent or designee will assign all support staff one or more immediate supervisors who will provide training, direction and performance evaluations.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 9, 2013

Revised:

## **SUPPORT STAFF COMPENSATION**

The Lone Jack C-6 School District needs highly qualified employees to accomplish its education mission and must offer competitive compensation to attract and maintain experienced staff. The Board directs the superintendent or designee to annually research regional and statewide trends in employee compensation and consult with district employees to prepare competitive salary schedules and salary recommendations for the Board to consider, within the constraints of the district's finances.

An employee of the district will be compensated in accordance with a Board-approved salary schedule or will receive the amount of compensation approved by the Board for that position or that particular employee. Only the Board has the authority to increase the compensation of an employee or grant that employee an extra-duty position or stipend.

### **Compensation Considerations**

Unless an employee is paid in accordance with a salary schedule, as discussed later in this policy, the compensation of support staff will be made by the Board after consideration of recommendations made by the superintendent or designee. When making compensation recommendations, the superintendent or designee will consider all legal, relevant factors including, but not limited to, the expertise necessary to meet student needs, required training or licenses, experience in the position, current compensation trends for the position in the state or region, the number and quality of applicants available for the position, the district's financial circumstances, and the individual's performance evaluations.

### **Salary Schedules**

The Board may annually adopt salary schedules for the various categories of support staff personnel. Each support staff member will be placed on the appropriate schedule commensurate with, but not limited to, job category and experience with the district. When creating a salary schedule, the Board may recognize characteristics beneficial to the district, such as training, licenses and employment in high-need areas, in addition to traditional factors such as years of experience.

If the Board adopts a salary schedule, the following will apply:

1. Salary schedules and other compensation will be determined along with the district budget by June 30. Any salary schedule adopted by the Board will remain in effect and continue to operate until Board action is taken to change or eliminate the salary schedule.
2. The Board may freeze the operation of the salary schedule when warranted by the financial condition of the district or for other relevant reasons, as determined by the Board. Once a salary schedule is frozen, employees will not advance on the salary schedule until a vote is taken by the Board authorizing movement on the salary schedule.

3. An employee may not advance more than one step vertically and one column horizontally per year on the salary schedule unless such movement is allowed by the rules adopted by the Board and is uniformly applicable to that particular salary schedule or is otherwise approved by the Board.
4. Additional training or licenses obtained after the employee has begun work with the district may not be used to advance on a salary schedule unless the employee had prior administrative approval to participate in the training or obtain the license and count it for advancement on the salary schedule.
5. The district will recognize similar, previous experience of an employee when placing that employee on the salary schedule. The Board delegates to the superintendent or designee the authority to set guidelines on which previous experiences qualify. In addition, the district may recognize military service or work experience that the district considers beneficial to the position. It is the employee's responsibility to fully apprise the district of his or her relevant background when first being employed in the position. Once the employee is initially placed on the salary schedule, the district is under no obligation to review the placement.

### **Compensation for Extra Duties**

Additional duties, such as supervising activities, may be assigned to support staff without additional compensation. In some situations and with Board approval, an employee may be provided extra-duty compensation or a stipend to compensate the employee for performing additional duties. In those situations, the amount of compensation will be determined by the Board and may be set by adopting an extra-duty salary schedule or approving a specific amount for the position.

### **Employee Responsibility**

Employees are responsible for verifying that their salary schedule placement, compensation rate and paychecks are accurate. Employees are required to notify the district within 30 days of receiving an inaccurate payment, and failure to do so could lead to discipline, forfeiture of amounts owed or deductions for excess pay received, as allowed by law.

### **Compensation Disbursement**

In general, support staff will be paid in equal installments over 12 months, even if the employee's regular work schedule is less than 12 months. However, payment for extra duties that are seasonal or limited to a specific timeframe may be paid in the month the work was performed.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: February 15, 2017

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
DLB, Salary Deductions

## **SUPPORT STAFF FRINGE BENEFITS**

The Board recognizes that fringe benefits, such as insurance opportunities, can be an important part of the total compensation plan. The superintendent or designee will research and present to the Board fringe benefit opportunities that will assist the district in attracting and retaining quality employees.

Unless otherwise indicated in this policy, a support staff member is considered to be a full-time employee if he or she holds a position designated as full time in the relevant job description.

### **Benefits Fully or Partially Paid by the District**

The district has a wide variety of support staff members with varying schedules and compensation expectations. The district will notify employees in writing of the benefits associated with their positions. The district may provide access to and contribute toward the cost of the following benefit options, depending on the position:

1. Health insurance or a group health plan
2. Life insurance
3. Vision insurance
4. Dental insurance
5. Other benefits as approved by the Board

In accordance with law, any contract for an insurance policy provided for the benefit of employees will be submitted to competitive bidding at least every three years.

### **Health Insurance or Group Health Plan**

The Board will provide eligible full-time employees access to district-sponsored health insurance or a group health plan, in accordance with federal law. For health insurance or health plan purposes, an eligible employee is defined as a staff member the district reasonably expects to work an average of 30 hours or more per week as determined by law.

Any district health insurance contract or plan shall include a provision allowing persons who retire from the district to remain or become members of the plan if they are eligible to receive benefits under the Public School Retirement System of Missouri (PSRS) or the Public Education Employee Retirement System of Missouri (PEERS) by paying premiums. In addition, the retiree's spouse and children must be allowed to become members of the plan if they are receiving or are eligible to receive benefits under the PSRS or PEERS. Retirees and their spouses and children will have one year from the date of retirement to qualify and enroll in the coverage. Once that date has passed, if a retiree or his or her spouse or children discontinue district coverage, they are not eligible to re-enroll.

**Benefits Provided by the District at Employee Expense**

In accordance with law, the district is required to establish a premium-only cafeteria plan unless the district provides health insurance through a self-insured or self-funded group health plan. Even if the district provides health insurance through a self-insured or self-funded plan, the district may choose to offer employees access to a cafeteria plan or other benefits at the employee's expense.

**Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) Requirements**

In accordance with law, the district-sponsored health insurance or group health plan will allow for continuing coverage of employees and their spouses, former spouses or dependent children after certain qualifying events upon payment of the applicable premium. This obligation applies to both district-paid and employee-paid options. Qualifying events include, but are not limited to, employee resignation from the district, most situations involving employee termination and situations where an employee's hours have been reduced so that he or she no longer qualifies for district-paid health insurance or the group health plan. The district will provide notices as required by law.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: November 12, 2001

Revised: December 9, 2013

Cross Refs: HA, Negotiations with Employee Representatives

Legal Refs: §§ 67.150, .210, 169.590, 376.428, .453, RSMo.  
Internal Revenue Code, 26 U.S.C. § 125  
Patient Protection and Affordable Care Act, 26 U.S.C. § 4980H  
Public Health Service Act, 42 U.S.C. §§ 300bb-1 - 300bb-8

## **SUPPORT STAFF LEAVES**

Consistent staffing is important to the learning environment and district operation and therefore is an essential duty of all employees. However, the board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

The district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The following leaves with pay will be provided to full-time support staff employees. Regular part-time support staff employees will receive these leaves on a pro rata basis. This policy does not apply to temporary or substitute staff members unless otherwise noted.

1. **Sick Leave** – Any support staff employees whose assignments call for 12 months of full-time employment will receive 10 days of sick leave/PTO. Support staff employees whose assignments call for full-time employment only during the regular school term will receive 1 day of sick leave/PTO per month worked. Unused sick leave will be cumulative to 50 PTO leave days. An absence of over one through four hours shall be counted as a half-day of sick leave.

Absences may be charged against sick leave for the following reasons:

- a. Illness, injury or incapacity of the employee. The board reserves the right to require a healthcare provider's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.
- b. Illness, injury or incapacity of a member of the immediate family. The board defines "immediate family" to include:
  - The employee's spouse.
  - The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
  - Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.



(Note: "Family" for FMLA purposes is more limited.)

- c. Illness, injury or incapacity of other relatives, with permission granted by the superintendent.
- d. Pregnancy, childbirth and adoption leave in accordance with this policy.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

A district employee may not use sick leave during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Any support staff employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the district or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

- 2. **Personal Leave** – Personal leave will be available per school year as part of the staff member's PTO.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law or policy provides for paid leave.
- c. Wedding, graduation or funeral.
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on Saturday, Sunday or before or after school hours, including parent-teacher conferences.
- f. Absences under leaves authorized by law, policy or the board that would otherwise be unpaid including, but not limited to, leave under the FMLA.
- g. Leave for other purposes as approved by the principal.

Whenever possible, it is expected that requests for leave will be made in writing to the designated administrator at least 48 hours in advance of the time leave is requested. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request.

A district employee may not use personal leave days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

3. **Vacation** – All support staff employed on a 12-month basis will receive \_\_\_\_\_ weeks of vacation per year. An employee must submit a written request for vacation to his or her supervisor and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the supervisor has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

A district employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

4. **Bereavement Leave** – When a death occurs in an employee's immediate family, the employee may take up to five days off with pay to attend the funeral or make funeral arrangements. The district may require verification of the need for the leave. The board defines "immediate family" to include:

- The employee's spouse.
- The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

After the exhaustion of the five days of bereavement leave, the employee may use personal leave.

Unless otherwise provided, the following leaves will be provided to full-time and part-time support staff employees.

1. **Holidays** – The district will grant paid and unpaid holidays in accordance with the academic calendar adopted by the board. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.

2. **Professional Leave** – Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities. Professional leave must be approved by the immediate supervisor, arranged well in advance and is not considered personal leave.
3. **Military Leave** – The board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 to September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.
4. **Election Leave** – Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.
5. **Leave to Vote** – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.
6. **Jury Duty Leave** – An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.
7. **Leave for Court Subpoena** – If the subpoena is directly related to the employee's school duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.
8. **Firefighter Leave** – Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri 1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. Employees covered under this section shall not be terminated from employment for joining a volunteer fire

department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

9. **Crime Victim Leave** – Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.
10. **Civil Air Patrol Leave** – Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.
11. **Coast Guard Auxiliary Leave** – Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.
12. **Victims' Economic Safety and Security Act (VESSA) Leave** – Employees may take unpaid leave in accordance with law for absences related to domestic or sexual violence where an employee, an employee's family member or a person residing in the employee's household has been the victim of domestic or sexual violence. Leave may be taken intermittently or on a reduced work schedule. Two workweeks of unpaid leave will be available in a 12-month period, except that employees of districts with fewer than 50 employees but at least 20 employees will be limited to one workweek of unpaid leave. Employees may use accumulated paid leave or compensatory time concurrently with unpaid VESSA leave. VESSA leave does not create a right for employees to take unpaid leave that exceeds the amount of unpaid leave time under FMLA. Employees are required

to give 48 hours' notice of the need for leave unless such notice is not practicable. The district may require certification of the need for leave, which may include documentation from an entity aiding the victim, a police or court record, or other corroborating evidence. Information provided by the employee in conjunction with the use of this leave will be confidential in accordance with law.

### **Pregnancy, Childbirth and Adoption Leave**

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall only apply up to six weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation or unpaid leave. Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

**Search the index for this section and the cross references to identify related policies, administrative procedures and forms.**

Adopted: December 8, 2003

Revised: December 14, 2009  
December 8, 2012  
December 9, 2013  
July 13, 2015  
August 9<sup>th</sup>, 2021  
June 6<sup>th</sup>, 2022

Cross Refs: DLB, Salary Deductions  
HA, Negotiations with Employee Representatives  
IC, Academic Calendar/Year/Day

**FILE: GDBDA**  
**Critical**

Legal Refs: §§ 41.1000, .1005, 105.270 - .271, 115.102, .639, 168.122, 169.595, 285.625 -  
.670 320.200, .330 - .339, 494.460, 595.209, RSMo.  
Fair Labor Standards Act, 29 U.S.C. §§ 201 – 218(c)  
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2611 - 2619  
Title VII of the Civil Rights Act of 1964 as amended by the Pregnancy  
Discrimination Act, 42 U.S.C. § 2000e-1 - 2000e-17  
29 C.F.R. § 1604.10

## **SUPPORT STAFF RECRUITING AND HIRING**

The superintendent or designee is responsible for determining the district's support staff personnel needs and locating suitable support staff candidates. The superintendent will make employment recommendations to the Board, and the Board will employ personnel in accordance with law.

The district's hiring procedures will comply with all federal and state laws, including laws prohibiting discrimination. The Lone Jack C-6 School District is an equal opportunity employer and hires only citizens of the United States and persons who are legally authorized to work in the United States. The Lone Jack C-6 School District will enroll and actively participate in a federal work authorization program in accordance with law.

A majority of the Board must vote affirmatively to employ any person or enter into an employment contract.

### **Recruiting and Advertising**

The district will recruit the best-qualified candidates for open positions. New or vacant positions will be posted for at least five business days in the district's buildings and publicized externally by other means as determined appropriate by the superintendent or designee. However, if the superintendent or designee determines that it would be detrimental to wait five business days or that a longer period is necessary, the position will be advertised for the number of days deemed appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the vacancy. A position is not considered vacant if the superintendent or designee transfers or reassigns an existing employee to the position. Board approval is required when a transfer or reassignment results in a change to the employee's compensation, benefits or contract.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current, qualified employee meeting the stated requirements may apply for new or vacant positions in the district.

All requests for information concerning vacancies in the district shall be directed to the superintendent or designee.

### **Screening Process**

Applicants must complete a formal application and provide all required information. The superintendent or designee shall conduct interviews, review references and obtain other information as deemed necessary.

The superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy.

The superintendent or designee will verify that applicants currently possess the appropriate certification or license before the Board votes to employ them in a position that requires a certificate or other professional license. The superintendent or designee will also reverify licenses and certifications once they are renewed. When the district determines that employing someone without the appropriate certificate or license is necessary or unavoidable, the employee will be required to obtain the appropriate certificate or license by a district-specified deadline.

Any applicant who provides false information or any document referencing false information will immediately be removed from consideration.

### **Hiring**

The Board will fill a vacancy after receiving a recommendation from the superintendent or designee. All candidates will be selected on the basis of qualifications, training, experience and ability to fulfill the requirements of the position.

All applicants for a particular position will be promptly notified once the position has been filled.

### ***Board Members***

The district will not accept an employment application from a Board member, consider a Board member for employment or decide to employ a Board member while the member remains on the Lone Jack C-6 School District Board of Education. Board members who wish to apply for employment in the district must first resign from the Board.

### ***Spouses of Board Members***

In accordance with law, a Board member's spouse will be hired to fill a vacant or new position only if the position has been advertised in accordance with this policy and the superintendent has submitted a written recommendation supporting the employment of the spouse. If a Board member's spouse is hired, the names of all applicants for that position and the name of the individual hired will be included in the appropriate Board meeting minutes.

### ***Retirees***

The district may employ persons who are retired and currently receiving a retirement allowance from a public retirement system as permitted by law.

### **Eligibility for Public Service Loan Forgiveness**

In accordance with law, the district will provide current, accurate and complete information to each new employee regarding eligibility for public service loan forgiveness. The notice will be provided within ten days following the start of employment.



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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: September 13, 1999

Revised: March 14, 2005  
December 14, 2009  
December 12, 2011  
February 15, 2017  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
DD, Grants

MSIP Refs: R-10

Legal Refs: §§105.255, .1445, 161.855, 162.261, .301, 168.133, 213.010, .055, .070, 285.530,  
290.400 - .410, 335.075, RSMo.  
Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
Equal Pay Act, 29 U.S.C. §206(d)  
Age Discrimination in Employment Act, 29 U.S.C. §§621 - 634  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Family and Medical Leave Act, 29 U.S.C. § 2615  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e - 2000e-17  
Genetic Information Nondiscrimination Act, 42 U.S.C. §§ 2000ff - 2000ff-11  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

## **SUPPORT STAFF REASSIGNMENTS AND TRANSFERS**

The district recognizes that assigning qualified staff members to positions throughout the district is essential to providing an excellent education program for all students. Every effort will be made to assign district staff to areas of the greatest need for the benefit of the students.

### **Definitions**

*Reassignment* - District-initiated movement of an employee from one position or building to another.

*Transfer* - Movement of an employee from one position or building to another at the request of the employee.

### **Reassignments**

The Board directs the superintendent to annually assess the staffing needs of the district and reassign staff as necessary to meet those needs. Although the superintendent will take the employee's expressed preference into consideration, the ultimate decision must be based on the district's needs. The superintendent may reassign support staff members at any time, including during the school year. Board approval is required when a reassignment results in a change to the employee's compensation, benefits or contract.

### **Transfers**

Support staff may request a transfer to a different position or building by submitting the appropriate form to the superintendent or designee. The district will grant employee transfer requests only when they are in the best interest of the district. Board approval is required when a transfer results in a change to the employee's compensation, benefits or contract.

Transfer requests for the following school year must be submitted on or before March 1. Transfers during the school year are discouraged and will be considered only in extraordinary circumstances. Support staff requesting a transfer during the school year must submit the appropriate form and discuss the request with both the employee's immediate supervisor and the superintendent or designee.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12, 2005

**FILE: GDI  
Basic**

Revised: October 12, 2020

Cross Refs: FC, School Closings, Consolidations and Reorganizations

## **SUPPORT STAFF DEVELOPMENT OPPORTUNITIES**

The Lone Jack C-6 School District Board of Education recognizes that well-trained support staff employees positively impact student achievement and are essential for the district's mission and the efficient and economical operation of the schools. Therefore, the district will provide relevant professional development activities for the support staff of the district. The superintendent or designee is directed to create a support staff professional development committee (SSPDC), and the district's professional development committee (PDC) will include representatives from noncertified positions. The district will conduct needs assessments that serve to identify the professional development needs of support staff employees.

Support staff may be granted leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities in accordance with the district's leave policy.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2008

Revised: December 13, 2010

Cross Refs: ADF, District Wellness Program

**RESIGNATION OF SUPPORT STAFF MEMBERS  
(Employees Not under Contract)**

Support staff members may resign by submitting a written letter of resignation to their immediate supervisor. The letter should specify when the resignation is to be effective and should be submitted at least two weeks prior to the effective date. A resignation is final upon receipt by the supervisor and cannot be withdrawn unless authorized by the supervisor to whom it was submitted. The resignation need not be approved by the Board.

**Due Process and Allegations of Sexual Misconduct with a Student**

In general, the district does not provide a Board hearing to employees who resign regardless of the reason for the resignation. However, if a district employee is allowed to resign as a result of an allegation of criminal sexual misconduct involving a child, as defined by § 566.083, RSMo., or sexual misconduct as defined in Board policy or as determined by the Children's Division of the Department of Social Services, the district may be legally required to release, or may choose to release, information regarding the allegation to potential employers as detailed in policy GBLB. In these circumstances, the district will provide the employee or former employee a due process hearing when required by law. The superintendent or designee is authorized to consult with the district's attorney to determine the appropriate level of due process, if any, to provide.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised: December 9, 2013  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
JHG, Reporting and Investigating Child Abuse and Neglect

Legal Refs: § 162.068, RSMo.  
U.S. Const. amend. XIV

## **SUSPENSION OF SUPPORT STAFF MEMBERS**

The Board delegates to the superintendent the authority to suspend staff members or put them on administrative leave for any legal reason in accordance with district policy and law. An employee will be immediately suspended or put on administrative leave in situations where the superintendent or designee determines that suspension is necessary to prevent disruption to the education environment, protect the safety of the students, appropriately investigate alleged misconduct, or in other circumstances where suspension serves the district's interests.

### **Definitions**

*Administrative Leave* - Involuntary paid leave, without charge to any annual or sick leave, due to misconduct or investigation of misconduct of an employee.

*Suspension* - Any involuntary leave, whether paid or unpaid, that is not administrative leave as defined in this policy.

### **Administrative Leave**

The superintendent or designee may place staff members on paid administrative leave. The superintendent's decision will stand approved unless reversed by the Board.

The following process will be followed when an employee is put on administrative leave:

1. Within seven days of placing an employee on administrative leave, the superintendent or designee will provide the employee with written notice of the general reason or reasons for being placed on administrative leave.
2. The superintendent or designee will inform the Board within 30 days after placing an employee on administrative leave of the reason or reasons for the employee's placement on leave. The superintendent or designee will provide an update on the status of the employee at every meeting thereafter.
3. If an employee is not removed from administrative leave within 30 days of being placed on leave, the district will hold a hearing within 60 days of the date the employee was first placed on leave. The hearing and determination may be continued for good cause but may not continue more than 180 days past the date the employee was placed on administrative leave. This hearing requirement does not apply to an employee who is put on paid administrative leave due to misconduct, or an investigation of misconduct, when the district refers such misconduct to a law enforcement agency or another state or federal agency or when the law enforcement agency or other state or federal agency has commenced its own investigation of the misconduct for which the employee was placed on administrative leave.

## **Suspensions**

### ***Employees without Contracts***

The superintendent may suspend, with or without pay, support staff members who are not under contract. The superintendent shall report any such suspension to the Board of Education. The superintendent's decision will stand approved unless reversed by the Board.

### ***Employees with Contracts***

Employees with contracts may be suspended with pay in accordance with law, district policy and the employment contract when applicable.

Employees with contracts may be suspended without pay only after appropriate due process unless the employee consents in writing to a suspension without pay. Prior to suspending an employee without pay during the term of the contract, the district will notify the employee of the charges, give the employee an opportunity to discuss the charges and inform the employee of the opportunity to appeal the suspension to the Board of Education. The employee must request an appeal within ten days of notice of suspension without pay. If the employee appeals, the employee may also be suspended with pay pending the appeal. In general, pay will not be withheld until the Board renders its decision unless an appeal has been waived or the employee consents in writing to a suspension without pay.

### **Special Circumstances Requiring Suspension or Administrative Leave**

Pursuant to state law, any employee who strip searches a student in violation of law will be immediately suspended without pay and may be terminated. Prior to placing an employee with an employment contract on unpaid suspension, the district will notify the employee of the charges, give the employee an opportunity to discuss the charges and inform the employee of the opportunity to appeal the suspension to the Board of Education. If the Board reverses the suspension, the employee will be reimbursed for any pay withheld.

If the district receives information that an employee has allegedly been involved in sexual misconduct with a student or any other child, the district may suspend the employee or place the employee on administrative leave pending an investigation. In accordance with law, the district will suspend or continue a suspension of an employee if the Children's Division (CD) of the Department of Social Services finds that an allegation of sexual misconduct with a student is substantiated, but the district may return the employee to his or her position if the finding is reversed by a court on appeal and becomes final. The district reserves the right to suspend, place on administrative leave or terminate an employee for any legal reason, including sexual misconduct, regardless of whether another agency or a court substantiates the claim. A hearing will be provided to an employee upon request when required by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 14, 1994

Revised: March 14, 2005  
November 12, 2011  
November 9, 2013  
July 13, 2015  
June 12, 2017

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
ILA, Test Integrity and Security  
JFCF, Bullying  
JFCG, Hazing  
JFG, Interrogations, Interviews and Searches  
JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: §§ 105.264, 162.068, 167.166, RSMo.  
U.S. Const. amend. XIV



## **NONRENEWAL AND TERMINATION OF SUPPORT STAFF MEMBERS**

### **Employees without Contracts**

The superintendent may terminate support staff members who are not under contract. The superintendent shall report any such termination to the Board of Education. The superintendent's decision will stand approved unless reversed by the Board.

Although support staff employees employed without contracts have no contractual right to continued employment from one academic term or year to the next, such employees may reasonably expect continued employment until notified otherwise by the superintendent or designee.

### **Employees with Contracts**

#### ***Nonrenewal***

Unless otherwise required by law, the district may nonrenew the contracts of support staff by notifying employees prior to entering into a new contract with them that their contract will not be renewed.

#### ***Termination***

Support staff members employed under contract may be terminated during the term of such contract for violation of Board policies, violation of state law or for any other legal reason. Prior to the termination, the district will notify the employee of the charges and shall give the employee an opportunity to discuss or rebut the charges.

Unless an employee's contract allows for termination for any reason at the end of a notice period, the employee may appeal the termination to the Board by filing a written notice of appeal with the superintendent after receiving the notice of charges and within the time frame specified by the superintendent or designee.

If an appeal is taken, the employee will continue to be paid until the Board renders its decision. If the Board terminates the employee after a hearing, the district may dock any pay it owes the employee back to the date the employee was initially notified of the termination.

#### ***Termination Pursuant to Contract Terms***

If an employee's contract allows for termination for any reason at the end of a notice period and such notice is given, the employee's contract rights shall expire in accordance with the contract. Notice of termination from the superintendent shall be deemed to be notice from the Board of Education and shall be effective for such purpose when given unless later reversed by the Board.

### **Notification to Retirement Systems**

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 § 570.030, RSMo., when the offense involved money, property or services valued at \$5,000 or more;
2. Receiving stolen property under § 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 § 570.090, RSMo.;
4. Counterfeiting under § 570.103, RSMo.;
5. Bribery of a public servant under § 576.010, RSMo.;
6. Acceding to corruption under § 576.020, RSMo.; or
7. Any substantially similar offense under federal law.

### **Due Process and Allegations of Sexual Misconduct with a Student**

If a district employee's contract is not renewed or the employee is terminated as a result of an allegation of criminal sexual misconduct involving a child, as defined by § 566.083, RSMo., or sexual misconduct as defined in Board policy or as determined by the Children's Division of the Department of Social Services, the district may be legally required to release, or may choose to release, information regarding the allegation to potential employers as detailed in policy GBLB. In these circumstances, the district will provide the employee or former employee a due process hearing when required by law if such a hearing was not already provided. The superintendent or designee is authorized to consult with the district's attorney to determine the appropriate level of due process, if any, to provide.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: June 12, 2017

Revised: October 8<sup>th</sup>, 2018

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
HPA, Employee Walkouts, Strikes and Other Disruptions  
ILA, Test Integrity and Security  
JFCF, Bullying  
JFCG, Hazing  
JFG, Interrogations, Interviews and Searches  
JHG, Reporting and Investigating Child Abuse and Neglect

Legal Refs: §§ 105.669, 162.068, 167.166, 168.071 RSMo.  
U.S. Const. amend. XIV

## **NEGOTIATIONS WITH EMPLOYEE REPRESENTATIVES**

### **Definitions**

*Bargaining Unit* - A defined group of employees represented by a union in negotiations for a collectively bargained agreement with the district.

*Employee Representative* - A union selected by an employee bargaining unit to represent the unit in negotiating a collectively bargained agreement with the district.

*Union* - An organization, association or professional group created for the benefit of employees. A union may be selected by employees in a bargaining unit to represent the unit to negotiate a collectively bargained agreement with the district, in which case the union becomes an employee representative for the bargaining unit once the union is recognized by the Board.

### **General**

The Lone Jack C-6 School District recognizes the importance of maintaining ongoing positive relations with employees and consulting with employees when making decisions regarding salary and other conditions of employment. If employees request to do so, the district will bargain collectively with representatives of employees, in accordance with law.

The Board and its representatives will engage in respectful negotiations with employee representatives. It is essential that negotiations not disrupt school operations or negatively impact the educational environment. The ultimate goal of all negotiations is to secure the services necessary to deliver excellent education to the district's students in a safe environment based on a sound, realistic budget.

Furthermore, the Board understands that collectively bargained agreements are legally binding and is committed to carrying out the provisions of each agreement. The legal obligation to collectively bargain does not compel either the district or employee representatives to agree to a proposal or to make a concession. Board policy and district procedures will govern in the absence of a binding agreement, when the agreement does not address an issue, or when an agreement expires and a new agreement regarding the issue is not reached.

### **Scope**

The Lone Jack C-6 School District will negotiate salary and other conditions of employment as required by law. All agreements must state a fixed term or duration. The Board will not ratify an agreement that diminishes or compromises management rights or the district's ability to make administrative decisions and educational policy decisions including, but not limited to, curriculum decisions. The Board will not approve an agreement that could cause the Board to violate any state or federal law, negatively affect the district's accreditation, or disrupt or weaken the district's educational program.

**FILE: HA**  
**Critical**

The Board will not ratify an agreement that includes impasse procedures for resolution by third parties outside the district including, but not limited to, binding arbitration. All agreements must contain a clause that allows the Board to unilaterally modify the agreement in emergency situations such as natural disasters or financial hardships.

Once an agreement is finalized, the agreement is considered inclusive and complete. Once an agreement is entered into, the district may refuse to negotiate any item that is addressed in the existing agreement, or that was discussed during negotiations for the existing agreement, for the term of the agreement.

### **Employee Representatives**

Employees may join unions or other professional groups of their choice. However, the Board will not voluntarily recognize a union as an employee representative or recognize an employee representative in any manner other than by certifying the results of an election held by secret ballot.

The selection of employee representatives will be in accordance with law, including the Public Sector Labor Law when applicable. When there is no applicable law or when an issue is not directly addressed by law, Board policy will govern.

### **District Negotiation Team**

After receiving recommendations from the superintendent or designee, the Board will designate one (1) or more persons to serve as the district bargaining representative during negotiations with employee representatives. Members of the team may include an attorney, professional negotiator, district employee, Board member or other qualified person. The Board may appoint a chairperson to lead the negotiation team. The Board may also appoint a spokesperson to communicate with the Board or to ensure appropriate communication is made to the public.

The negotiation team is empowered to reach a tentative agreement within the parameters established by the Board. Individual Board members shall not negotiate privately with representatives of any employee bargaining unit.

The Board recognizes that effective negotiations may require input from other members of the district or outside resources. Accordingly, the district negotiation team is authorized to consult with administrators, employees and outside consultants.

### **Preparing for Negotiations**

Careful preparation for negotiations is essential to ensure that any agreement reached is consistent with the goals of the district and that the district is financially capable of compliance. The negotiation team will meet with the Board prior to negotiations to develop negotiation goals

and objectives and establish parameters for the negotiations. Meetings, records and votes of negotiation preparation will be closed in accordance with law.

### **Initiation of Negotiations**

The employee representative(s) must notify the superintendent or designee in writing of any issues for negotiation no later than December 1 of the school year in which negotiations will occur. The notice must reasonably specify the item(s) the employee representative desires to negotiate and reasonably explain how the suggested change will positively benefit the educational goals of the district. Failure to meet these notice requirements will preclude the issue from negotiation unless both parties agree otherwise.

### **Negotiation Schedule**

Negotiations will begin no earlier than February 1 and will conclude by June 1 of the school year in which negotiations occur. If a tentative agreement is reached, it must be ratified by all parties no later than June 30 to be included in the next fiscal year's budget. If not ratified by that date, the agreement will not begin until the following fiscal year.

### **Conducting Negotiations**

If the Board has recognized multiple representatives of a bargaining unit, negotiations will only take place if agents from each representative union are present.

Negotiation meetings will be scheduled at times that will not interfere with the work duties of the members of the negotiation teams and will be scheduled to be the least disruptive to the normal business of the district. Employees will not be given paid or unpaid leave from their duties to participate in negotiations. Unless otherwise approved by the Board, negotiations will be held in district buildings.

The district negotiation team will determine if the meeting may be closed in accordance with law. The chairperson of the negotiation team or designee will ensure such meetings are appropriately posted and that minutes are kept as required by law. In addition, the chairperson or designee will keep a written record of all proposals, counter-proposals, concessions and draft agreements.

### **Contract Ratification**

Any tentative agreement reached will be reduced to writing and initialed by the agents of the respective negotiating teams. Agreements will be tentative until approved by the bargaining unit, approved by a majority vote of the whole Board, and signed by the employee representatives and the Board, in accordance with law.

The representative union(s) shall ratify the tentative agreement before it is presented to the Board for ratification. The union is responsible for obtaining consent to the tentative agreement from the bargaining unit and will notify the Board in writing of the decision. If the Board has recognized multiple unions to represent a single bargaining unit, and all unions obtain approval from the employees represented, the agreement will be considered ratified by the employees. However, if the unions disagree as to whether employees have ratified the agreement, all representative unions must submit to the Board in writing a notarized affidavit stating the total number of employees the union represents, the names of the employees the union represents, and the number of employees that the union represents who have approved the agreement. If the combined number of employees approving the agreement is more than half of the employees in the bargaining unit, the agreement will be considered ratified by the district employees in the bargaining unit.

Before presenting the agreement to the Board, the superintendent or designee shall examine the contract thoroughly and prepare a written estimate of the costs to the district under the agreement and the estimated effect the agreement will have on the district's future budget. Once a written tentative agreement has been presented to the Board, the Board may adopt, modify or reject the agreement.

### **Publication of Agreement**

Once an agreement is entered into, it will be posted on the district's website and otherwise distributed to employees and the community as determined by the superintendent or designee.

### **Application of Agreement**

All concerns regarding a violation, misinterpretation or misapplication of the agreement will be resolved in accordance with policy GBM.

### **Information**

The district shall provide employee representatives with information available to the public in accordance with law.

The district will participate in surveys and other data collection efforts designed to assist public school districts in adequately preparing for negotiations with employee groups.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 14, 2009

Revised:

Cross Refs: GBB, Staff Involvement in Decision Making  
GBM, Staff Complaints and Grievances  
GCBA, Professional Staff Salary Schedules  
GCBC, Professional Staff Fringe Benefits  
GCBDA, Professional Staff Short-Term Leaves and Absences  
GDBC, Support Staff Fringe Benefits  
GDBDA, Support Staff Leaves and Absences  
KI, Public Solicitations/Advertising in District Facilities

Legal Refs: Mo. Const. art. I, § 29  
§ §105.500 - .530, 162.301, 432.070, RSMo.  
*Independence - Nat'l Educ. Ass'n v. Independence Sch. Dist.*, 223 S.W.3d 131  
(2007)  
U.S. Const. amend. I



**TEACHER NEGOTIATING REPRESENTATIVES**  
*(Exclusive or Multiple Representatives)*

Unless otherwise governed by law, the Lone Jack C-6 School District will use the following process to recognize a union to represent teachers for collective bargaining purposes. The superintendent or designee is authorized to make additional rules governing the election process as needed.

All employees other than teachers must apply for certification of their employee representative with the State Board of Mediation in accordance with law.

**Initial Recognition**

The Board will not voluntarily recognize an organization, association, union or professional group (a "union") as a representative for district teachers without a secret ballot election. To request an election to select a union, a district teacher must first submit to the superintendent or designee:

1. A description of the bargaining unit requesting representation. The description will include the general classifications of employees sought to be included and excluded and the approximate number of teachers in the proposed bargaining unit.
2. The name of the union seeking recognition as the representative and the name, address, e-mail address and telephone numbers of the union's contact person.
3. A petition requesting an election by secret ballot signed by at least 30 percent of the district teachers in the proposed bargaining unit. No signature can be older than six (6) months from the date the petition is submitted to the superintendent or designee. The petition will be submitted in a sealed envelope separate from the other required information and labeled "Petition."

Once the superintendent or designee receives such a request, he or she will post notice of receipt of the request in the same location that notices for Board meetings are posted. The notice will set a date no earlier than 20 business days from the first date of posting for teachers interested in representation by a different union to submit a request as described in the "Other Interested Unions" section of this policy.

The superintendent or designee and the contact person for the union seeking recognition will identify a person mutually acceptable to both the district and the union to review the petition. The person will not be an agent or representative of either the district or the union. The superintendent or designee will provide the designated person a list of names of district teachers meeting the definition of the proposed bargaining unit. The envelope labeled "Petition" will

remain sealed until the designated person opens it to verify that signatures from at least 30 percent of the teachers in the proposed bargaining unit were obtained. The designated person will not disclose the petition, which employees signed the petition, or the total number of employees who signed the petition to any person unless required by law. The designated person will notify the superintendent or designee whether 30 percent of the signatures were obtained, but will not provide additional information unless required by law.

The superintendent or designee, and the person designated to review the petition, will have 30 business days to verify that the required information is present and to examine the description of the proposed bargaining unit. The superintendent or designee will notify the contact person for the union seeking recognition of any missing information, so that the problem can be corrected immediately.

If the information is complete, the superintendent or designee will submit to the Board a written recommendation on the appropriateness of the bargaining unit description and a list of the district teachers who would belong to the unit, if formed. If the superintendent or designee determines that the description is appropriate and the Board agrees, the Board will set a date for the election to take place.

If the superintendent or designee determines that the proposed bargaining unit is not appropriate, the Board will set a date and time for a public hearing on the issue, unless the district and the union agree that a hearing is not necessary to resolve the dispute. If a hearing is held, the contact person for the union seeking recognition will receive notice of the hearing. The superintendent or designee and the entity seeking recognition will have an opportunity to present witnesses and arguments. The Board will make a determination as to the appropriateness of the description of the proposed bargaining unit within ten (10) business days of the hearing. The Board's decision will be final.

If the description of the proposed bargaining unit is not approved, a district teacher may submit a revised description. The superintendent or designee will provide the designated person a list of names of district teachers meeting the revised definition of the proposed bargaining unit so that the designated person can determine if signatures from at least 30 percent of the teachers in the revised proposed bargaining unit were obtained. If so, the superintendent or designee will submit to the Board a written recommendation on the appropriateness of the proposed bargaining unit, as described above. If the appropriate number of signatures was not obtained, the teacher must resubmit the request for an election as described above.

### **Other Interested Unions**

Once the district has posted notice that a request has been made to select a union or to change union representation, any teacher interested in being represented by a different union may submit a request to the superintendent or designee. The teacher must submit the same information as required above for initial recognition, except that only ten (10) percent of the teachers need to

sign the sealed petition. All information must be submitted to the superintendent or designee no later than the date set in the district's posted notice. The Board will delay setting a date for the election until the information is reviewed by the superintendent or designee and the person designated to review the petition. If the request was submitted before the deadline and at least ten (10) percent of the teachers in the bargaining unit signed the petition, the union will be listed on the ballot.

### **Multiple Representative Unions**

If completed and timely requests are received for representation from different unions for the same bargaining unit, the district may need to hold more than one (1) election.

In the first election, the teachers will be asked to decide among:

1. Exclusive representation, in which only one (1) union will represent the teachers in collective bargaining;
2. Multiple representation, in which two (2) or more unions will be allowed to represent the teachers in collective bargaining; or
3. No representation, in which teachers decline representation from any union for collective bargaining purposes.

If any choice receives a majority of the ballots submitted, that choice will prevail once the Board has voted to certify the election results.

If the majority of the ballots submitted in the first election select exclusive representation, another election will be held for the proposed bargaining unit to determine which union will represent the unit, if any.

If the majority of the ballots submitted in the first election select multiple representation, another election will be held. If the district has received a completed and timely request for representation by any union, that union will be listed on the ballot as well as an option where a teacher may vote not to be represented by any union. All unions that receive at least 30 percent of the ballots submitted in the second election will be considered representatives of the bargaining unit once the Board votes to certify the election results. All negotiations will be held simultaneously between the district and all representative unions.

If the majority of the ballots submitted in the first election select no representation, the process is complete. A petition requesting another election will not be accepted by the Board for a minimum of one (1) year after the Board voted to certify the results of the previous election.

If none of the choices receive a majority of the ballots cast in the first election, the Board will assume that district teachers are not sufficiently interested in being represented by multiple unions. The Board will set the date for an election in which the bargaining unit will select a union as an exclusive representative or decide not to be represented by any union.

### **Conducting the Election for Representation**

The Board will approve the ballot language after receiving recommendations from the superintendent or designee and any union that will appear on the ballot. All ballots will include an option where a teacher may vote not to be represented by any union.

The superintendent or designee will provide notice of the election in writing, electronically or otherwise, to all teachers in the proposed bargaining unit. In addition, the superintendent or designee will post notice of the election at the superintendent's office and in all instructional buildings in the district no less than ten (10) business days prior to the election.

The notice shall contain:

1. The date, hours and place of the election.
2. A copy of Board policies and regulations regarding the election of a teacher representative.
3. A description of the proposed bargaining unit.
4. A sample ballot with ASample@ clearly marked on its face.

The election will be held in one (1) or more polling places reasonably convenient to the teachers voting and at times when the teachers in the proposed bargaining unit may vote without leaving their assigned duties. The election will be conducted by secret ballot. The superintendent or designee will appoint one (1) or more district employees or other persons who do not belong to the proposed bargaining unit, or to any union listed on the ballot, to check the names off of a list of all teachers in the proposed bargaining unit, and distribute and collect the ballots.

The superintendent and each union seeking recognition will select observers so that there is one (1) observer representing the district and one (1) observer from each union at each polling place during the election. Any observer may challenge a teacher's eligibility to vote. Challenged ballots shall be folded and placed in a sealed envelope with the name of the voter plainly written on the outside. Challenged ballots will not be considered unless the votes could affect the results of the election. If the ballots might affect the results of the election, the challenged ballots will be presented to the Board for a determination.

Ballots will not be tallied until after the posted time for closing the polls, unless all eligible voters have cast their ballots. The ballots will be tallied by the superintendent or designee in the presence of designated observers from the district and the union(s) listed on the ballot. Tallied ballots will be placed in a sealed envelope and saved until all objections are resolved and the Board votes to certify the election results. The tentative results will be recorded in writing and signed by the observers present when the ballots were tallied. The results will remain tentative until the Board votes to certify the results.

Within ten (10) business days after the votes are tallied, any district teacher may file with the Board an objection to the conduct of the election or conduct affecting the results of the election, which shall contain a statement of the reasons for the objection. A copy of the objection will be provided to all members of the Board, as well as the contact person(s) for the union(s) seeking to represent the proposed bargaining unit. The superintendent or designee will investigate all claims.

Unless the district and the persons objecting to or challenging the ballots agree otherwise, the Board will hold a hearing for all objections received and for all challenged ballots if the challenged ballots might impact the election. If a hearing is held, the contact person(s) for the union(s) seeking recognition and the person(s) filing the objection or challenging the ballots will receive notice of the hearing. The superintendent or designee, the person(s) who filed the objection and the person(s) challenging the ballots will have an opportunity to present witnesses and arguments. The Board will make a decision within ten (10) business days of the hearing. The Board's decision will be final.

The final results of the election will be presented to the Board after the time for filing objections has expired or the Board has made a decision on all objections and, if necessary, challenged ballots.

### **Election Results**

Unless the district's teachers have decided to allow for multiple unions to represent them, a union will become the bargaining representative if it receives a majority of the votes cast, once the Board has voted to certify the election. The following rules apply to the election results in elections in which employees are asked to select a union to represent the bargaining unit. The rules for the determination of whether the bargaining unit will be represented by multiple unions are addressed in the "Multiple Representative Unions" section of this policy.

An inconclusive election is an election in which the ballot provides for not less than three (3) choices, including at least two (2) unions and an option for no representation, and where no choice received a majority of the ballots cast. When the results of an election are inconclusive, the Board will set a date for a runoff election as described in this policy. Unless otherwise directed by the Board, there will only be one (1) runoff election.

**FILE: HH**  
**Critical**

A null election is an election where all choices received an equal number of votes, or where two (2) choices received an equal number of votes and a third choice received a higher, but less-than-majority vote. When this happens, the Board will declare the election a nullity and set another date to run a new election. If the second election results in another nullity, the Board will dismiss the petition and a bargaining unit will not be formed. If the second election results are inconclusive, a runoff election will be held.

Where two (2) or more choices receive an equal number of votes, another receives no votes, and all eligible voters have voted, neither a runoff nor a rerun election will be conducted. The Board will vote to certify the election results. Because there is no winning choice, no change is made in current district practices.

Once a final decision is made regarding representation of a bargaining unit, a petition requesting another election will not be accepted by the Board for a minimum of one (1) year after the Board voted to certify the results of the previous election.

### **Runoff Elections**

The ballot in the runoff election shall provide for a selection among two (2) or more choices receiving the largest number of votes in the last election, the sum of whose votes aggregate at least one (1) more than half of the total votes cast. After voting to certify the first election, the Board will set a date for the runoff election. The election will follow the notice and election process detailed in this policy. All teachers in the bargaining unit may vote in the runoff election.

### **Changing Representation**

Any teacher in the bargaining unit may request to change the representative(s) of the bargaining unit. The Board will not accept such a petition until a minimum of one (1) year after the Board voted to certify the results of the previous election. A district teacher must submit to the superintendent or designee the following:

1. The bargaining unit for which representative change is sought.
2. The name of the union seeking recognition and the name, address, e-mail address and telephone numbers of the union's contact person.
3. A petition requesting an election by secret ballot signed by at least 30 percent of the district teachers in the bargaining unit. No signature can be older than six (6) months from the date the petition is submitted to the superintendent or designee. The petition will be submitted in a sealed envelope separate from the other required information and labeled "Petition."

Once the superintendent or designee receives such a request, he or she will post notice of receipt of the request in the same location that notices for Board meetings are posted. The notice will set a date no earlier than 20 business days from the first date of posting for teachers interested in representation by a different union to submit a request, as detailed in the "Other Interested Unions" section of this policy.

The superintendent or designee and the contact person(s) for the union(s) seeking recognition will identify a person mutually acceptable to the district and the union(s) to review the petition. The person will not be an agent or representative of either the district or the union(s). The superintendent or designee will provide the designated person the names of district teachers in the existing bargaining unit. The envelope labeled "Petition" will remain sealed until the person designated opens it to verify that signatures from at least 30 percent of the teachers in the bargaining unit were obtained. The designated person will not disclose the petition, which employees signed the petition, or the number of employees who signed the petition to any person unless required by law. The designated person will notify the superintendent or designee whether 30 percent of the signatures were obtained, but will not provide additional information unless required by law.

The superintendent or designee and the person designated to review the petition will have 30 business days to verify that the required information is present. If the information is complete, the Board will set a date for the election to take place.

The ballot will include the existing union(s), the union(s) challenging representation, and an option for a teacher to vote for no union representation. The election will be conducted in accordance with the process detailed in this policy.

### **Election Expenses**

All actual expenses of the election will be divided between the district and the union(s) seeking to represent the district teachers. "Actual expenses" include the additional costs incurred in running the election, such as the printing costs for notices and ballots, the costs of renting machinery, the costs incurred in providing poll workers other than observers and the costs incurred in providing necessary security at the election, as determined by the district. The district may require the union(s) to pay the district the union's proportional share prior to incurring costs.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

**FILE: HH  
Critical**

Adopted: December 14, 2009

Revised:

Legal Refs: Mo. Const. art. I, § 29  
§§ 105.500 - .530, RSMo.  
*Independence - Nat'l Educ. Ass'n v. Independence Sch. Dist.*, 223 S.W.3d 131  
(2007)  
U.S. Const. amend. I



**EMPLOYEE WALKOUTS, STRIKES AND OTHER DISRUPTIONS**

The Board is committed to peacefully resolving labor issues, but will not hesitate to act if district operations or the student learning environment are disrupted. No employee shall engage in any strike, walkout, work slowdown, stoppage or interruption of work, work-to-rule, boycott, refusal to cross any picket line, sit-down, picketing, sick-out or any other practice that disrupts the school environment or district operations. This prohibition includes sympathy strikes or other disruptive actions taken in support of a different bargaining unit in the district or elsewhere.

In the event of a disruption, the superintendent or designee is authorized to contact an attorney to seek court intervention, compensation or any other recourse in accordance with law. Any employee participating in disruptive acts will be deemed to have engaged in a serious violation of Board policy, will be considered excessively and unreasonably absent from duties, and may be terminated or otherwise disciplined. The Board may also seek revocation of an employee's license(s). Employees will not be disciplined for actions protected by law.

During a strike, work stoppage or other disruption of the district, all employees are prohibited from using paid or unpaid leave unless the leave is required by law or unless the employee provides evidence satisfactory to the district of the need for the leave. The Board also reserves the right to revoke previously approved vacation leave, personal leave or other optional leaves.

The superintendent or designee is directed to develop an emergency plan to be used in the event of a strike, work stoppage or other disruption to the educational environment. The superintendent or designee may reassign employees as necessary to keep schools operating and may hire replacement employees in accordance with law. If necessary, the superintendent may close schools with the understanding that all educational facilities will be reopened as soon as practical.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 14, 2009

Revised:

Cross Refs: GBCB, Staff Conduct  
GCBDA, Professional Staff Short-Term Leaves and Absences  
GCPE, Termination of Professional Staff Members  
GDBDA, Support Staff Leaves and Absences  
GDPD, Nonrenewal, Suspension and Termination of Support Staff Members

**FILE: HPA  
Critical**

Legal Refs: Mo. Const. art. I, § 29  
§§ 105.500 - .530, 168.114, .116, RSMo.  
*Independence - Nat'l Educ. Ass'n v. Independence Sch. Dist.*, 223 S.W.3d 131  
(2007)  
*Willis v. School Dist. of Kansas City*, 606 S.W.2d 189 (Mo. Ct. App. 1980)  
U.S. Const. amend. I

## **INSTRUCTIONAL GOALS/PRIORITY OBJECTIVES**

The educational goals for the Lone Jack C-6 School District focus on the student and address quality in education. The goals are relevant to the lives of students of any age, whether in formal institutions of learning, programs of continuing education or any learning environment. The goals adopted by the school district correspond closely to those that have been established for all Missouri schools by the Missouri Department of Elementary and Secondary Education. The four categories of goals may be related to formalized school experiences or individual attainment. Regardless of the language, responsibility is placed upon both the school and the student. Appropriate outcomes necessitate that citizens, educators and especially the students make wise use of available resources. The goals are intertwined; no one goal stands apart from the rest. These goals help define performance objectives for students, identify tasks to be performed by teachers in giving life to those objectives, and help determine means for evaluating student progress.

### **Intellectual Development**

It is the goal of the district that each individual will have the opportunity to develop intellectual ability to developmental capacity. The development of intellectual ability should include the acquisition of knowledge as well as the creative ability to process and use that knowledge. To acquire the desired knowledge and fundamental intellectual processes, the Board of Education believes that each individual should become proficient in communication, quantitative thinking, social processes, scientific understanding, decision making and aesthetic appreciation.

### **Physical Development**

It is the goal of the district that each individual will have opportunity to develop knowledge, understanding and/or skills in the process of physical growth and maturation, health and recreation to the extent of developmental ability.

### **Social Development**

It is the goal of the district that each individual will have the opportunity to develop social skills to the extent of developmental ability. These skills should be related to the individual's physical and social environment, cultural awareness, governmental institutions, avocational pursuits, and concept of self.

### **Career Development**

It is the goal of the district that each individual be provided systematic and sequential activities at all levels to facilitate educational and occupational decision making appropriate to maturation. Career development should include all aspects necessary in developing a way of life. These activities should be related to the social significance of work, occupational exploration, occupational preparation and adult occupational education.

**Organization of Instruction**

The organization of instruction is designed to meet the standards established by the Missouri Department of Elementary and Secondary Education.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: August 14, 1995

## **ACADEMIC CALENDAR/YEAR/DAY**

The Board recognizes the relationship between attendance and student achievement and directs the superintendent or designee to develop and present to the Board for approval an academic calendar designed to maximize student attendance that is aligned with the district's student achievement goals. In addition, the academic calendar will include sufficient time for high-quality professional development for staff. The academic calendar recommended to the Board may exceed the minimum legal requirements if necessary to achieve these goals.

The district will also create a calendar that details the days district staff are expected to work and days when district schools or offices will be closed.

### **Requirements**

In accordance with Missouri law, the first day of school for students shall be set no earlier than 14 calendar days prior to the first Monday in September. The calendar will provide for a minimum of 1,044 hours of actual student attendance (522 hours for kindergarten students) during a school term, excluding summer school. The school year runs from July 1 to June 30.

Attendance hours will be counted only if the students are under the guidance and direction of teachers engaged in the teaching process. The district may choose to offer different academic calendars for different groups of students. The specific daily opening and closing time for individual schools or grade levels may vary.

### **Canceled School and Make-Up Days**

The academic calendar will include 36 make-up hours for possible loss of attendance due to inclement weather as defined in state law. If the district uses these 36 make-up hours and still does not meet the minimum attendance requirements, it will make up half the number of hours lost or canceled in excess of 36 hours as necessary to meet the required 1,044 hours. However, the district is not required to make up more than a total of 60 hours.

Days that the district's schools are closed for reasons other than inclement weather will be made up in accordance with state law and as recommended by the superintendent and approved by the Board.

The Board strongly recommends that parents/guardians and employees refrain from making vacation and other travel plans without considering the possibility that the school term will end later than anticipated due to required make-up hours.

### **Alternative Methods of Instruction when School Is Canceled**

The superintendent or designee may seek approval of alternative methods of instruction from the Department of Elementary and Secondary Education, in accordance with law. If approved, these methods may be used to avoid lost hours of instruction and make-up days. Any alternatives proposed will ensure rigorous instruction of students that is equivalent to the instruction missed due to canceled school.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 8, 2004

Revised: December 8, 2008  
December 13, 2010  
December 8, 2012  
March 6<sup>th</sup>, 2019  
October 12, 2020

Cross Refs: BDDA, Notification of Board Meetings  
BDDDB, Agendas  
EBC, Emergency Drills  
GBAD, Telework  
GCBDA, Professional Staff Short-Term Leaves  
GDBDA, Support Staff Leaves  
JED, Student Absences and Excuses

Legal Refs: §§ 160.011, .041, 163.021, 171.031 - .033, RSMo

## **CURRICULUM DEVELOPMENT**

The board of education directs the instructional staff to implement a curriculum for all instructional courses.

1. The curriculum will align externally to all Missouri Learning Standards and the English learning development standards and internally among grade levels and courses.
2. Written, taught and assessed curricula must be aligned by the school leadership.
3. Each student has opportunities to excel under the curriculum.
4. Educators will provide learning opportunities aligned to the district curriculum and set clearly identified and communicated learning targets.

### **Curriculum Development and Review**

The superintendent will initiate a curriculum development and review program that will require various administrative and instructional staff (including prekindergarten staff) participation at the building and district levels and involvement from parents/guardians, members of the community and students. The board will review and approve each district-developed curriculum guide.

The district will provide resources and administrative support for curriculum development, evaluation and revision. The district will devise a systematic plan to regularly review each curricular area based on the districts assessments and other available data. Responsibility for this review process will rest with the superintendent or designee, with assistance from the building principals. Individuals who are well qualified in a designated area of study will be appointed by the superintendent or designee to a curriculum review committee for the designated curricular area.

The selection and adoption of instructional materials are primarily based on the programs described in the curriculum guides developed by the individual curriculum review committees. The curriculum review process should be completed the year prior to the fiscal year where funds are allocated to purchase instructional materials related to the curriculum content area developed.

\* \* \* \* \*

Adopted: November 12, 2001

Revised: March 13<sup>th</sup>, 2023

Cross Refs: AD, School District Mission  
GBB, Staff Involvement in decision making

Legal Refs: 160.514, .516, RSMO  
5 C.S.R. 20-100.125, Appx. A  
AS-1, MSIP Standards

## **BASIC INSTRUCTIONAL PROGRAMS**

The educational program of the Lone Jack C-6 School District will provide for both formal studies to meet the general academic needs of students, as well as opportunities for individual students to develop specific talents and interests in the performing arts, practical arts, vocational-technical education and other specialized fields.

The various instructional programs offered by the district will be developed with the view toward maintaining a balanced and sequential curriculum that will serve the educational needs of all school-aged children in the district. The curriculum will also meet requirements established by state law, the Missouri State Board of Education and/or the Missouri Department of Elementary and Secondary Education. A written curriculum guide for all subject areas will be developed by the staff and reviewed and approved by the Board.

The Board of Education is committed to educational excellence through the development of communication and computational skills among the district's students. The Board will adopt specific requirements to ensure that high school graduates are sufficiently competent in these important skills. The instructional program will also provide a planned sequence in the language arts, social studies, the sciences, fine arts, industrial and practical arts, health and safety education, vocational-technical education and physical education. At all levels, provisions will be made for a wide range of individual differences in student abilities and learning rates through the use of a variety of materials, adjustments in programs, and courses adapted to special needs of students.

The ultimate aim of the instructional program will be the development of proficiency in each pupil's ability to read well, write legibly, spell accurately, listen attentively, speak clearly, think critically, use basic mathematical/computational skills, observe carefully, solve problems, participate effectively in groups, keep healthy, enjoy aesthetic experiences, and develop interest in and/or start career development.

Any instructional program which is required by state or federal law will be provided to students, and procedures will be developed to ensure requirements are met.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: November 12, 2001

Cross Refs: IKF, Graduation Requirements

Legal Refs: §§ 161.102, 167.268, 168.171, 170.011, .015, .041, RSMo.  
Mo. Const. art. 1, §§ 5-7



## **INSTRUCTIONAL INTERVENTIONS**

The Lone Jack C-6 School District is strongly committed to creating an environment that promotes high achievement for all students. The Board directs classroom teachers to employ a variety of evidence-based instructional interventions at the classroom level to assist students who may be at risk of falling below grade-level expectations. In addition, the Board requires districtwide compliance with the instructional interventions detailed in this policy, as required by law.

### **Reading Improvement Instruction**

The district will provide a reading success plan designed to remediate identified areas of reading deficiency to students who need reading assistance, as required by law. The plan will include intensive instructional services and supports as appropriate according to the student's needs. The services and supports may include additional scientific, evidencebased reading instruction and other strategies prescribed by the district.

The district will provide a reading success plan to students who:

1. Exhibit a substantial deficiency in reading that creates a barrier, based on teacher observation or reading assessment, to reading progress; or
2. Have been identified through the statewide dyslexia screening as being at risk of dyslexia or have a formal diagnosis of dyslexia.

A substantial reading deficiency exists when a student is one or more grade levels behind in reading or reading readiness.

The district will notify parents/guardians of students identified for reading success plans and give their students the opportunity to attend district summer school programs when offered. The district will provide strategies that parents/guardians may use to help the student obtain reading proficiency including, but not limited to, the promotion of parent-guided home reading.

### **Dyslexia and Related Disorders**

In accordance with law, the district will screen students for dyslexia and related disorders and provide the appropriate classroom support in accordance with guidelines developed by the Department of Elementary and Secondary Education (DESE).

The district will provide screening results to the student's parents/guardians and district employees who have a legitimate educational interest.

A screening that indicates the possibility of dyslexia or a related disorder is not a diagnosis and is not sufficient to determine whether the student has a disability, as defined in law, that requires

accommodation or special education. However, the district may use the information to provide additional classroom support and collect additional data to determine whether the student may need to be evaluated for special education or other accommodations in the future.

The district will annually offer all teachers a minimum of two hours of in-service training on dyslexia and related disorders.

**Remediation as a Condition of Promotion**

Students identified by the district as failing to master grade-level skills and competencies must remediate those skills and competencies before they are promoted to the next grade level. The superintendent or designee shall determine which skills and competencies must be mastered, how they are to be assessed and what remediation is appropriate. The district may operate remediation programs outside the regular school day, including summer school. Such remediation shall recognize that different students learn differently and shall employ methods designed to help these students achieve at high levels. The district will pursue all available state or federal aid for such programs.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 8<sup>th</sup>, 2018

Revised: September 11<sup>th</sup>, 2023

Cross Refs: GCL, Professional Staff Development Opportunities  
JO, Student Records

Legal Refs: §§ 162.670 - .999, 167.268, .340, .640, .645, .950, 633.420, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
Individuals with Disabilities Education Act, 20 U.S.C. §§1400 - 1417  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213, §§ 5 - 7  
34 C.F.R. Part 104

**TEACHING ABOUT RELIGION**

Pursuant to state and federal law, the Lone Jack C-6 School District may teach about religion but may not promote any particular religion or religious belief.

No course or portion of any course taught in the district will have the primary purpose or effect of illegally advancing or inhibiting religion.

Nothing in this policy is to be construed as inhibiting otherwise constitutionally protected religious expression by any individual.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: 12-18-2003

Revised:

Legal Refs: Mo. Const., Art. I, §§ 5-7  
U.S. Const., Art. I

## **Career and Technical Education**

Career and technical education (CTE) is designed to help students prepare for life roles in the family, the community, occupations, professions and avocations. The Board recognizes that CTE enables students of all ages to examine attitudes, interests, aptitudes and abilities to relate them to career opportunities and to make valid decisions about further education and future endeavors.

The Board will provide CTE for students at all levels of instruction and directs the superintendent or designee to offer relevant and high-quality CTE, including broadly based elementary and middle school career awareness and exploration programs that align with high school and career center curriculum.

CTE programs include those developed pursuant to state and federal laws, state and federal guidance, and this district's participation in the Missouri State Plan for Career Education. The district shall determine the curriculum, programs of study and course offerings based on students' needs and interests and the requirements of the statewide plan. The district may qualify to grant students a Career and Technical Education Certificate in addition to the high school graduation diploma.

### **Instructional Delivery**

Instructional delivery of CTE may occur within the district, but also:

1. by contractual arrangement with an area career and technical education school;
2. By contracts with specific program providers to deliver instruction to district students; and
3. In accordance with an agreement between the district or a district-joined consortium and a higher education institution or other authorized provider of career education.

The board must approve any contract, agreement or memorandum of understanding with any of the above entities.

Unless otherwise agreed to by this district and another provider, a student of this district remains subject to the behavioral disciplinary authority of this school district and its relevant policies for students when the student is engaged in educational activities at an area CTE facility or other contracted provider.

### **Postsecondary Programs and Data Disclosures under the Federal Higher Education Act**

When postsecondary students receiving financial aid under Title IV of the Higher Education Act of 1965, as amended, access a district program, the district must make various disclosures and reports of statistics and/or information on:

1. Retention and graduation rates;

2. Financial assistance available to students and requirements and restrictions imposed on Title IV aid;
3. Crime statistics; and
4. Other institutional information, including the cost of attendance; accreditation and academic program data; facilities and services available to students with a disability; and withdrawal and refund policies. The superintendent will designate an administrator to work with postsecondary partners and resources to provide for compliance with the Higher Education Act requirements where applicable.

Adopted: July 11, 1994  
Revised: March 13, 2023

Legal Refs: §§ 178.420 - .560, 70.220, 178.420-.560, RSMo.  
5 C.S.R §§ 20-200.160-.190  
MO. Const. Art VI I § 16  
20 U.S.C § 1092, 2301-2306a  
Cross Refs: Tl-3, MSIP Standards

## **TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO**

The Board of Education believes that effective drug education programs require both the acquisition of knowledge and the development of positive personal values. Both the school and other community agencies must share in the development and direction of programs to alleviate the problems of drug abuse. Therefore, the school district will abide by the following:

1. Establish and maintain a realistic, meaningful drug, alcohol and tobacco education program that will be incorporated into the total educational program.
2. Establish and maintain an ongoing professional development program for school personnel in the areas of drug, alcohol and tobacco use.
3. Cooperate with government and private agencies offering services related to drug, alcohol and tobacco problems.
4. Encourage and support activities that will develop a positive peer influence in the area of drugs, alcohol and tobacco.
5. Create a climate whereby students may seek and receive counseling about drugs, alcohol and tobacco and related problems without fear of reprisal.
6. Follow federal mandates concerning drug, alcohol and tobacco education.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: 12-18-2003

Revised:

Cross Refs: JFCH, Student Alcohol/Drug Abuse

Legal Refs: No Child Left Behind Act of 2001, P.L. 107-110  
20 U.S.C. §§ 111-13

## **SEXUAL HEALTH INSTRUCTION**

The Board of Education recognizes that parents/guardians should be the primary source of sexuality education for their children. The Board also recognizes that effective sexuality education, taught in concert with parents/guardians, helps students avoid risks to their health and academic success and prepares them to make informed decisions as adults.

The district will offer instruction in human sexuality and will provide instruction regarding sexual abuse as required by law. All instruction will be appropriate to the age of the students receiving the instruction, and students may be separated by gender for the instruction.

### **Notice and Opt-Out**

The district will notify parents/guardians of the basic content of the district's human sexuality and sexual abuse instruction. The district will also notify parents/guardians of their right to remove their student from any part of the district's instruction on these topics upon written request. The district will make all curriculum materials used in the district's human sexuality and sexual abuse instruction available for inspection prior to the use of such materials in actual instruction.

### **Human Sexuality and Sexually Transmitted Diseases**

As required by state law, any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

1. Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried students because it is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity. Students shall be advised that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy.
2. Stress that sexually transmitted diseases are serious possible health hazards of sexual activity. Students shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), human papillomavirus (HPV), hepatitis and other sexually transmitted diseases.
3. Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases, or present students with information on contraceptives and pregnancy in a manner consistent with the provisions of federal abstinence education law.

4. Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan.
5. Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role playing at appropriate grade levels to emphasize that the student has the power to control personal behavior. Students shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control and ethical considerations, such as respect for one's self and others. Students shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Students shall be taught to resist unwanted sexual advances and other negative peer pressure.
6. Teach students about consent, sexual harassment and sexual violence. Specifically, students will be taught that:
  - A) *Consent* is a freely given agreement to the conduct at issue by a competent person, and that:
    - < An expression of lack of consent through words or conduct does not constitute consent.
    - < Lack of verbal or physical resistance does not constitute consent.
    - < Submission resulting from the use of force, threat of force or fear does not constitute consent.
    - < A current or previous dating, social or sexual relationship between two parties does not by itself constitute consent.
    - < The manner of dress chosen by a person does not constitute consent.
  - B) *Sexual harassment* is uninvited and unwelcome verbal or physical behavior of a sexual nature, especially by a person in authority toward a subordinate.
  - C) *Sexual violence* is causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress or without the person's consent.
7. Advise students of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise students of the provisions of Missouri law pertaining to statutory rape and statutory sodomy.



8. Teach students about the characteristics of and ways to identify sexual predators.
9. Teach students safe and responsible Internet use, including the dangers of online sexual predators, when using electronic communication methods such as the Internet, mobile phones, text messages, chat rooms, social media, e-mail and instant messaging.
10. Instill in students the importance of having open communication with responsible adults, reporting any inappropriate situation, activity or abuse to a responsible adult and, depending on intent and content, to local law enforcement, the Federal Bureau of Investigation (FBI) or the National Center for Missing and Exploited Children's "CyberTipline."
11. Explain the potential consequences, both personal and legal, of inappropriate text messaging and sexting, even among friends.

The district will not permit a person or entity to offer, sponsor or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if the person or entity is a provider of abortion services. No district personnel or agents, acting in their official capacities, will encourage any student to have an abortion.

### **Sexual Abuse**

In accordance with law, the district will provide trauma-informed, developmentally appropriate training to students in grades 6-12 regarding sexual abuse including, but not limited to, instruction on:

1. How to recognize sexual abuse;
2. How to report an incident of sexual abuse;
3. How to obtain assistance and intervention; and
4. Resources for students affected by sexual abuse.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 13, 2000

Revised: December 8, 2008  
June 11, 2016  
March 6<sup>th</sup>, 2019  
October 12, 2020

**FILE: IGAEB  
Critical**

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
EHB, Technology Usage  
JHG, Reporting and Investigating Child Abuse and Neglect  
KB, Public Information Program

Legal Refs: §§ 167.171, 170.015, 566.032, .034, .062, RSMo.  
42 U.S.C. § 710

## **ACCOMMODATION OF STUDENTS WITH DISABILITIES**

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district program, including nonacademic services and extracurricular activities. The district seeks to identify and evaluate students who may have disabilities as defined by Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA). The district will provide students with disabilities a free and appropriate public education as required by law.

The superintendent or designee is directed to create procedures to assist the district in properly identifying, evaluating and serving students with disabilities who need accommodation to participate in the district's educational programs.

### **Section 504 and ADA Compliance Officer**

The district designates the compliance officer listed in policy AC as the district's Section 504 and ADA compliance officer. All complaints or concerns regarding illegal discrimination must be brought to the attention of the compliance officer.

### **Notice and Child Find**

District publications will include notification to students and the public that the district does not discriminate on the basis of disability in admission or access to, or treatment in, its programs or activities. The notice will provide district contact information for members of the public to notify the district if they know or believe that a child may have a disability.

### **Grievance Procedure**

All complaints alleging discrimination, violation of law or failure to follow district policies or procedures regarding the education or accommodation of students with disabilities will be made to the compliance officer and will be investigated immediately. The district will use the grievance procedure outlined in policy AC. Complaints may be made at any time to the U.S. Department of Education, Office for Civil Rights.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 8<sup>th</sup>, 2018

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
ECG, Animals on District Property  
FB, Facilities Planning  
FEF, Construction Contracts Bidding and Awards  
JGE, Discipline of Students with Disabilities  
JHCF, Student Allergy Prevention and Response  
JHDA, Surveying, Analyzing or Evaluating Students  
JO, Student Records

Legal Refs: The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

## **SPECIAL EDUCATION**

It is the policy of the Board of Education to provide a free and appropriate public education (FAPE) for students with disabilities who are in need of special education and related services in accordance with the Individuals with Disabilities Education Act (IDEA), the Missouri State Plan for Special Education (State Plan), the district's local compliance plan, and applicable state and federal laws.

### **Child Find**

The district has an obligation to locate, identify and evaluate children in the district between the ages of 3 and 21 who may need special education and related services, including children who are wards of the state, are homeless or attend private schools located within the boundaries of the school district. Any individual who knows or believes that a student has a disability and is in need of accommodation or special education should contact the school's principal or the district's special education director immediately.

The district will notify all parents/guardians and students of its obligations under this policy and the law. The district will also utilize public media and other postings to notify the public of the district's legal obligations as required by law.

### **Evaluation and Identification**

The special education director will arrange for district students and children who are not enrolled in the district but who may need special education services to be evaluated to determine their eligibility for special education services in accordance with the law and state and local plans.

#### ***Specific Learning Disabilities***

The Board authorizes the special education director to use a discrepancy model, including the use of professional judgment or a response to intervention (RTI) model, for identifying students with specific learning disabilities (SLD).

#### ***Children Three to Five Years of Age***

When identifying children three to five years of age who qualify for special education but are not yet eligible for kindergarten, the district will use any of the disability categories, including that of Young Child with a Developmental Delay (YCDD). When a child so identified reaches kindergarten age, his or her eligibility will continue to be determined using any of the disability categories, including that of YCDD. A child who is not identified as eligible for special education services prior to reaching kindergarten age will be identified using disability categories excluding that of YCDD.

### **Independent Evaluations**

If a student is evaluated for special education services and the parents/guardians disagree with the evaluation, the parents/guardians may obtain an independent educational evaluation (IEE) at the district's expense, as allowed by the IDEA. Applicable procedures, evaluator criteria, and location and cost limitations governing the IEE process are available through the district's special education director. The Board delegates to the superintendent or designee the authority to make changes to these procedures, evaluator criteria and cost guidelines. These items will adhere to rules published in the Missouri State Plan and the local plan for compliance with the law.

### **Students Placed in Private Schools by Their Parents/Guardians**

For the purpose of this policy, a "private school" is defined to include home schools and religious/parochial schools.

In general, the Lone Jack C-6 School District has no obligation to provide FAPE or special education and related services to any individual student enrolled in a private school by his or her parents/guardians. The district will expend a proportionate amount of its IDEA Part B funds on the group of privately placed students as a whole, as required by law.

The district will work with private schools located within its boundaries to identify and evaluate students attending the private schools who may be eligible for special education services. When a student is determined eligible, the district will offer to enroll the student and provide the student special education and related services in the district.

Parents/Guardians of a student previously enrolled in the district who choose to unilaterally place the student in a private school without district consent due to a dispute regarding FAPE will not be reimbursed for tuition costs except as required by law.

### **Extended School Year**

Extended school year (ESY) services may be necessary to provide a child with a disability FAPE pursuant to law. The individualized education program (IEP) team will consider ESY services for all special education students eligible for services under the IDEA, but ESY services will only be provided if the student is found eligible in accordance with this policy.

A student will be eligible for ESY services if, based on the available data, the student needs services beyond the regular school day or term to avoid regression that will interfere with the student's ability to continue to progress in the curriculum. This determination will be based on consideration of the following:

1. The nature and severity of the student's disability.
2. The areas of learning crucial to the child's attainment of self-sufficiency and independence.
3. The student's progress.
4. The student's behavioral and physical needs.
5. Opportunities the student will have to practice skills outside the formal classroom setting without ESY services.
6. Availability of alternative resources.
7. Areas of the student's curriculum that need continuous attention.
8. Ability of the student's parents/guardians to provide educational structure.
9. Particular curricular or vocational needs of the student.
10. Opportunity for the student to interact with nondisabled children.

The length, nature and type of ESY services will be determined by the IEP team and addressed in each student's IEP. If at the time the IEP is developed it is unreasonable to predict eligibility for ESY services, the IEP team will meet after sufficient time has passed for the team to make an informed decision about ESY services, but not later than six weeks prior to the end of the regular school term.

### **Mediation**

The Board of Education authorizes the special education director to legally bind the school district to a mediation agreement developed in accordance with the IDEA and Missouri law and further authorizes the special education director to contact an attorney for legal advice prior to making any decisions. In the absence of the special education director, the superintendent is authorized to perform his or her duties under this section.

**Resolution**

The Board of Education designates the special education director to represent the school district in resolution meetings and gives the special education director decision-making authority on behalf of the district. The special education director has the authority to sign and legally bind the district to a settlement agreement reached at the resolution meeting. In the absence of the special education director, the superintendent is authorized to perform his or her duties under this section. All other settlement agreements must be approved by the Board.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: December 12, 2005  
December 12, 2011  
October 8<sup>th</sup>, 2018

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
DGA, Authorized Signatures  
ECG, Animals on District Property  
EHBC, Data Governance and Security  
JCB, Intradistrict Transfers  
JCC, Interdistrict Transfers  
JECC, Assignment of Students to Grade Levels/Classes  
JGE, Discipline of Students with Disabilities  
JHCF, Student Allergy Prevention and Response  
JHDA, Surveying, Analyzing or Evaluating Students  
JO, Student Records  
KKB, Audio and Visual Recording

Legal Refs: §§ 161.850, 162.670 - .999, RSMo.  
Missouri State Plan for Special Education  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213



**PROGRAMS FOR GIFTED STUDENTS**

The Board of Education authorizes a program for meeting the educational needs of identified gifted students and will make every effort to provide the level of monetary support necessary to sustain the gifted program. The district has established a systematic process for the identification and selection of gifted students that is outlined in administrative procedures.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: 12-18-2003

Revised:

Legal Refs: §§ 162.720, .975, RSMo.  
5 CSR 50-200.010

## **PARENT AND FAMILY INVOLVEMENT AND ENGAGEMENT**

The Lone Jack C-6 School District Board of Education believes that engaging parents and families in the education process is essential to improved academic success for students. The Board recognizes that a student's education is a responsibility shared by the district, parents, families and other members of the community.

For the purposes of this policy, "parent" means a parent, guardian or person acting as a parent in the absence of the parent.

### **Missouri Parent and Family Involvement and Engagement Goals**

The Board of Education recognizes the importance of both eliminating barriers that impede parent and family involvement and facilitating an environment that encourages collaboration with parents, families and other members of the community. Therefore, the district, pursuant to state law and in collaboration with the State Board of Education, education personnel, local associations, and organizations of parents of district students, will develop and implement a policy to facilitate parent and family involvement and engagement that shall include the following six goals:

1. Promote regular, two-way, meaningful communication between home and school.
2. Promote and support responsible parenting.
3. Recognize the fact that parents and families play an integral role in assisting their children to learn.
4. Promote a safe and open atmosphere for parents and families to visit the schools their children attend, and actively solicit parent and family support and assistance for school programs.
5. Include parents as full partners in decisions affecting their children and families.
6. Use available community resources to strengthen and promote school programs, family practices and the achievement of students.

## **Title I Program Parent and Family Involvement and Engagement**

### ***District Policy***

The district and parents and family members of students participating in the Title I Part A program will jointly develop and agree upon a written parent and family involvement and engagement policy for the district that will establish the district's expectations and objectives for meaningful parent and family involvement and describe how the district will:

1. Involve parents and family members in the joint development of the Title I program plan. Parents and family members will also be involved in the development of support and improvement plans as required by law.
2. Provide the coordination, technical assistance and other support necessary to assist and build the capacity for all Title I schools in planning and implementing effective parent and family involvement and engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders and philanthropic organizations or individuals with expertise in effectively engaging parents and family members in education.
3. Coordinate and integrate Title I parent and family involvement and engagement strategies, to the extent feasible and appropriate, with other federal, state and local laws and programs.
4. Conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content of the parent and family involvement and engagement policy and its effectiveness in improving the academic quality of the schools served. The district will use the findings of the evaluation to design strategies for more effective parent and family involvement and engagement and to revise, if necessary, the parent and family involvement and engagement policies. The evaluation will include identifying:
  - < Barriers to greater participation by parents in activities authorized by law, particularly by parents who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.
  - < The needs of parents and family members to assist with their students' learning, including engagement with school personnel and teachers.
  - < Strategies to support successful school and family interactions.

5. Involve parents in the activities of the schools served, which may include establishing a parent advisory board composed of parents and family members who adequately represent the needs of the population served by the district. If created, the parent advisory board would be tasked with developing, reviewing and revising this policy.

### ***School Policy***

Each school receiving Title I Part A funds and the parents and families of the students in the school will jointly develop and agree upon a written parent and family involvement and engagement policy for the school. In accordance with the requirements of federal law:

1. The policy must be made available to the local community and distributed to parents in an understandable and uniform format. To the extent practicable, the policy shall be provided in a language the parents understand.
2. The policy shall be reviewed annually and updated as needed to meet the changing needs of the parents, families and school.

Each school participating in the Title I Part A program will:

1. Convene an annual meeting, at a convenient time, to which all parents of participating students will be invited and encouraged to attend. The purpose of the meeting is to inform parents about the school's involvement in the Title I program, the requirements of Title I and the right of parents to be involved. The school will offer a flexible number of meetings, such as meetings in the morning or evening, and may provide transportation, childcare or home visits as those services relate to parent involvement.
2. Involve parents in an organized, ongoing and timely way in the planning, review and improvement of Title I Part A programs, including the parent and family involvement and engagement policy and the joint development of a schoolwide program plan. The schoolwide plan will include both positive and negative comments on the Title I Part A program from parents of participating students.
3. Provide parents of participating students:
  - < Timely information about Title I programs.
  - < A description and explanation of the curriculum.
  - < The forms of academic assessment used to measure student progress.

- < The achievement levels of the Missouri Learning Standards (MLS).
  - < Opportunities, if requested by parents, for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.
  - < Timely responses to suggestions.
4. Work jointly with parents of students in the program to develop a school-parent compact that outlines how parents, the entire school staff and students will share responsibility for improved academic achievement and the means by which the school and parents will build and develop a partnership to help students achieve the MLS. The compact will:
- < Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the students served under Title I to meet the MLS.
  - < Identify ways in which each parent will be responsible for supporting his or her student's learning, such as monitoring attendance, homework completion, and television watching; volunteering in the student's classroom; and participating, as appropriate, in decisions relating to the education of the student and the positive use of extracurricular time.
  - < Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum, parent-teacher conferences in elementary schools at least annually during which the compact shall be discussed as it relates to the individual student's achievement; frequent reports to parents on their student's progress; reasonable access to staff; opportunities to volunteer and participate in their student's class; observation of classroom activities; and ensuring regular, two-way, meaningful communication among family members and school staff that, to the extent practicable, is in a language the family members can understand.

### ***Building Capacity for Involvement***

The district and each Title I school will support a partnership among the Title I school, parents and community members and ensure effective involvement and engagement of parents by:

1. Providing parents of students served with assistance in understanding topics such as the MLS, local assessments and the requirements of Title I; how to monitor a student's progress; and how to work with teachers to improve the performance of their student.
1. Providing parents the training and materials necessary to improve their student's achievement, such as literacy and technology use training, including information about

the harms of copyright piracy, as appropriate to foster parental involvement and engagement.

3. Educating, with parental assistance, all school personnel on:
  - < Valuing parent contributions.
  - < Reaching out to and communicating and working with parents as equal partners.
  - < Implementing and coordinating parent programs.
  - < Building ties between parents and the school.
4. To the extent feasible and appropriate, coordinating and integrating parent involvement and engagement programs and activities with other federal, state and local programs, including public preschool programs, and conducting other activities, such as parent resource centers, to encourage and support parents in more fully participating in the education of their student.
5. Ensuring that information related to school and parent programs, meetings and other activities is sent to the parents of Title I students in a format and, to the extent practicable, in a language parents can understand.
6. Providing other reasonable support for parental involvement and engagement activities as parents may request.

### **Accessibility**

To the extent practical, the district must provide opportunities for the informed participation of parents and family members, including parents and family members who have limited English proficiency, parents and family members with disabilities and parents and family members of migratory students. Information and school reports will be provided in a format and, to the extent practicable, in a language the parents understand.

### **Policy Evaluation**

The district and each school receiving Title I funds will, with parent and family involvement, review and evaluate the content and effectiveness of parent and family involvement policies at least annually. The district will use the findings of such evaluation to design strategies for more effective parental involvement and engagement and to revise, if necessary and in collaboration with parents, the parent and family involvement and engagement policies.

**English Learner (EL) and Migrant Education Program (MEP) Parent and Family Involvement and Engagement**

The Board also recognizes the special importance of parent and family involvement and engagement to the success of its EL and MEP programs. Pursuant to federal law, the district and parents will jointly develop and agree upon a written parental involvement and engagement policy that will be distributed to parents of students participating in any of these programs. The provisions of this policy shall apply to parents and families of EL and migratory students to the same extent as they apply to parents and families of other students.

Involvement for parents and families of students in the EL and MEP programs is addressed in more detail in the policies specific to those programs.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 2002

Revised: December 13, 2006  
October 8<sup>th</sup>, 2018

Cross Refs: ADF, District Wellness Program  
DJFA, Federal Programs and Projects  
JHC, Student Health Services and Requirements  
JHDA, Surveying, Analyzing or Evaluating Students  
KB, Public Information Program  
KI, Public Solicitations/Advertising in District Facilities  
KL, Public Concerns and Complaints  
KLA, Concerns and Complaints Regarding Federal Programs

MSIP Refs: G-5, G-9, G-11

Legal Refs: § 167.700, RSMo.  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h  
The Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6301 - 7981

## **PROGRAMS FOR HOMELESS STUDENTS**

The Lone Jack C-6 School District Board of Education recognizes that homeless students are particularly vulnerable and need special assistance to access and benefit from the education environment. Therefore, the district, in accordance with state and federal law and the Missouri state plan for education of the homeless, will give special attention to ensure that homeless students in the district are promptly identified and have access to a free and appropriate public education and related support services.

### **Eligibility for Services**

Homeless students are individuals who lack a fixed, regular and adequate nighttime residence and include the following:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
2. Children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
4. Migratory children who meet one of the above-described circumstances.

### **District Liaison for Homeless Students**

The board designates the following individual to act as the district's liaison for homeless students (homeless liaison):

Heather Kalich, Counselor  
313 S Bynum Road  
Lone Jack, MO 64070  
[hkalich@lonejackc6.net](mailto:hkalich@lonejackc6.net)  
816 697-3539

The homeless liaison shall designate and train another district employee to serve as the homeless liaison in the absence of the homeless liaison.



## **School of Origin**

For the purposes of this policy, "school of origin" is defined as the school that the student attended when permanently housed or the school in which the student was last enrolled, including a public preschool. When the student completes the final grade level served by the school of origin, the term shall then include the designated receiving school at the next grade level for all feeder schools.

## **Enrollment**

The selected school shall immediately enroll the homeless student even if the student is unable to produce records normally required for enrollment, such as previous academic records, immunization or other health records, proof of residency, or other documentation, and even if the student has missed any application or enrollment deadlines during any period of homelessness. Students will be awarded appropriate credit for full or partial coursework in accordance with board policy. Outstanding fines, fees or absences shall not present a barrier to enrollment of the student. However, the district may require a parent/guardian of a homeless student to submit contact information.

## **Placement**

The district will consider the best interest of the homeless student, with parental involvement, in determining whether the student should be enrolled in the school of origin or the school that nonhomeless students who live in the attendance area in which the homeless student is actually living are eligible to attend. In determining the best interest of the student, the district will:

1. Presume that keeping the student in the school of origin is in the student's best interest except when doing so is contrary to the request of the student's parents/guardians or the student if unaccompanied by a parent/guardian.
2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the homeless student's parents/guardians or the unaccompanied youth.

The choice regarding placement shall be made regardless of whether the homeless student lives with a parent/guardian or has been temporarily placed elsewhere. If the student is unaccompanied, the homeless liaison shall assist the student in placement or enrollment decisions, give priority to the views of the student and provide the student with notice of the student's right to appeal the district's decision.

If the district determines that placement should be in the school of origin, the student will continue to be educated in the school of origin for the duration of the homelessness when the student's family becomes homeless between academic years or during an academic year, and for

the remainder of the academic year even if the student becomes permanently housed during the academic year.

If the district determines that it is not in the best interest of the student to attend either the school of origin or the school requested by the parents/guardians or unaccompanied youth, the district shall provide a written explanation of the reasons for its determination. The explanation shall be given in a manner and form understandable to the parents/guardians or unaccompanied youth and shall include information regarding the right to appeal the district's determination.

The written explanation will include:

1. A description of the action proposed or refused by the district;
2. An explanation of why the action was proposed or refused;
3. A description of any other options the district considered;
4. The reasons other options were rejected;
5. A description of any other relevant factors to the district's decision and information related to the eligibility or best interest determination, including the facts and evidence relied upon and their sources;
6. Appropriate timelines to ensure any relevant deadlines are not missed; and
7. Contact information for the local liaison and the state coordinator for homeless students (state coordinator) and a brief description of their respective roles.

## **Services**

Each homeless student shall be provided services comparable to the services offered to other students in the district including, but not limited to, transportation services; education services for which the student meets the eligibility criteria, such as education programs for disadvantaged students, students with disabilities and gifted students; programs in career and technical education; school nutrition programs; preschool programs; before- and after-school care programs; and programs for English learners. Homeless students will not be segregated in a separate school or program within a school based on the students' status as homeless.

The district will coordinate services for homeless students with local social service agencies and other agencies or entities providing services to homeless students and their families, including services and programs funded under the Runaway and Homeless Youth Act. The district will also coordinate transportation, transfer of school records and other activities with other school districts.

## **Unaccompanied Youths**

An unaccompanied youth is a student who is not in the physical custody of a parent or legal guardian. The liaison will work with unaccompanied youths on issues unique to their situations, such as informing them of their status as independent students under laws applicable to higher education and informing them that they may obtain assistance from the homeless liaison to receive verification of this status for the purposes of applying for federal student aid.

The homeless liaison, a school counselor or a school social worker will verify, when applicable, that a student is an unaccompanied youth as defined in federal law.

## **Transportation**

If the homeless student's school of origin, including a public preschool, and temporary housing are located in the Lone Jack C-6 School District, the district will provide transportation to and from the school of origin at the request of the parents/guardians or homeless liaison, provided it is in the best interest of the student.

If the homeless student's school of origin and temporary housing are located in two different school districts, the districts may agree on a method to apportion the responsibility and costs for providing transportation to the school of origin. If no agreement is reached, the districts will equally share the responsibility and costs for transporting the student. If a homeless student becomes permanently housed in the middle of the school year, the district will continue to provide transportation to the school of origin for the remainder of the school year.

Transportation to the school of origin shall be provided even if a homeless preschooler who is enrolled in a public preschool moves to another district that does not provide a widely available or universal preschool.

## **Records**

When a homeless student enrolls in the district or a district school, the district will immediately contact the school the homeless student last attended in order to obtain academic or other relevant records.

Any records ordinarily kept by the school for each homeless student (including immunization or other health records, academic records, birth certificates, guardianship records and evaluations for special services or programs) shall be maintained so that the district is equipped to provide the student with appropriate services, make necessary referrals and transfer records in a timely fashion when a homeless student enters a new school district. Copies of records shall be made available upon request to students or parents/guardians in accordance with the Family Educational Rights and Privacy Act (FERPA).

Information about a homeless student's living situation shall be treated as a student education record and shall not be deemed to be directory information under FERPA.

### **Homeless Liaison Responsibilities**

The homeless liaison will attend all required professional development and other technical assistance activities as determined appropriate by the Department of Elementary and Secondary Education (DESE). The district shall inform school personnel, service providers and advocates working with homeless families of the duties of the homeless liaison. The homeless liaison will ensure that:

1. Homeless students, including homeless preschool-age children and unaccompanied youths, are identified by school personnel through outreach and coordination activities with other entities and agencies.
2. Homeless students, including unaccompanied youths, are enrolled in and have a full and equal opportunity to succeed in schools in the district.
3. Homeless families and students, including unaccompanied youths, have access to and receive education services for which they are eligible, including Head Start and Early Head Start, early intervention services under the Individuals with Disabilities Education Act, and preschool programs administered by the district, as well as referrals to healthcare services, dental services, mental health and substance abuse services, housing services and other appropriate services based on their assessed needs.
4. The parents/guardians of homeless students are informed of the educational and related opportunities available to their students and are provided with meaningful opportunities to participate in the education of their students.
5. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents/guardians, youths and unaccompanied youths, including schools, family shelters, public libraries and soup kitchens, in a manner and form understandable to the parents/guardians and youths.
6. Enrollment disputes are mediated in accordance with law.
7. The parents/guardians of homeless students and unaccompanied youths are fully informed of all transportation services, including transportation to the school of origin, and are assisted in accessing transportation to the selected school.
8. Unaccompanied youths will be assisted in placement or enrollment decisions, their views will be considered, and they will be provided notice of the right to appeal.

9. School personnel providing services to homeless students and their parents/guardians receive professional development and other support.
10. Students who need to obtain immunizations or medical or immunization records will receive assistance.
11. The district collects and reports reliable, valid and comprehensive data to DESE regarding homeless students.
12. All homeless high school students receive information and individualized counseling regarding college readiness, college selection, the application process, financial aid and the availability of on-campus supports.
13. Every effort is made to enroll preschool-age homeless children in preschool if they are not already enrolled.

### **Disputes**

Parents/Guardians or unaccompanied youths may appeal district decisions regarding eligibility, enrollment or placement. The district will make every effort to resolve complaints or disputes at the district level. The homeless liaison will provide the parents/guardians or unaccompanied youth a written explanation of any decision related to school selection or enrollment, including the right to appeal such decisions, and inform the parents/guardians or unaccompanied youth of the district's complaint resolution process when a question or complaint arises concerning the education of a homeless student.

1. If the parent/guardian or unaccompanied youth has a complaint regarding the education of a homeless student, the person must notify the homeless liaison. The homeless liaison serves as the intermediary between the homeless student and the school where the student is seeking enrollment. The homeless liaison shall provide a copy of or access to the district's policies addressing the education of homeless students and the district's complaint form to the parents/guardians or unaccompanied youth.
2. The parents/guardians or unaccompanied youth can file a complaint in writing with the homeless liaison. The homeless liaison will provide a written resolution of the dispute or a plan of action within five days of the date the complaint was received by the homeless liaison. The parties may mutually agree to an extension of time; however, every effort should be made to resolve the complaint in the shortest possible time.
3. If the dispute is not resolved by the homeless liaison, the parents/guardians or unaccompanied youth may file a written complaint with the superintendent or designee for review. The superintendent or designee will provide a written resolution or plan of action within five days of the date the complaint was received by the superintendent or

4. designee. The parties may mutually agree to an extension of time; however, every effort should be made to resolve the complaint in the shortest amount of time.
5. If the dispute is not resolved at the superintendent level, the parents/guardians or unaccompanied youth may file a written complaint with the board of education. The board will provide a written resolution of the dispute or a plan of action within 30 days of the date the complaint was received by the board. If the dispute is not resolved by the board in a manner satisfactory to the parents/guardians or unaccompanied youth, an appeal may be brought to DESE in accordance with the state dispute resolution process, which the homeless liaison will provide to the parents/guardians or unaccompanied youth.

While the dispute process is ongoing, the student in question must be enrolled and allowed to fully participate in school activities as well as receive transportation, if requested, to the school in which the parents/guardians or unaccompanied youth seeks enrollment.

The district shall make translators, interpreters or other support services available without charge and in the appropriate language to parents/guardians and unaccompanied youths who are English learners, use a native language other than English or need additional supports due to a disability.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: February 17<sup>th</sup>, 2017  
October 8<sup>th</sup>, 2018  
August 9<sup>th</sup>, 2021

Cross Refs: EEA, Student Transportation Services  
JCB, Transfers within the District  
JCC, Transfers outside the District  
JEC, School Admissions  
JECA, Eligibility to Enroll  
JECC, Assignment of Students to Grade Levels/Classes  
KLA, Concerns and Complaints Regarding Federal Programs

MSIP Refs: I-3

**FILE: IGBCA  
Critical**

Legal Refs: §§ 167.020, .181, 193.265, 208.151, 210.003, 431.506, RSMo.  
19 C.S.R. 20-28.010  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
34 C.F.R. Part 99  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42  
U.S.C. §§ 11431 - 11435

## **PROGRAMS FOR MIGRANT STUDENTS**

The Board of Education of the Lone Jack C-6 School District recognizes that migratory students face many educational challenges that may interfere with their ability to succeed in the regular education program and meet the same challenging state achievement standards as other students. The district is committed to creating and supporting a migrant education program (MEP) designed to help migratory students and their families overcome these challenges.

The superintendent or designee will develop an MEP that includes the following components:

1. A written procedure for identifying students who may be migratory that provides for notification to appropriate personnel designated by the Department of Elementary and Secondary Education (DESE) of potentially eligible students.
2. A procedure to help identify and recruit, throughout the school year, those students residing in the district who have family members who have been or are engaged in seasonal or temporary agriculture-related work.
3. Assessment of the educational, health and social needs of each student identified as migratory and development of objectives to address those needs so that migratory students are able to meet Missouri learning standards.
4. Advocacy to allow students and families to gain access to health, nutrition and social services.
5. Review of existing programs and resources to determine which can help meet the needs of migratory children and ensure that the children have access to them.
6. A full range of educational services for migratory students.
7. Instructional programs for migratory students that supplement existing educational programs.
8. An opportunity for meaningful participation in the program by parents/guardians and families of migratory students.
9. A parent advisory committee to consult with district officials and staff in the planning, implementation and evaluation of the program.
10. Professional development for teachers that is designed to improve the quality of education for migratory students, including required training by DESE's Migrant Education and English Language Learning (MELL) program.



**FILE: IGBCB**  
**Critical**

11. Provision of information to district personnel about any required participation in professional development provided by DESE's MELL program.
12. Assistance for secondary school students transitioning from school to postsecondary education, employment or military service.
13. Provision of needs assessment, evaluation, financial and other information needed for DESE to carry out its duties.
14. A process for prioritizing the provision of services in order to ensure that if there are limited resources, students most at risk of failing receive services ahead of other students.

**Parent and Family Involvement and Engagement**

Information about the district's MEP will be disseminated throughout the community and to parents/guardians of students in the program. Parents/Guardians and families will be invited and encouraged to participate in parent/guardian and family involvement and engagement activities developed pursuant to policy IGBC. The district will, whenever possible, communicate with migratory students' parents/guardians who are not proficient in English in a language understandable to the parents/guardians.

**Records**

The superintendent or designee will maintain and regularly update education and health records of students eligible to receive migrant services, including the date identified, the date approved for services and the services provided. Maintained records will be subject to the provisions of the Family Educational Rights and Privacy Act. The superintendent or designee will also maintain records of all other aspects of the MEP, including teacher training, use of community resources, and program evaluations. Records of parent and family involvement activities, including copies of notices, agendas and meeting minutes, will also be maintained.

The district will provide the results of need assessments, evaluations, financial information and other information as requested by DESE.

**Nonpublic Students**

The district will provide services to migratory students in nonpublic schools in accordance with law.

**Program Evaluation**

The superintendent or designee will regularly evaluate the MEP to determine whether the program is meeting the assessed needs of identified migratory students and whether all migratory students have access to the program. Further, the evaluation will determine whether services and

resources for migratory students are comparable to the services and resources available to other students in the district.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: July 13, 2015  
October 8<sup>th</sup>, 2018

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
DJFA, Federal Programs and Projects  
JEC, School Admissions  
JO, Student Records

Legal Refs: The Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6391 - 6399

**AT-RISK STUDENTS**  
*(K-12 Districts)*

The goal of the Lone Jack C-6 School District is to ensure that all high school graduates are college- or career-ready. In furtherance of that goal, the superintendent or designee will implement K-12 programs designed to identify students who are not performing to their potential and assist those students in graduating with their peers with the skills and knowledge necessary to be successful in college or a career upon graduation.

If a student is receiving special education services, the student's individualized education program (IEP) team may explicitly waive or exempt the student from any part of this policy.

**Identification of Ninth-Grade Students at Risk**

In accordance with law, the principal or designee will identify all current ninth-grade students and all students who transfer to the district after ninth grade who are at risk of not being ready for college-level work or entry-level career positions. The identification will be made based on the following information, in addition to other information the principal considers relevant:

1. The student's performance on the Missouri Assessment Program (MAP) test in eighth grade in English language arts and mathematics. The district may also consider the results of other assessments in English language arts and mathematics. If the student transferred from another state or country, the district will consider the student's performance on comparable assessments taken in the other state or country.
2. The number of district students taking remedial courses at the college level as reported by the Department of Higher Education.
3. The student's attendance rate.
4. The number of credits the student has earned toward graduation at the end of the first semester of high school and at the end of the student's first year of high school.
5. Student behavior and discipline.

Once a student is identified as at risk, the district will provide appropriate academic and career counseling to attempt to provide the student with opportunities to graduate on time and college- or career-ready.

## **Other Programs**

The superintendent or designee is authorized to create and implement other programs designed to assist students of any grade level who appear to be at risk of dropping out of school or failing to graduate from high school college- or career-ready.

## **Students Leaving School Prior to Graduation**

Students 16 years of age or older who leave school for any reason other than to attend another school, college or university or enlist in the armed services will be reported to the state literacy hotline at the Department of Elementary and Secondary Education, as required by law. In addition, students who drop out of school will be offered follow-up counseling and services to facilitate their return to school and the completion of their education.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised: May 14, 2018

Cross Refs: JEA, Compulsory and Part-Time Attendance  
JED, Student Absences and Excuses  
JFCL, A+ Schools Program  
JG, Student Discipline  
JHD, Student Guidance and Counseling

Legal Refs: §§ 167.273, .275, .280, .903, .905, RSMo.  
6 C.S.R. 10-4.040

MSIP Refs: I-6

**STUDENTS IN FOSTER CARE**  
*(K-12 Districts)*

The Lone Jack C-6 School District recognizes that students in foster care face unusual educational challenges. The purpose of this policy is to provide foster care students with educational stability and remove barriers to, and provide opportunities for, academic excellence for foster care students. In order to achieve this purpose, the district will work collaboratively with the Missouri Department of Elementary and Secondary Education (DESE) and the Children's Division (CD) of the Missouri Department of Social Services.

**Definitions**

*Foster Care* - Twenty-four-hour substitute care for children placed away from their parents/guardians and for whom the CD has placement and care responsibility. This includes, but is not limited to, placement in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions and pre-adoptive homes, regardless of whether the home, shelter, facility or institution is licensed or receives payments from the state.

*Foster Care Student* - Any pre-K-12 student who is residing in a foster care setting in this state or who is awaiting foster care.

*School of Origin* - The school or preschool in which the student was enrolled at the time of placement in foster care. If the student's placement changes, the school of origin is the school or preschool in which the student was enrolled at the time of the change.

**Liaison/Point of Contact**

The district designates the following individual as the liaison for foster care students:

Heather Kalich, Counselor  
313 S Bynum Road  
Lone Jack, MO 64070  
816 697-3539/816 566-3128  
hkalich@lonejackc6.net

The liaison will provide assistance regarding all aspects of the enrollment, placement, transfer and withdrawal of children in foster care and serve as the point of contact for DESE and the CD. The liaison will also work with DESE and the CD to implement the district's complaint resolution process.

## **Enrollment and Placement of Foster Care Students**

Students in a foster care placement located within the boundaries of the district will be educated in the school of origin unless it is not in the best interest of the student to do so. A student placed in the school of origin will remain in the school of origin for the duration of the time he or she is in foster care. If it is not in the best interest of the student to stay in the school of origin, the Lone Jack C-6 School District will immediately enroll the student, even if the student is unable to produce records normally required for enrollment, and will contact the school of origin to obtain relevant records.

Foster care students who attend school in the district because attending the school of origin was not in their best interest will be initially placed in the same courses and programs the students were in while attending the previous district to the extent this district offers such courses and programs. Such placements may include, but are not limited to: honors classes; vocational, technical and career pathway courses; and International Baccalaureate (IB), Advanced Placement (AP), English Learner (EL), special education and gifted programs. If necessary, the district will waive course or program prerequisites or other preconditions for placement in courses or programs offered at the district. After placement, the district may perform additional evaluations to ensure that the student has been placed appropriately and may change the student's placement after consultation with the student's foster parent.

## **Best-Interest Determination**

### ***Placement***

Within three days of the student enrolling, the liaison will organize a meeting or consultation to determine which placement is in the best interest of the student. The meeting or consultation will include a representative of the CD; the foster parents; a representative from the school of origin; the parents/guardians and student, if appropriate; and any other person requested by the student, the foster parents or the CD who has a special relationship with the student. These individuals will be considered the best interest determination (BID) team and, using child-centered criteria, including the appropriateness of the current educational setting and proximity to the school in which the student is enrolled at the time, will determine the best placement for the student. Transportation costs will not be a factor. If the BID team cannot reach a consensus regarding the best placement, the representative from the CD will make the final determination.

The district of placement may bill the district of residence for local tax effort in accordance with law.

### ***Dispute Resolution***

If the legal, putative or biological parent (parent) or educational decision maker disputes that the placement assigned by the BID team or CD is in the student's best interest, the parent or educational decision maker ("disputant") may contact the liaison to implement the dispute resolution process. The liaison will provide the disputant with a copy of the district's dispute resolution procedures and answer any questions about the resolution process.

### **Transportation**

If the BID team determines that the school of origin is the best placement for a foster care student, the student will be transported to the school of origin in accordance with the transportation plan developed in collaboration with the CD. Transportation will be provided promptly and in a cost-effective manner in accordance with law. If there are additional costs incurred by the school of origin, the costs will be paid by the CD or the district or shared by the CD and the district.

### ***Transportation Disputes***

Disputes over transportation will be handled in the same manner as disputes over placement.

### **Records**

The foster care liaison will provide foster parents and other legal guardians access to student records. In accordance with law, the district will allow a child-placement agency access to a foster care student's records for the purposes of assisting the school transfer or placement of a student and fulfilling educational case management responsibilities required by the juvenile officer or by law.

The liaison will ensure that student records are properly transferred between the Lone Jack C-6 School District and any other district from or to which foster students transfer. When a request involves a foster care student, the liaison will:

1. Respond within three business days to a request for records by another district, and
2. Request records from other districts within two days of enrolling a student.

### **Attendance**

If a student in foster care is absent from school due to a decision by a court or child-placing agency to change the student's placement or due to a verified court appearance or related court-ordered activity, the grades and credit of the student will be calculated as of the date the student left school, and the district will not lower the student's grade as a result of absence under these circumstances.

## **Programs and Activities**

The district will encourage foster care students to participate in extracurricular activities and assist them in joining extracurricular activities. Locally imposed application deadlines for participation in extracurricular activities will be waived for foster care students who are otherwise eligible to participate in the activities. Participation in activities governed by the Missouri State High School Activities Association (MSHSAA) will be permitted in accordance with the rules established by MSHSAA. Foster care students are automatically eligible for participation in the district's free nutrition program.

## **Graduation**

In order to facilitate timely graduation of foster care students, the district will:

1. Waive specific courses required for graduation if similar coursework has been satisfactorily completed in another school. If such coursework is not waived, the district will provide reasonable justification for the denial.
2. Accept the results of exit exams, end-of-course exams, nationally norm-referenced tests or alternative testing from another school to satisfy district testing requirements related to graduation.
3. Accept for credit full or partial coursework completed at the previous school attended in accordance with district policy.

If a foster care student who enrolls in the district at the beginning of or during his or her senior year cannot meet the district's graduation requirements by the end of the senior year, even after all alternatives have been considered, the liaison will contact the student's previous district to determine whether the student is eligible to receive a diploma from the previous school.

The Lone Jack C-6 School District will award a diploma to foster care students who transfer out of the district at the beginning of or during the senior year if, considering all courses, tests and attendance at the school to which the student transferred, the student has met the Lone Jack C-6 School District graduation requirements

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 9, 2013



Revised: December 11, 2017  
October 8<sup>th</sup>, 2018

Cross Refs: JCB, Intradistrict Transfers  
JCC, Interdistrict Transfers  
JEC, School Admissions  
JECA, Eligibility to Enroll  
JECC, Assignment of Students to Grade Levels/Classes  
JED, Student Absences and Excuses  
JO, Student Records

Legal Refs: §§160.1990, 167.018 - .019, 210.760, .1050, RSMo.  
The Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6311 - 6322  
34 C.F.R. § 299.13  
45 C.F.R. § 1355.2

## **HOMEBOUND INSTRUCTION**

The Board of Education authorizes the use of homebound instruction when appropriate. Application for homebound instruction must be made through the school principal and approved by the superintendent or designee. Homebound instruction will be provided to:

1. Any student with a medical condition who district personnel have determined would benefit from homebound instruction. Such determination will be made in consultation with the student's medical provider. The special education director or compliance officer will be notified if appropriate.
2. Any student whose educational needs, as determined by district staff, are most appropriately and effectively met by homebound instruction.
3. Any student with disabilities when the individualized education program (IEP) team or 504 team determines that homebound placement is appropriate.

The amount of instruction or supportive service provided through the homebound program shall be determined in relation to each student's educational needs and health. It will be necessary for the parents/guardians of the student to arrange a suitable place in the home or another location for homebound instruction.

At the time the student is placed on homebound services, the school principal will work with the parents/guardians and district personnel to create an appropriate plan for transition back to onsite services.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: June 8, 1998

Revised: January 14, 2008

## **PROGRAMS FOR ENGLISH LEARNERS**

The Board of Education recognizes the need to provide equal educational opportunities for all students in the district. Therefore, if the inability to speak and understand the English language excludes a student from effective participation in the educational programs offered by the district, the district shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs.

### **Definitions**

*English Learner (EL)* - Any student who:

1. Is age 3-21, and
2. Is enrolled or is preparing to enroll in the district, and
3. Has difficulties speaking, reading, writing or understanding English that may be sufficient to deny the individual the ability to attain proficiency on state assessments, the ability to be successful in a classroom where instruction is in English, or the opportunity to participate fully in society, and
4. Meets one of the following additional requirements:
  - < Was not born in the United States or whose native language is a language other than English, or
  - < Is Native American, an Alaska Native or a native resident of the outlying areas who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency, or
  - < Is a migratory individual whose native language is a language other than English and who comes from an environment where a language other than English is dominant.

*Immigrant Student* - A student between the ages of 3 and 21 who was not born in a state of the United States of America and who has not been attending schools in any one state for more than three full academic years.

### **Identifying EL Students**

The district will screen for EL students by administering the Language Use Survey (LUS) created by the Missouri Department of Elementary and Secondary Education (DESE) to all enrolling students. The LUS will be administered in a language the parent/guardian understands using translation or interpretation. This survey may be incorporated into district enrollment forms provided to all students.

Students whose LUS indicates a language other than English and possible language barriers will be referred to the superintendent or designee for additional screening using the DESE-adopted screening tool for determining the level of English language proficiency. The screening results will be used to identify students eligible for EL services and assist in a program placement that meets the students' needs. The district will make every effort to complete the screening process within 30 days of the first day of school or, for students who enroll after the first day, within 30 days of the student's enrollment.

The completed LUS and all other screening results will be retained in the student's permanent record.

### **Placement of EL Students**

Students will be placed in a language instruction educational program (LIEP) based on their current level of English proficiency and in accordance with the standards established by DESE. The district's program is designed to increase English proficiency and academic achievement. Students in these programs will be held to the same academic achievement standards established for all students. If the district offers more than one type of LIEP, students will be placed in an LIEP that is in their best educational interest.

Students will transition out of an LIEP only after meeting state-established exit standards.

### **Parental Information**

The district will, through parental involvement and outreach activities, provide parents/guardians of English learners with information about how the parents/guardians can be active participants in helping their students learn English, achieve at high levels in core academic subjects and meet state-established learning standards.

The parents/guardians of each student identified as an EL student will be informed of:

1. The reasons for identifying their student as an English learner in need of placement in the district's LIEP.

**FILE: IGBH**  
**Critical**

2. The student's level of English proficiency in reading, writing, speaking and listening; how that level was assessed; and the status of the student's academic achievement.
3. The method of instruction that will be used in the program the student is or will be participating in and the methods of instruction used in available alternative programs, including how such programs differ in content, instructional goals and the use of English and a native language in instruction.
4. How the program will meet the educational strengths and needs of the student.
5. How the program will help the student learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.
6. The specific exit requirements of the program, including expected rate of transition from such programs into classrooms that are not tailored for EL students.
7. The expected rate of graduation from high school, including four-year and extended-year adjusted cohort graduation rates for the program if Title III funding is used in high schools.
8. If the student has an individualized education program (IEP), how the LIEP will meet the student's IEP objectives.

***Parental Rights***

Parents/Guardians will be notified within 30 days after the opening of school enrollment if their student is identified for participation in or is participating in an LIEP. For those students who were not identified as EL prior to the beginning of the school year, but are identified during the school year, such notice shall be provided within two weeks of the student being placed in an LIEP.

Parents/Guardians of EL students have the right to decline the placement of their student in an LIEP, choose an LIEP other than the one recommended by the district (if other programs are offered by the district) or have their student immediately removed from an LIEP upon their request.

Parents/Guardians may opt their student out of the district's LIEP by contacting the EL coordinator and attending a meeting with the coordinator and one or more LIEP instructors to discuss the results of the student's screening assessment and information about the LIEP. Parents/Guardians who decline language instruction will be asked to sign a waiver exempting their student from instruction. Students removed from the district's LIEP will continue to receive language supports in the regular classroom, and the district will continue to monitor the student's progress toward English proficiency. Parents/Guardians may not refuse regular classroom

supports and may not opt their students out of statewide assessments to determine English proficiency.

A written copy of these rights, which may be a copy of this policy, will be provided to parents/guardians of EL students and, to the extent practicable, will be provided in a language the parents/guardians understand.

### ***Parental Notification***

Pursuant to federal law, if the district's English language program fails to make progress on annual measurable achievement objectives, the district will notify parents/guardians of students participating in the district's program. Such notice shall be provided within 30 days after the district learns of the failure.

### **EL Coordinator**

The district's EL program coordinators are Ruth Hayes at the high school and Maddy Olson at the elementary.

The EL coordinator shall have the following duties:

1. Provide parents/guardians with notice of and information regarding the LIEP as required by law.
2. Ensure that any student whose LUS indicates a language other than English will be further screened and assessed for English proficiency using the state-provided instruments.
3. Determine the appropriate instructional environment for EL students.
4. Maintain records relating to the LIEP and prepare reports for submission to DESE.
5. Reach out regularly to parents/guardians of EL students, assist them in becoming active participants in their students' learning, and provide information about the district's parent and family involvement and engagement activities.
6. Evaluate the effectiveness of the LIEP and make recommendations for revisions.
7. Prepare reports on immigrant students for submission as required by DESE.

## **LIEP Staff**

Teachers and paraprofessionals working in the district's LIEP will have all required state and federal certifications and other qualifications required by law. In addition, teachers and paraprofessionals providing services to English learners will be comparable in terms of education, experience and effectiveness to teachers and paraprofessionals who are providing services to students who are not English learners.

## **Assessment**

In addition to other required assessments, the district will annually assess the English proficiency of EL students in accordance with state and federal law and the district's assessment policy.

## **Nonpublic Participation**

The district will consult with representatives of nonpublic schools as required by federal law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: December 8, 2008  
October 8<sup>th</sup>, 2018

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
DJFA, Federal Programs and Projects

Legal Refs: Equal Educational Opportunities Act, 20 U.S.C. § 1703(f)  
English Language Acquisition, Language Enhancement, and Academic Achievement Act, 20 U.S.C. §§ 6811 - 7014  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d  
34 C.F.R. Part 100  
*Plyler v. Doe*, 457 U.S. 202 (1982)  
*Lau v. Nichols*, 414 U.S. 563 (1974)  
*Castaneda v. Pickard*, 648 F.2d 989 (5th Cir.1981)  
*Lau v. Nichols*, 414 U.S. 563 (1974)  
*Castaneda v. Pickard*, 648 F.2d 989 (5th Cir.1981)

## **HOME SCHOOLING**

In lieu of regular school attendance in the Lone Jack C-6 School District, a child may be excused from compulsory school attendance if the child is provided with home schooling as authorized by Missouri law. Any alleged violation of the compulsory education law shall be referred to the prosecuting attorney of the county where the child legally resides.

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*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: November 9, 1992

Legal Refs: 167.031, .042, 210.167, RSMo.



## **EXTENDED INSTRUCTIONAL PROGRAMS**

The Lone Jack C-6 School District shall attempt to provide continuous progress in education to fit the needs of individuals of the community. In meeting these needs, the district may provide programs beyond those offered during the regular school day. The district will pursue all available state or federal aid for its extended instructional programs.

### **Adult Education**

The Board may provide school facilities for the purpose of maintaining and expanding programs and services for persons interested in adult education. Such programs shall be commensurate with the needs of the community. The Board may provide administrative, ancillary and other supportive services needed to enhance the quality of the adult education program; however, the program shall be provided only out of revenue derived by the school district from sources other than state appropriations.

### **Early Childhood**

The Board recognizes the critical importance of the early years in determining the educational development of children and, insofar as resources permit, encourages programs designed to help meet the physical, emotional, social and intellectual needs of preschool-age children.

The district will provide services to students with disabilities beginning at age three in accordance with the Individuals with Disabilities Education Act and as required by other applicable law.

### **Extended School Year**

Extended school year (ESY) services may be necessary to provide a child with a disability a free and appropriate public education pursuant to law. A student's individualized education program (IEP) team will determine whether ESY services are necessary and the length, nature and type of services to be provided.

### **Extended-Day Childcare**

The district may establish before- and after-school childcare programs for students and may charge a fee for such programs.

### **Reading Improvement Instruction**

As allowed and/or required by law and in accordance with policy IGAB, the district will implement programs of reading improvement instruction that may take place outside the regular school day.

### **Remediation as a Condition of Promotion**

The district may operate remediation programs outside the regular school day, including during summer school, as described in policy IGAB.

### **Summer School**

The district may offer summer school programs for the enrichment of district students and may also offer a pre-kindergarten summer school program for students who will reach the age of five before August 1 of the school year beginning in that calendar year.

### **Violence Prevention**

The district may provide a violence prevention instructional program. The program shall instruct students on the negative consequences of membership in or association with criminal street gangs or street gang activity, encourage nonviolent conflict resolution of problems facing youth, present alternative constructive activities for the students and encourage community participation in program instruction. The program shall be administered as appropriate for different grade levels and shall not be offered for academic credit. The district will contact the Department of Elementary and Secondary Education for guidance in establishing a violence prevention instructional program and will apply for any available state or federal aid.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: December 9, 2013  
October 8<sup>th</sup>, 2018  
September 11<sup>th</sup> 2023

Legal Refs: §§ 160.053, .500, 161.650, 167.645, 171.091, 178.280, .290, .693, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
34 C.F.R. Part 300

## **VIRTUAL COURSES**

This policy governs part-time enrollment with a hosted Missouri Course Access and Virtual School Program (MOCAP) provider, full- and part-time enrollment with other MOCAP providers, and enrollment in other virtual course options provided through the district. Students who seek full-time enrollment with a hosted MOCAP provider must enroll pursuant to policy IGCD.A.

### **Definitions**

**Full-Time Virtual Course Enrollment** – The instructional equivalent of six credits per regular term.

**Hosted MOCAP Provider** – A public school district, charter school or higher education institution that is registered through the Department of Elementary and Secondary Education (DESE) to provide virtual education through the MOCAP program to Missouri students. A host district may provide the courses directly or contract with a course provider to provide the courses.

**MOCAP Provider** – An entity listed by DESE as part of the virtual course program under § 161.670, RSMo., that provides virtual courses for elementary and/or secondary students.

**Virtual Course** – A single class that is designed to deliver all or most of the curriculum electronically. Students may be separated from their instructor or teacher of record by time, location or both.

### **General**

The district may offer virtual courses to students through district staff or by contracting for those services as part of the district-sponsored curriculum. Students may also enroll in virtual courses offered through MOCAP providers. This could result in entire course loads that are provided through virtual courses from the district, district-selected and/or MOCAP providers while the student remains enrolled in the district.

Students may also take virtual courses from other sources at their own expense. Before a student independently enrolls in and pays for virtual courses not otherwise accessible through the district, the district recommends that the student meet with district staff to ensure that the course aligns with the student's education goals and that the district will accept the course credit.

### **Virtual Course Enrollment**

A student or parent/guardian must receive district approval before the student may enroll in virtual courses provided by or paid for by the district or through MOCAP.

Enrollment in courses offered through MOCAP may be denied only if the principal or designee, in consultation with the student's parents/guardians and relevant staff, determines that it is not in the student's best educational interest to enroll in the course. The principal or designee will consider available opportunities for in-person instruction and the student's prior participation in virtual courses when making this decision. As required by law, the district allows for continuous enrollment in MOCAP courses throughout the year. The principal or designee will approve or deny requests to enroll in a MOCAP course within the timeframe required by law.

### **Enrollment Decision Review**

The principal or designee will notify the student and the parents/guardians in writing when declining student enrollment in a virtual course and provide an explanation for the decision. The student or parent/guardian may request that the superintendent review the decision, but the superintendent's decision is final.

### **Students with Disabilities**

A student's individualized education program (IEP) team or Section 504 team will make the virtual course enrollment decisions for students with IEPs or Section 504 plans. If enrollment is appropriate, the IEP or Section 504 team will determine the services, aids, supports and accommodations required. Any review of a decision made by an IEP or Section 504 team must go through the process provided under federal law.

### **Attendance and Completion**

Students who enroll in district-sponsored virtual courses or MOCAP courses through the district are expected to actively participate in those courses with the goal of completing the course. If a student does not actively participate in a course or is not progressing in the course, the district may remove the student from the virtual course and consider the student's performance when making decisions regarding future course enrollments.

Students enrolled in a district-sponsored course or MOCAP course through the district will be considered in attendance for state aid purposes in accordance with law. A completed virtual course or MOCAP course shall be counted as no less than 95 percent attendance for purposes of A+ Scholarship Program eligibility.

### **Eligibility for Extracurricular Activities**

Students enrolled in virtual courses offered through the district or through MOCAP under this policy are considered district students and are eligible to participate in extracurricular activities unless restricted by the Missouri State High School Activities Association.

**FILE: IGCD**  
**Critical**

**State Assessments**

Students are required to take the state assessments, including district administered EOC examinations regardless of whether the course for which the examination is required was taken virtually or in person.

**Credit**

The district will accept all grades and credits earned through district-sponsored virtual instruction and MOCAP providers. Credits obtained from other sources will be recognized in accordance with policy JECC.

**Notice**

District-provided and district-sponsored virtual courses will be advertised in the district's course catalog.

The district will inform students and parents/guardians of MOCAP program availability in parent/guardian handbooks and registration documents and feature the program on the homepage of the district's website, as required by law. The district will provide every student enrolled in the district and parents/guardians with a copy of DESE's MOCAP guidance document at the beginning of the school year or upon enrollment. In addition, the district will provide a readily viewable link to the guidance document on the main page of its website.

**Payment**

The district will pay the tuition for MOCAP courses when required by law to do so but is not otherwise required to pay the tuition for a student to attend a virtual course unless the course is approved by the district as part of the district's course offerings.

**Virtual Course Behavior and Expectations**

Students taking courses virtually are subject to district policies, procedures and rules applicable to students enrolled in traditional courses including, but not limited to, the district's code of conduct and prohibitions on academic dishonesty, discrimination, harassment, bullying and cyberbullying.

When students are participating in virtual courses, what can be seen and heard electronically from the student's location becomes part of the district's education environment. Students are responsible for ensuring that what is seen, heard or otherwise communicated is appropriate for the learning environment and not disruptive. The district's code of conduct applies to virtual in-class behavior. Student speech that is prohibited on campus is also prohibited in the virtual classroom.

**FILE: IGCD**  
**Critical**

Students may electronically display everyday items that they would be prohibited from possessing at school (such as pets, toys or objects forming typical room décor) as long as the display does not disrupt learning.

Adopted: December 10<sup>th</sup>, 2018

Revised: September 13<sup>th</sup>, 2021  
June 12<sup>th</sup>, 2023

Cross Refs: AC, Prohibition against Illegal Discrimination, Harassment and Retaliation  
BDC, Closed Meetings, Records and Votes  
BDDH, Public Participation at Board Meetings  
JEA, Compulsory and Part-Time Attendance  
JECC, Assignment of Students to Grade Levels/Classes  
JFCF, Bullying  
JHD, Student Counseling Program

Legal Refs: §§ 161.670; 610.021, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
34 C.F.R. Part 104  
34 C.F.R. Part 300

## **MOCAP VIRTUAL COURSES**

This policy applies to students seeking to enroll full-time in the Missouri Course Access and Virtual School Program (MOCAP) with a course provider that is a public school district, charter school or higher education institution (a “hosted MOCAP provider”). See policy IGCD for part-time enrollment with a hosted MOCAP provider, full- or part-time enrollment with other MOCAP providers or enrollment in other virtual course options provided through the District.

### **Definitions**

District – The Lone Jack C6 School District

Education Services Plan and Collaborative Agreement (ESP) – A plan for providing educational services to virtual students. The plan may require the resident school district to provide the student with support services or access to school facilities.

Full-Time MOCAP Student – A student who is enrolled in a MOCAP program for the instructional equivalent of six credits per regular term.

Hosted MOCAP Provider – A public school district, charter school or higher education institution that is registered through the Department of Elementary and Secondary Education (DESE) to provide virtual education through the MOCAP program to Missouri students. A host district may provide the courses directly or contract with a course provider to provide the courses.

Missouri Course Access and Virtual School Program (MOCAP) Course – A virtual course that is offered by a course provider listed by DESE as part of the virtual course program under § 161.670, RSMo.

### **Hosted MOCAP Providers**

Resident students who seek to enroll with a hosted MOCAP provider on a full-time basis without paying tuition must first enroll with the District. Students who are accepted by the hosted MOCAP provider will have their enrollment transferred to the host district, and the student will be considered a student of the host district for all purposes.

The District will collaborate in good faith with the virtual program and the host district to determine whether it is in the best educational interest of the student to enroll full-time in a MOCAP program and will cooperate to create an education services plan and collaborative agreement for a resident student. The superintendent or designee will provide relevant information and input on the student’s enrollment. The collaborative team will consider all relevant factors, including available opportunities for in-person instruction.

Students who are denied enrollment may utilize the state process for reviewing the decision.

### **Students with Disabilities**

A student's individualized education program (IEP) or Section 504 team will make the initial decision on whether the student with an IEP or Section 504 plan is approved to enroll full-time in virtual courses, including MOCAP courses. Any appeal of a decision made by an IEP or Section 504 team must follow the process provided under federal law.

### **Education Services Plan and Collaborative Agreement**

Once enrollment is approved, the District will work with the host district and MOCAP course provider to create an education services plan and collaborative agreement for support of the student. For special education students, the student's IEP governs the plan. If the plan requires the District to provide the student with services or access to District facilities, the District will seek reimbursement by the host district as allowed by law.

### **Eligibility for Extracurricular Activities**

Resident students enrolled full-time with a hosted MOCAP provider are considered students of the host district. The District will allow these students to participate in District extracurricular activities if the District allows other unenrolled students, such as homeschooled or private school students, to participate in the activity. Otherwise, participation will be allowed only as required by law.

### **Notice**

The District will inform students and parents/guardians of the availability of the MOCAP program in parent/guardian handbooks and registration documents and feature the program on the homepage of the District's website, as required by law. The District will provide every student enrolled in the District and parents/guardians with a copy of DESE's MOCAP guidance document at the beginning of the school year or upon enrollment. In addition, the District will provide a readily viewable link to the guidance document on the main page of its website.

### **Re-Enrollment**

If the District is notified that a resident, full-time MOCAP student has been disenrolled by a MOCAP provider, the District will provide a written list of available educational options in the District to the parents/guardians of the student and will promptly re-enroll the student when notified by the parent/guardian.

Adopted: September 13<sup>th</sup>, 2021

Revised: June 12<sup>th</sup>, 2023

Cross Refs: AC, Prohibition against Illegal Discrimination, Harassment and Retaliation



BDC, Closed Meetings, Records and Votes  
BDDH, Public Participation at Board Meetings  
JEA, Compulsory and Part-Time Attendance  
JECC, Assignment of Students to Grade Levels/Classes  
JFCF, Bullying  
JG-R1, Student Discipline  
JHD, Student Counseling Program

Legal Refs: §§ 161.670; 610.021, RSMo.  
5 CSR 20-100.230  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
34 C.F.R. Part 104  
34 C.F.R. Part 300

**NONTRADITIONAL INSTRUCTION OPTIONS**  
*(K-12 Districts)*

The Lone Jack C-6 School District strives to provide a diverse range of courses to meet student needs and interests. In addition to traditional course options, the district encourages staff to seek methods of instruction outside the traditional classroom setting when doing so would assist students toward graduation or provide postsecondary and vocational preparation. The district may also utilize diverse instruction options for homebound students, students under long-term suspension or other students the district determines to be in need of alternative instructional arrangements.

Instruction options may include off-campus instruction, virtual instruction or other instructional experiences outside the regular classroom setting. Before offering nontraditional instruction options, staff must verify that such options are eligible for state aid, align with state and federal requirements and are consistent with the instructional goals of the district. Staff must also ensure that adequate supervision is provided, that students are under the guidance and direction of certified teachers and that the district is insured for the program.

Unless otherwise required by law, participation in nontraditional instruction programs is a privilege. Students who do not succeed in alternative instructional environments may be transferred to other programs, including the district's standard program. Students are subject to district discipline while participating in nontraditional programs.

**Virtual Instruction**

The district may offer instruction through district-sponsored virtual courses and will approve students to take virtual courses through the Missouri Course Access Program (MOCAP) in accordance with law and policies IGCD and IGCD A.

**Dual Enrollment and Dual Credit in Postsecondary Courses**

The district may enter into an agreement with a Missouri public community college or public or private four-year college or university to offer students dual enrollment in postsecondary courses on the postsecondary institution campus or virtually through the postsecondary school at the district's expense. Students will receive both high school and college credit.

The district may also offer district-taught dual-credit courses that qualify for both high school and college credit.

District staff, including the district's A+ coordinator, will work with students to secure financial aid when necessary for tuition and other expenses.

**Academic/Curriculum-Based Service Learning**

The district may offer academic/curriculum-based service learning that allows students to engage in community service with the opportunity to enrich the learning experience, teach civic responsibility and strengthen communities.

### **Off-Campus Learning Opportunities**

The district may award credit for additional off-campus learning experiences that have been approved by the district and meet the requirements of the Department of Elementary and Secondary Education (DESE). Such programs may include off-campus academic programs, career exploration programs, cooperative career education programs, work experiences for students with disabilities, the School Flex Program, and instruction in a sheltered workshop setting. The district will obtain written approval from DESE, when required, prior to implementing an off-campus program.

The district may offer credit for these off-campus opportunities in accordance with DESE requirements. The amount and type of credit awarded will depend on the hours spent in the activity and the extent to which those activities are consistent with the student's individual career and academic plan (ICAP).

### ***School Flex Program***

The district may participate in a program that allows a student to be employed or attend an off-campus college or a technical/career program while still being considered a full-time student of the school district. The program is open only to juniors and seniors who have approval from the principal and their parents/guardians. To participate in the program, the student must:

1. Have an ICAP that meets DESE's criteria.
2. Attend the district a minimum of two instructional hours per school day.
3. Pursue a timely graduation through enrollment in district-required classes in order to meet graduation requirements.
4. Provide evidence of college or technical/career education enrollment and attendance or proof of employment and labor that is aligned with the student's ICAP developed in conjunction with the district.
5. Refrain from being expelled or suspended while participating in the program.
6. Maintain a 95 percent attendance rate.

Students participating in the School Flex Program will be considered full-time district students and will receive academic credit for off-campus education or employment.

Adopted: December 8, 2008

Revised: December 13, 2010  
December 9, 2013  
June 12, 2017  
December 10<sup>th</sup>, 2018  
March 13<sup>th</sup>, 2023

Cross Refs: JEA, Compulsory and Part-Time Attendance

Legal Refs: §§ 160.539, 161.670, 162.1250, 167.223, RSMo.  
5 C.S.R. 20-100.230  
6C.S.R. 10-2.195

## **DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS**

The Board of Education believes that student activities sponsored by the district are a vital part of the total educational program and should be used as a means of developing social interactions, as well as knowledge and skills for students enrolled in the district. The Board further recognizes that not all of the district's goals and objectives can be met in formal classroom study and authorizes the use of necessary resources to provide student extracurricular activities and groups.

The Board directs the superintendent or designee to administer the district's extracurricular activities and groups and create any administrative procedures necessary for implementation of this policy.

Student-initiated groups formed pursuant to the Equal Access Act are subject to the applicable Board policy for such groups in addition to this policy.

### **Definitions**

*Extracurricular Activity or Group* - All district-sponsored student activities and groups meeting or occurring during noninstructional time. Extracurricular activities or groups may be either cocurricular or noncurricular.

*Cocurricular Activity or Group* - An extracurricular activity or group that meets any one of the following criteria:

1. The subject matter of the activity or group is or will be taught in a regularly offered class.
2. The subject matter of the activity or group concerns the body of courses as a whole.
3. Participation in the group is a requirement for a course.
4. Academic credit is granted for participation.

*Noncurricular Activity or Group* - An extracurricular activity or group that primarily involves students, occurs outside of academic class time and is not cocurricular.

### **Sponsors, Advisors and Coaches**

All extracurricular activities or groups must have an appointed sponsor, advisor or coach. In general, the sponsor, advisor or coach must be a district employee; however, upon the recommendation of the superintendent and approval by the Board, an individual who is not an employee may serve as a sponsor, advisor or coach subject to the completion of the criminal

background check required of employees. It shall be the duty of such individuals to attend all meetings, functions or practices of the relevant group, advise and supervise students, and keep the appropriate principal informed regarding activities. All district-sponsored extracurricular activities must be included on the school calendar.

### **Participation**

Students may belong to and take part in all extracurricular activities or groups for which they are qualified, regardless of race, color, religion, sex, national origin, ancestry, disability or any other personal characteristic protected under the district's policy prohibiting discrimination and harassment. Participation in all extracurricular activities or groups is voluntary unless participation is required for an academic course in which the student is enrolled.

All students participating in extracurricular activities or groups are subject to district supervision and discipline. Students must comply with all policies, eligibility requirements, rules and procedures established by the district and the Missouri State High School Activities Association (MSHSAA), when applicable. Students who wish to participate in district athletic programs will not be allowed to participate until all required paperwork has been submitted, in accordance with law and district procedures.

If an extracurricular activity has an application deadline for participation, that deadline will be waived for students who live in the household of an active duty member of the military and who transfer from another state when the students are otherwise qualified to participate in the activity.

Unless participation in an extracurricular activity or group is required for a course in which the student is enrolled, participation is a privilege, not a right. Students may be excluded from extracurricular activities or groups as a disciplinary action, as a consequence for poor performance in school or otherwise as determined by district administrators. Students and/or their parents/guardians are not entitled to a hearing solely on the basis of exclusion from an extracurricular activity or group that is not required for a course in which the student is enrolled.

### **Athletics**

The Board of Education believes that individual students should have opportunities to grow physically and intellectually through experience in self-discipline and contribution to a team effort made possible through competitive athletics. An athletic program shall be conducted in the district to further the development of students as competitors and spectators through friendly interschool and intraschool contests. The purpose of the program is to develop leadership, good sportsmanship and new friendships while encouraging regular school attendance, academic achievement and engagement in the school community.

In accordance with law, the district will provide equal athletic opportunities to both male and female students and will not illegally discriminate based on the quality of facilities, coaching or instruction, scheduling of practice times or events, or equipment and other related factors.

**Insurance**

Pursuant to state law and upon the adoption of a resolution by a majority of the entire Board, the district may designate extracurricular activities that the Board believes present unusual physical hazards to students. The Board may then authorize the expenditure of district funds to purchase medical insurance covering students while engaged in the activity, if the purchase of insurance would constitute a financial hardship to the parent/guardian or student. The district may require parents/guardians to provide proof of insurance or equivalent coverage by some other means as a condition of participation in the extracurricular activity.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: July 11, 1994

Revised: December 8, 2012

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
JFCF, Hazing and Bullying  
JHCF, Student Allergy Prevention and Response  
KG, Community Use of District Facilities

Legal Refs: §§ 160.2000, 162.063, 167.765, RSMo.  
Equal Access Act, 20 U.S.C. §§ 4071 - 4072  
*Westside Community Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990)

**STUDENT-INITIATED GROUP USE OF DISTRICT FACILITIES**  
*(K-12 Districts)*

Pursuant to the federal Equal Access Act and Missouri law, secondary schools of the district will provide an opportunity for student-initiated noncurricular groups to conduct meetings or activities on district property to the same extent that the district allows other noncurricular student groups to meet on school premises during noninstructional time. Student-initiated noncurricular groups will not be denied access on the basis of religious, political, philosophical or other content of speech at such meetings or activities. Only students in secondary schools will be allowed to initiate groups whose meetings or activities are held on district property. For the purposes of this policy, a secondary school student is a student enrolled in grades 9-12.

The superintendent or designee may create administrative procedures to govern the use of district facilities by student-initiated noncurricular groups. In addition, district-sponsored student groups are governed by policy IGD, and community use of district facilities is governed by policy KG.

The following guidelines apply to all student-initiated noncurricular groups, meetings and activities:

1. Meetings and activities must be voluntary and student initiated. No student shall be in any way coerced to participate.
2. Employees of the district may not sponsor, promote or lead student-initiated noncurricular groups, activities or meetings, but a teacher, administrator or other school employee may be assigned to the meeting or activity to monitor facility use and student conduct. No employee will be compelled to attend a meeting or activity if the content of the speech at the meeting or activity is contrary to the employee's beliefs. Employees and agents of the school are to be present solely in a nonparticipatory capacity at any student-initiated religious activity held at school and will strictly observe a policy of official neutrality regarding religious activity.
3. Meetings and activities may not materially and substantially interfere with the orderly conduct of educational activities within the school.
4. Except for incidental building costs, no public funds will be expended for student-initiated noncurricular groups.
5. Community members other than students may not direct, conduct, control or regularly attend meetings or activities.



## **Student Conduct at Meetings**

Students attending student-initiated noncurricular meetings or activities must follow all district rules and procedures governing student conduct. The district reserves the right to maintain order and discipline, as well as to protect the safety and well-being of students and employees.

## **Access to Communication Channels**

Student-initiated noncurricular groups at the secondary school level shall have the same access allowed to all other noncurricular student groups to channels of communication for publicizing their meetings, including the public address system, designated bulletin boards, school newspapers and the calendar of events. The school may uniformly state in these media that such organizations or their meetings are not sponsored by the school.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised: December 8, 2012  
July 13, 2015

Cross Refs: KG, Community Use of District Facilities  
KI, Public Solicitations/Advertising in District Facilities  
KKB, Audio and Visual Recording

Legal Refs: § 160.2500, RSMo.  
U.S. Const. amend. I  
The Equal Access Act, 20 U.S.C. §§ 4071 - 4072  
*Westside Community Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990)

## **STUDENT PUBLICATIONS**

The Board recognizes creative student expression as an educational benefit of the school experience. One medium of expression is student journalism. Some student publications, such as annual yearbooks, school newspapers and student-created or student-edited web pages, may be educational devices developed as part of the curriculum to benefit primarily those who compile, edit and publish them. Faculty advisers will be assigned to guide students engaged in these activities. Any commercial advertisements in these publications will conform to administrative procedures.

The following school-sponsored student publications at the secondary level are authorized by the Board of Education:

- < School Newspaper and/or Magazine -- A school newspaper and/or magazine will be published under the direction of a faculty sponsor. Its purposes are to promote communication between classes and allow students the opportunity to illustrate their creativity and writing skills. The paper may be distributed for a nominal charge to students.
- < Yearbook -- A yearbook will be published under the direction of a faculty sponsor. Its purpose will be to provide a history of pertinent information and school events for the current school year. The yearbook will be available to students at a cost to be annually determined by the school administration.
- < Web Pages -- Students may be allowed to create or edit web pages under the direction of a designated faculty member. Its purposes are to inform the district staff, students and community of school news and to stimulate creativity and knowledge of new media.

School-sponsored publications and productions are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material which is inconsistent with the district's legitimate educational concerns. All student media shall comply with the ethics and rules of responsible journalism. Information obtained from a student's personally identifiable education records shall not be disclosed in student publications unless the information is Directory Information or the district has received written consent from the parent/guardian or eligible student to release the information.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: March 12, 2001  
Cross Refs: EHB, Technology Usage

**FILE: IGDB  
Critical**

IGDBA, Distribution of Noncurricular Student Publications  
JO, Student Records

Legal Refs: *Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)

## **DISTRIBUTION OF NONCURRICULAR STUDENT PUBLICATIONS**

### **I. Guidelines**

Students may distribute, at reasonable times and places, unofficial material, including but not limited to petitions, buttons, badges, or other insignia. If the district allows students to use its technology resources for noncurricular purposes, any exchange of unofficial material which is delivered or accessed using district technology resources is also subject to this policy. However, students cannot distribute expressions which:

- A. Are obscene to minors.
- B. Are libelous.
- C. Are pervasively indecent or vulgar (secondary schools)/contain any indecent or vulgar language (elementary schools).
- D. Advertise any product or service not permitted to minors by law.
- E. Constitute insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion or ethnic origin).
- F. Present a clear and present likelihood that, either because of their content or their manner of distribution, will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school procedures.

### **II. Procedures**

Anyone wishing to distribute unofficial material must first submit for approval a copy of the material to the principal or designee 24 hours in advance of desired distribution time, together with the following information:

- A. Name and phone number of the person submitting request.
- B. Date(s) and time(s) of day of intended distribution.
- C. Location where material will be distributed.
- D. The grade(s) of students to whom the distribution is intended. Within 24 hours of submission, the principal (or his or her designee) will render a decision whether

the material violates the Guidelines in Section I or the time, place and manner restrictions in Section III of this policy. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial.

Permission to distribute material does not imply approval of its contents by the school, the administration, the Board, or the individual reviewing the material submitted.

If the person submitting the request does not receive a response within 24 hours of submission, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person. If the person has made this verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in Section III.

If the person is dissatisfied with the decision of the principal (or designee), the person may submit a written request for appeal to the superintendent of schools or his or her secretary.

If the person does not receive a response within three days (not counting Saturdays, Sundays and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.

If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in Section III.

At every level of the process, the person submitting the request shall have the right to appear and present the reasons supported by relevant witnesses and material, as to why distribution of the unofficial material is appropriate.

### **III. Time, Place and Manner of Distribution**

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

- A. No unofficial material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of unofficial material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school or when it disrupts the use of district technology resources.

**IV. Definitions**

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

- A. *"Obscene to minors"* is defined as:
1. The average person, applying contemporary community standards, would find that the unofficial material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested; and/or
  2. The unofficial material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and/or
  3. The unofficial material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.
- B. *"Minor"* means any person under the age of 18.
- C. *"Material and substantial disruption"* of a normal school activity is defined as follows:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods), "material and substantial disruption" is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out or other related forms of activity.

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

- D. *"School activities"* means any activity of students sponsored by the school and includes -- by way of example, and not by way of limitation -- classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, and in-school lunch periods.
- E. *"Unofficial material"* includes all written or pictorial communications except school publications funded and/or sponsored or authorized by the school. Examples include leaflets, buttons, badges, insignia, brochures, flyers, petitions, placards, underground newspapers, websites, links to websites, and e-mails, whether created by students or others.
- F. *"Libelous"* is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation, or to lower him or her in the esteem of the community.
- G. *"Distribution"* means circulation or dissemination of unofficial material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies or delivery via district technology. It includes displaying unofficial material in areas of the school which are generally frequented by students.

**V. Disciplinary Action**

Distribution by a student of unofficial material prohibited in Section I or in violation of Section III may be treated as a violation of the student discipline code.

**VI. Notice of Policy to Students**

A copy of this policy will be published in student handbooks and posted conspicuously in school buildings.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: March 12, 2001

Cross Ref: EHB, Technology Usage  
IGDB, Student Publications

JFH, Student Complaints and Grievances

**FILE: IGDBA  
Critical**

Legal Ref: §§ 167.161 - .171, 573.010, RSMo.  
*Bystrom v. Fridley High School Independent School District*, 822 F.2d 747 (8th  
Cir. 1987)



## **STUDENT FUNDRAISING**

### **Definition**

*District-Sponsored Fundraising* - Any activity that has the purpose of raising funds in support of a student activity or program and that is administered and conducted by school staff or students involved in the activity or program.

### **District-Sponsored Fundraisers**

The Board prefers that the school district financially support district-sponsored student programs and activities. However, in some cases it may be necessary to raise funds to help support these district endeavors, and the district may involve students in these fundraising activities.

The superintendent and principals will be directly responsible for all district-sponsored fundraising activities conducted in the district or sponsored in any manner by the district. All district-sponsored fundraising activities must first be approved by the building principal and/or the superintendent or designee and must comply with the requirements set out in district policies and procedures, including the district's wellness program and district funds management rules. All funds collected in a district-sponsored fundraiser will be deposited in district accounts.

### **Student-Initiated Group Fundraisers**

Student-initiated groups are not district sponsored, but these groups have the same access to district facilities, communications channels and fundraising opportunities as other district-sponsored noncurricular groups. These groups may conduct fundraising activities, but must follow the same rules applicable to other district-sponsored noncurricular groups.

### **Fundraising by Other Groups**

For liability and funds management purposes, it is essential that district staff not confuse district-sponsored fundraising with fundraising conducted by booster clubs or other groups not directly controlled by the district. Although the district welcomes community involvement in and support of district programs, the district cannot take responsibility for fundraising or the funds collected by such groups. To avoid confusing parents, students and community members participating in the fundraising efforts, only district-sponsored fundraising subject to district rules may occur during the school day or class time.

A group may only use the name, logo or mascot of the district or of a district school in reference to a fundraiser if the fundraiser has been approved by the superintendent or designee or the School Board and the funds raised go to the district as represented in the advertising.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised: December 13, 2006

Cross Refs: ADF, District Wellness Program  
DI, Fiscal Accounting and Reporting/Accounting System

Legal Refs: Equal Access Act, 20 U.S.C. §§ 4071, 4072

## **CLASS SIZE**

The Board of Education is aware that class size impacts student achievement, and the Board directs the superintendent to work with the administrative staff to assign a reasonable number of students to each class and building in the district.

The Board will adopt target class sizes for the various grade levels after considering the recommendations of the superintendent or designee. The superintendent or designee will annually review these target class sizes and recommend changes when necessary. The Board understands that achieving these targets is dependent upon the financial, physical and staffing resources available to the district and that the district might be required to exceed its target class sizes in some instances in order to educate its resident students. However, the Board will not admit a nonresident student if the admission would cause the district to exceed the target class sizes or student-to-teacher ratios unless required by law to do so.

The superintendent or designee may modify the target class size in situations where the classroom is substantially smaller than the average classroom or when other staffing or physical limitations exist. The superintendent or designee may also modify the target class size when necessary for specialized instruction or in situations where equipment is limited, such as music, art, drama, computer or specialized science courses.

### **Class Size Limits for Transfers Due to Accreditation**

If the district becomes unaccredited or a school district in the same or an adjoining county becomes unaccredited and students are eligible to transfer into a district school by law, the district will allow such transfers as long as they do not result in a class size and assigned enrollment that exceeds the standards set by the Missouri School Improvement Program's Resource Standards.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 12, 2020

Revised:

Cross Refs: DFI, Setting Tuition for District Programs  
JCB, Transfers within the District  
JECA, Eligibility to Enroll

Legal Refs: § 167.895, RSMo.  
*Turner v. Clayton*, 318 S.W.3d 660 (2010)

## **INSTRUCTIONAL MATERIALS**

As the governing body of the school district, the Board is legally responsible for the selection of instructional materials. Since the Board is a policy-making body, it delegates to professional personnel of the district the authority for the selection of instructional materials in accordance with Board policies and procedures. Every effort will be made to ensure that instructional materials are distributed equitably among the district's schools so that a balanced distribution of instructional materials will occur. Free textbooks are provided in grades K-12.

Materials for the school classrooms and school libraries will be selected by the appropriate professional personnel, in consultation with the administration. When the budget for the year is approved in final form by the Board, the superintendent or designee shall direct the purchase of books, supplies, equipment and other instructional materials required, within the limits of the adopted budget. The superintendent or designee shall audit all claims and submit to the Board for approval and authorization for payment.

It is the responsibility of the professional staff to select instructional materials of the highest quality that will support the educational curriculum and goals of the district. Consideration should be given to all available textbooks in the content area to provide opportunities for each child to realize his or her greatest potential through education.

The value and impact of any textbook, library or other instructional material will be judged as a whole, taking into account the purpose of the material rather than individual and isolated expressions or incidents of the work. Multi-cultural, disability-aware and gender-fair concepts will be criteria for selection of materials.

The district shall preferentially procure educational materials, including textbooks and collected materials, from vendors who make the materials available in either Braille format or electronic format which is computer-readable in a form approved by the Department of Elementary and Secondary Education, at no greater cost than for regular materials.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: March 13, 2000

Cross Refs: DK, Payment Procedures  
DN, Surplus School Property  
IF, Curriculum Development  
IIAC, Instructional Media Centers/School Libraries

**FILE: IIA**  
**Basic**

KLB, Public Questions, Comments or Concerns Regarding  
Instructional/Media/Library Materials

Legal Refs: §§ 170.051 - .171, RSMo.

## **INSTRUCTIONAL MEDIA CENTERS/SCHOOL LIBRARIES**

The Board believes that instructional media centers/libraries are a fundamental part of the educational process. The district meets individual learning needs, provides flexible and innovative learning experiences and encourages independent learning by providing sufficient resource options to students and staff.

It is the goal of the Board of Education to provide circulating material, reference resources and electronic media to meet or supplement the needs of the students and teachers in the school system. The district shall strive to meet the school media standards as prescribed by the Missouri Department of Elementary and Secondary Education.

The district librarians, teachers and administrators have the responsibility of recommending and selecting materials for the district, in accordance with state and district guidelines, and reconsidering or reviewing the district's collection as needed. The same criteria used to select new materials for the district will be used to determine whether the district will accept any gift of materials or to determine the selection of materials purchased with a monetary gift from an individual or group.

District librarians will organize and maintain the district's collection and aid students and staff members in locating resources.

The superintendent or designee will create procedures as needed to enforce the district policies and administer the district's media centers and libraries.

### **Intellectual Access**

The library media program serves as a point of access to information and ideas for students as they acquire critical thinking and problem-solving skills. Students and educators served by the library media program should have access to resources and services free of constraints resulting from artificial barriers. Students will have access to library media selected and available in accordance with district policy and library media guidelines.

### **Confidentiality**

Individually identifiable library records will be confidential as required by law. Individually identifiable library records of a student will be considered an education record under federal law and will be released in accordance with Board policy.

Individually identifiable library records of persons other than students will not be released to any person other than the person identified in the record or to district employees who need to know the information to perform their duties for the district. However, these records may be released

upon written request by the person identified in the record or in response to a court order upon a finding that the disclosure is necessary to protect the public safety or to prosecute a crime.

As used in this policy, a "library record" is any document, record or other method of storing information retained, received or generated by a library that identifies a person or persons as having requested, used or borrowed library material and all other records identifying the names of library users. The term "library record" does not include nonidentifying material that may be retained for the purpose of studying or evaluating the circulation of library material in general.

\* \* \* \* \*

*Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.*

Adopted: February 10, 2002

Cross Refs: EGAAA, Reproduction of Copyrighted Materials  
IIA, Instructional Materials  
JO, Student Records  
KLB, Public Questions, Comments or Concerns Regarding District Instructional/  
Media/Library Materials

Legal Refs: §§ 182.815 - .817, RSMo.

## **FIELD TRIPS AND EXCURSIONS**

The Board believes that field and activity trips often enhance the program of instruction and add much to the education of a student. Trips may be authorized by the superintendent or delegated representative when the activities contribute substantially to the achievement of desirable educational goals. All field trips should be planned with an educational purpose and in relation to a unit of study. To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation of the class and opportunities for students to assimilate the experience during and at the conclusion of the trip. To this end, teachers and principals will be expected to consider the following factors in the selection of field trips:

- < Value of the activity to the particular class group or class groups.
- < Relationship of the field trip activity to a particular aspect of classroom instruction.
- < Suitability of the activity and distance traveled in terms of the age level of students.
- < Mode and availability of transportation.
- < Cost of field trip or excursion.

Due to the increased cost of transportation, all field trips should be carefully scrutinized by the administration.

All parents of students who are eligible to participate in the field trip shall be notified of the activity.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: November 12, 2001



## **SCHOOL VOLUNTEERS**

The Board of Education recognizes that volunteers make valuable contributions to the district's schools and are an essential component of high student achievement. The Board endorses a volunteer program, encourages volunteer participation and expects district staff to encourage and strengthen community, parent and family involvement in the schools.

The superintendent or designee will create appropriate procedures for attracting, screening and training volunteers. The district will conduct screening and criminal background checks on volunteers as required by law and policy GBEBEC before any volunteer is placed in a position where he or she will be left alone with a student or have access to student education records.

Volunteering in the district is a privilege, not a right. The district may decline the services of any volunteer for any legal reason. All information collected on volunteers will be considered confidential to the extent allowed by law and will be used only to protect students or minimize disruption to the educational environment.

Although volunteers will provide support services, they are not substitutes for district staff. Volunteers will work under the direction and supervision of district staff.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12, 2005

Revised: October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
GBEBEC, Criminal Background Checks

Legal Refs: § 168.133, RSMo.

## **ACADEMIC ACHIEVEMENT**

The evaluation of the academic achievement of students in the school district is based on the premise that students have diverse capabilities, interests and individual patterns of growth and learning. It is essential that the professional staff have adequate information to assess a student's educational needs, growth patterns and other factors necessary to design instructional plans for the student. Sharing of information among parents/guardians, teachers and students is an integral part of the evaluative process.

Through the district's methods of student evaluation and parent/guardian-student-teacher communications, the district strives to meet the following objectives:

- < Parents/Guardians are to be informed regularly, at least four times a year, as to the progress their children are making in school.
- < Parents/Guardians will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration.
- < Insofar as is possible, distinctions will be made between a student's attitude and academic performance.
- < At comparable levels, the school district will strive for consistency in grading and reporting, except when inappropriate for certain classes or students.
- < When grades are given, the school staff will take particular care to explain the meaning of the marks and symbols to students and parents/guardians.

The issuance of grades on a regular basis serves to promote a process of continuous evaluation of student performance in the school district.

Grading shall not be influenced by pressure from parents/guardians. In addition, grades are not to be used as a disciplinary measure.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted: August 14, 1995

Cross Refs: IGBC, Parent/Family Involvement in Instructional and Other Programs

## **PROMOTION, ACCELERATION AND RETENTION OF STUDENTS**

The Lone Jack C-6 School District is committed to the continuous development of students enrolled in the district's schools and recognizes that the pace at which students develop varies.

When determining whether students should be promoted, accelerated or retained, the district will use all available information, including results of classroom performance assessments, other measures of skill and content mastery, standardized test results and teacher observation of student performance. The principal will direct and aid teachers in developing student evaluation standards and apply those standards uniformly when making decisions regarding the promotion, acceleration or retention of students.

Decisions on whether to promote, accelerate or retain a student with disabilities will be made in accordance with the Individuals with Disabilities Education Act (IDEA) and as required by other applicable law.

### **Promotion**

Students will normally progress annually from grade to grade unless, in the judgment of the district's professional staff, it is not in the best educational interest of the student to do so. The final decision to promote a student rests with the school administration.

### **Remediation as a Condition of Promotion**

The district may require remediation as a condition of promotion to the next grade level for any student identified by the district as failing to master skills and competencies established for that particular grade level. The superintendent or designee shall determine which skills and competencies must be mastered, how they are to be assessed and what type of remediation is appropriate.

Remediation may include, but shall not necessarily be limited to, a mandatory summer school program focused on the areas of deficiency or other such alternatives conducted by the district outside of the regular school day. Such remediation shall recognize that different students learn differently and shall employ methods designed to help these students achieve at high levels.

The district may require parents/guardians of such students to commit to conduct home-based tutorial activities with their children. Decisions concerning the remedial instruction of a student who receives special education services, including the nature of parental involvement, shall be made in accordance with the student's individualized education program (IEP).

## **Acceleration**

The district will assist students in progressing academically in accordance with their capabilities. Acceleration refers to educational strategies that provide opportunities for students to more rapidly achieve their education goals. Effective acceleration matches the level, complexity and pace of the curriculum to the readiness and motivation of the student. Acceleration will not be used as a replacement for gifted education services or programs.

Acceleration shall be considered for all students who demonstrate advanced performance or the potential for advanced performance and the social and emotional readiness for acceleration. The district will offer subject acceleration and whole-grade acceleration and, at the discretion of the superintendent, may choose to implement other types of acceleration as well.

When determining whether a student should be accelerated, the district will consider all available student assessment data, the student's social and emotional maturity and the student's academic strengths. Acceleration decisions shall be based on the best interest of the student.

Parents/Guardians or teachers who identify a student who may benefit from acceleration should contact an administrator in the student's school for more information.

## **Retention**

Retention may be considered when, in the judgment of the professional staff, it is in the best educational interest of the student involved. Parents/Guardians will receive prior notification and explanation concerning the retention. However, the final decision will rest with the school administration.

If a student has a substantial reading deficiency at the end of third grade, the appropriate district staff will meet directly with the student's parents/guardians to discuss whether the student should be retained and will formulate a specific plan to remedy the student's reading deficiency.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised: February 15, 2017  
March 6<sup>th</sup>, 2019  
September 11<sup>th</sup>, 2023

**FILE: IKE**  
**Critical**

Legal Refs: § 162.722, 167.640, .645, RSMo  
*Board of Curators, Univ. of Mo. v. Horowitz*, 435 U.S. 78 (1978)

## **GRADUATION REQUIREMENTS**

The Board of Education for the Lone Jack C-6 School District establishes the following graduation requirements as a condition of receiving a diploma. The superintendent or designee will regularly communicate these requirements to students and parents/guardians and recommend modifications to the Board when necessary.

### **Requirements**

A student must meet the following requirements in order to graduate from the Lone Jack C-6 School District, unless otherwise exempted. The student must:

1. Complete a total of 25 credits, including credits required by the State Board of Education.
2. Pass examinations on the provisions and principles of American history, American institutions, American civics, and the Missouri and U.S. Constitutions. (§§ 170.011, .345, RSMo.)
3. Successfully complete a course of instruction of at least one semester in length on the institutions, branches and functions of the government of the state of Missouri, including local governments, the U.S. government and the electoral process. (§ 170.011, RSMo.)
4. Have earned credit in the Lone Jack C-6 School District's educational program between the ninth and twelfth grades.
5. Have taken all required end-of-course (EOC) examinations. (DESE Graduation Guidance)
6. Have received 30 minutes of cardiopulmonary resuscitation (CPR) instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking. (§ 170.310, RSMo.)

### **Exceptions**

1. Graduation requirements for a student with a disability receiving special education services pursuant to the Individuals with Disabilities Education Act (IDEA) may be determined according to the student's individualized education program (IEP). Any specific graduation requirement may be waived if recommended by the student's IEP team. (DESE Graduation Guidance)
2. Students transferring from other Missouri school districts or charter schools, private or parochial schools, home schools, unaccredited schools, and schools in other states or countries will have their credits transferred in accordance with guidance from the

Department of Elementary and Secondary Education (DESE) and may have some graduation requirements waived depending on the circumstances. (DESE Graduation Guidance)

3. The district will waive the requirement to pass examinations on the provisions and principles of American history, American institutions and the Missouri and U.S. Constitutions for students who transfer from a school outside Missouri if they can document the successful completion of a course of instruction in the institutions, branches and functions of state government, including local governments, the U.S. government and the electoral process. Such instruction must have been completed in grades nine through twelve. The district will waive the requirement to pass a civics examination when recommended by the student's IEP team. (§ 170.011, RSMo., DESE Graduation Guidance)
4. Graduation requirements for foster care students will be modified or waived in accordance with law and Board policy IGBE. (§ 160.1990, RSMo.)
5. Students in the household of an active duty member of the military, including students in the household of certain veterans who are deceased or injured as defined by law, who transfer to the district may have graduation requirements modified or waived in accordance with law. (§ 160.2000, RSMo.)
6. Eligible students who successfully complete the Missouri Option Program will be awarded a high school diploma. (5 C.S.R. 20-500.330)

### **Earning Credit, Substituting Credit and Alternatives**

1. The superintendent or designee is directed to assign credit values for courses offered by or through the school district and to develop formulas and procedures for awarding credit to students who transfer from a district that uses a different standard for awarding credit.
2. The Lone Jack C-6 School District recognizes units of credit obtained through accredited schools and school districts, including credits earned through courses delivered primarily through electronic media, such as online courses. For the purposes of this policy, an "accredited school" is a Missouri public school, a Missouri charter school, the Missouri Course Access Program (MOCAP); a private agency where students with disabilities are placed by a public school; or any school or school district accredited by the Missouri State Board of Education, AdvancED or the Independent Schools Association of the Central States (ISACS). If a school or school district is located in another state, that school or school district must be accredited by that state's department of education, AdvancED, ISACS or the equivalent organizations. (§ 161.670, RSMo., DESE Graduation Guidance)
3. Students may earn advanced-standing credit by successfully completing high school-level courses prior to entering the ninth grade. Advanced-standing credit may be counted

toward meeting all graduation requirements, including state minimum requirements.  
(DESE Graduation Guidance)

4. The district may waive one unit of academic credit in English language arts, mathematics, science or social studies, whichever is most appropriate, for students who successfully complete an eligible three-unit career/technical program. Students must request this credit waiver prior to enrolling in the career/technical program for which the waiver is sought. Students must take the end-of-course exam required for any waived course. Unless otherwise waived by law, students who waive a social studies unit under this section are still required to complete a course of at least one semester in length on the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States and the electoral process. Students are also required to meet state requirements regarding American civics. (DESE Graduation Guidance)
5. In addition to the waiver of credit above, a student may fulfill one unit of academic credit with a district-approved agriculture or career and technical education course for any English language arts, mathematics, science or social studies unit required for high school graduation in any combination up to fulfilling one requirement in each of the four subject areas. The substitution may not be made for courses that require an end-of-course assessment. Unless otherwise waived by law, students who waive a social studies unit under this section are still required to complete a course of study of at least one semester in length covering the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States and the electoral process. Students are also required to meet state requirements regarding American civics. (§ 170.017, RSMo.)
6. The district may allow a student to fulfill one credit of any district-required mathematics, science or practical arts unit with a district-approved computer science course if the student has taken or is on track to take all courses that require end-of-course examinations for math and science. The district will notify all students relying on this provision that some institutions of higher education may require four units of academic credit in mathematics for college admission. The district will require the parent, guardian or legal custodian of each student to acknowledge in writing that taking a computer science course to fulfill a unit of academic credit in mathematics may have an adverse effect on college admission decisions. (§ 170.018, RSMo.)
7. Students may earn credit for a subject that has been embedded into another subject-area course in accordance with guidelines established by DESE. (DESE Graduation Guidance)
8. The superintendent or designee may approve credit earned on a proficiency basis if a student is able to demonstrate mastery of the competencies for a particular course and if state requirements are met for a quality, competency-based credit system. (DESE Graduation Guidance)



9. Students may earn credit by other means as approved by the Board and in accordance with law.

### **Diplomas and Certificates**

Students who complete the district's graduation requirements or are otherwise entitled to a diploma in accordance with law and district policy will receive a district diploma.

#### ***District Diploma for Coursework Completed in Other Districts***

In accordance with law and DESE guidance, the district may be required to issue a diploma to students who did not complete their education in the district but who graduated based on the district's graduation requirements. Such circumstances include, but are not limited to, situations where a foster student transfers from the district to another school or district or a student in the household of an active duty member of the military transfers to another district, in accordance with law. (§§ 160.1990, .2000, 167.019, RSMo.)

#### ***Diplomas from Other Districts***

Students in the household of an active duty member of the military, including students in the household of certain veterans who are deceased or injured as defined by law, who transfer to the district at the beginning of or during their senior year and who will not meet the graduation requirements of the district by the end of the senior year may receive a diploma from the school district they are transferring from if they are able to meet the graduation requirements of that district. (§ 160.2000, RSMo.)

Foster care students who enroll in the district at the beginning of or during their senior year who cannot meet the district's graduation requirements by the end of the senior year, even after all alternatives have been considered, may receive a diploma from the previous school attended if they are eligible to receive a diploma from the previous school. (§ 160.1990, RSMo.)

#### ***Certificate of Attendance***

Students with disabilities who reach age 21 or otherwise terminate their education and who have met the district's attendance requirements but have not completed the requirements for graduation may receive a certificate of attendance as directed by the student's IEP team. (DESE Graduation Guidance)

#### ***Career and Technical Education Certificate***

In addition to receiving their graduation diploma, students may earn a career and technical education certificate (CTE) if they meet the standards created by the State Board of Education. (§ 170.029, RSMo.)

*Seal of Biliteracy*

The district may award a Missouri Seal of Biliteracy to students who have attained proficiency in English and at least one other language before high school graduation in accordance with rules established by DESE.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: August 14, 1995

Revised: December 13, 2010  
December 9, 2013  
June 12, 2017  
May 14, 2018  
March 6<sup>th</sup>, 2019  
October 12, 2020

Cross Refs: JECC, Assignment of Students to Grade Levels/Classes

MSIP Refs: R.3

Legal Refs: §§ 160.1990, .2000, 161.670, 167.019, 170.011, .017, .018, .029, .310, .345,  
171.171, RSMo.  
5 C.S.R. 20-100.190, .230, 500.330

## **GRADUATION EXERCISES**

When students complete all graduation requirements, it is an achievement of not only the students, but also the community. The Board will recognize students in a public graduation ceremony that has as its purpose honoring and celebrating the graduates. The superintendent or designee will plan an appropriate ceremony on the date approved by the Board, with input from the students graduating. If appropriate, the district may hold more than one ceremony or recognition celebration.

Speakers at graduation ceremonies are subject to the provisions of policy INC.

Unless otherwise stated in this policy, students may only participate in graduation ceremonies if they have successfully completed all graduation requirements or the requirements to receive an alternative diploma or a certificate of attendance in accordance with Board policy. Students seeking to apply credits earned through other accredited schools, as defined in policy IKF, toward graduation requirements must provide the district with verified documentation of the completion of these courses ten working days prior to the graduation ceremony in order to participate in the ceremony. Any student who has otherwise met all requirements for graduation will be granted a diploma, regardless of whether he or she participates in graduation exercises.

Participation in the graduation ceremony is a privilege and not a right. A student must be in good standing with the district, as defined by the district, in order to participate in graduation exercises.

Elementary, middle and junior high schools may hold promotion exercises, but formal graduation programs will be reserved for students successfully exiting the district's education program.

### **Students Eligible for Services under the IDEA**

Students eligible for services under the Individuals with Disabilities Education Act (IDEA) who will have completed four years of high school at the end of a school year may participate in the graduation ceremony and all related activities of the student's graduating class if:

1. The student's Individualized Education Program (IEP) prescribes special education, transition planning, transition services or related services beyond the student's four years of high school, and
2. The student's IEP team determines the student is making progress toward the completion of the IEP and that participation in the graduation ceremony is appropriate.

The student and the student's parent/guardian will be provided written notice of this policy at the annual IEP meeting prior to or during the student's fourth year of high school.

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 8, 2008

Revised: December 13, 2010  
July 13, 2015

Cross Refs: JECC, Assignment of Students to Grade Levels/Classes  
JG, Student Discipline  
KK, Visitors to District Property/Events

Legal Refs: § 160.2500, 162.1125, RSMo.

**ASSESSMENT PROGRAM**  
*(K-12 Districts)*

The district will use high-quality academic assessments as one indication of the success and quality of the district's education program. Further, the Board recognizes its obligation to provide for and administer assessments as required by law. The Board directs the superintendent or designee to create procedures governing assessments consistent with law and Board policy.

In cooperation with the administrative and instructional staff, the Board will regularly review student performance data and use this information to evaluate the effectiveness of the district's instructional programs, making adjustments as necessary.

The district will comply with all assessment requirements for students with disabilities mandated by federal and state law, including the Individuals with Disabilities Education Act (IDEA).

**Participation**

In order to achieve the purposes of the student assessment program and comply with state and federal law, the district requires all enrolled students to participate in all applicable aspects of the district assessment program, including statewide assessments.

**District Assessment Plan**

The superintendent or designee shall ensure that the district has a written assessment plan that will test competency in the subject areas of English, reading, language arts, science, mathematics, social studies and civics, as required by law.

The purposes of the districtwide assessment plan are to facilitate and provide information for the following:

1. Student Achievement - To produce information about relative student achievement so that parents/guardians, students and teachers can monitor academic progress.
2. Student Guidance - To serve as a tool for implementing the district's student guidance program.
3. Instructional Change - To provide data that will assist in the preparation of recommendations for instructional program changes to:
  - < Help teachers with instructional decisions, plans and changes regarding classroom objectives and program implementation.
  - < Help the professional staff formulate and recommend instructional policy.

- < Help the Board of Education adopt instructional policies.
- 4. School and District Evaluation - To provide indicators of the progress of the district and individual schools toward established goals.
- 5. Accreditation - To ensure the district obtains and maintains accreditation.

There shall be broad-based involvement of staff and others with appropriate expertise in the development of the assessment program and its implementation. Instructional staff will be given training and responsibilities in coordinating the program. Every effort will be made to ensure that testing contributes to the learning process rather than detracts from it and that cultural bias does not affect the accuracy of assessments.

### **Reading Assessment**

The district will assess the reading level or reading readiness of all students enrolled in kindergarten through grade three using state-approved reading assessments at the beginning and end of each school year. The district will also assess any newly enrolled students in grades one through five. The assessment results will be used to determine the student's need and eligibility for a reading success plan.

### **English Proficiency Assessments**

The district will annually assess the English reading, writing and oral language skills of district English Learner students in kindergarten through grade 12.

### **Statewide Assessments**

The district will implement the components of the Missouri Assessment Program (MAP) in order to monitor the progress of all students in meeting the challenging academic standards set forth by the Missouri State Board of Education. The assessments will be the same for all students in the district, including those students identified as migratory or homeless, students in foster care and students with a parent/guardian who is an active duty member of the armed forces or who serves on full-time National Guard duty.

End-of-course (EOC) assessments will be administered in accordance with law and the rules of the Department of Elementary and Secondary Education (DESE). In courses where EOC assessments are given, the superintendent will determine what percent of the course grade will be decided by performance on EOC assessments.

**FILE: IL**  
**Critical**

If a student is taking a course that requires an EOC assessment and is failing the course or for some other reason may be required to retake the course, the district may choose to delay administration of the EOC assessment until the student has completed the course the second time. A team consisting of the course instructor, the principal and a counselor will determine when delayed administration of an EOC assessment is appropriate. In the case of a student with an individualized education program (IEP), the IEP team will make the determination.

EOC examinations may be waived for:

1. Students receiving special education services whose IEP teams have determined that the MAP-A alternative is the appropriate assessment;
2. English learner students who have been in the United States 12 or fewer months at the time of administration, in some circumstances; and
3. Foreign exchange students.

The School Board authorizes the superintendent to establish a process designed to encourage the students of this district to give their best efforts on each portion of any statewide assessment, which may include, but is not limited to, incentives or supplementary work as a consequence of performance.

### **National Assessment of Educational Progress**

If chosen, the district will participate in the National Assessment of Educational Progress as required by law.

### **Assessments in Preparation for Postsecondary Education and Work Opportunities**

The district encourages students to prepare for postsecondary education or work opportunities prior to graduating from the district. District staff will encourage students to take assessments necessary for pursuing postsecondary education, career training and employment. Such assessments may include, but are not limited to, the ACT, the ACT Plus Writing Assessment, the ACT WorkKeys assessments (WorkKeys) and the SAT. When the district determines it is economically feasible, the district may provide access to assessments at the district's expense. The superintendent or designee will work with testing companies to provide eligible students access to fee waivers and other resources so that all district students may access these assessments.

### **ACT/WorkKeys at State Expense**

DESE may require school districts to administer the ACT as part of statewide testing requirements. When that occurs and the state funds the test, any student who would be allowed

or required to participate in the ACT will have the opportunity, on any date within three months before the ACT administration, to participate in the WorkKeys at the state's expense in lieu of taking the ACT. Any student who participated in a state-funded administration of the WorkKeys shall not participate in any state-funded administration of the ACT.

### **ACT/WorkKeys at District Expense**

Students who are required or allowed to participate in the ACT at district expense will have the opportunity, on any date within three months before the ACT administration, to participate in the WorkKeys at district expense. The district may also require the student to take the ACT.

### **High School Equivalency Examination**

The district participates in the Missouri Option Program, a competency-based program that allows eligible students to earn a district diploma if the student passes the state high school equivalency examination.

### **Parental Notice**

At the beginning of each school year, the district shall notify the parents/guardians of each student that the district will provide, upon request and in a timely manner, information regarding any state or district policy regarding student participation in any assessments. Such notice shall include information about state or local policies that would allow students to opt out of assessments. Missouri has no opt-out policy, and the district expects all students to participate in all district or statewide assessments.

The district shall post on the district's website and, where practicable, on the website of each school in the district for each grade level in the district, information on any assessments required by state or federal law, including any assessments required by the district. The information shall include the subject matter being assessed, the purpose for the assessment, the source of the requirement for the assessment, and where the information on the assessment is available. The information shall also include the amount of time students will spend taking the assessments, the schedule for the assessments, and the time and format for disseminating the results, when available.

If the district does not operate a website, the district shall determine how to make the information widely available, including dissemination through the media, public agencies or directly to the parents/guardians.

The district will provide parents/guardians information, if available, on the level of achievement and academic growth of the student on each of the statewide assessments in which the student participates. The district will provide the information in an understandable and uniform format and, to the extent possible, the information will be written in a language the parent/guardian can understand. If it is not practical to provide written translations to parents/guardians, the



information shall be orally translated for them. Upon request by a parent/guardian with a disability, the district will provide the information in an alternate format that is accessible to the parent/guardian.

**Access to Assessments by Students Not Enrolled in the District**

In order to foster positive community relationships and to promote the academic progress of all students located within the district, the district may, at its discretion, allow private and home-schooled students who reside within district boundaries but who are not enrolled in the district to participate in grade-level, end-of-course or other assessments if there is no cost to the district.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: November 12, 2001

Revised: March 8, 2004  
March 14, 2005  
December 11, 2017  
October 8<sup>th</sup>, 2018  
March 6<sup>th</sup>, 2019  
September 11<sup>th</sup>, 2023

Cross Refs: JO, Student Records  
KB, Public Information Program

MSIP Refs: I-2, I-4

Legal Refs: §§160.572, RSMo.  
5 C.S.R. 20-500.330

## **TEST SECURITY**

### **Storage and Access Before Test Administration**

1. All Missouri assessment documents and standardized test booklets are to be stored, immediately upon receipt, in a secured area.
2. When the test documents first arrive at the district the test coordinator will carefully check all materials and sort them in preparation for administration, making a written record of the number of booklets that will be sent to each administration site.
3. The test coordinator or individual responsible for the program will assume responsibility for contacting the appropriate testing coordination site if the order is inaccurate and for providing secured storage of any materials received as a result of this contact.
4. Beyond the initial checking and sorting, test booklets will remain untouched until they are distributed for administration.
5. Only the test coordinator and other designated individuals will have access to test materials.
6. No teacher shall have access to test booklets or be told what is in them before the test is distributed, except special education teachers in accordance with a student's Individualized Education Program (IEP).
7. Teachers will have access to the appropriate documents, including the Test Administration Manual.

### **Instructions for Administration**

1. Prior to the first day of any standardized and/or statewide testing, all staff involved in test administration will be required to participate in an in-service led by the testing coordinator and designed to train test administrators in administration procedures.
2. The in-service will stress the maintenance of test security during test administration. Security issues addressed will include handling materials in a secure manner, providing directions to students, responding to students' questions and monitoring the test setting.
3. Prior to any standardized and/or statewide testing, staff will receive a handout outlining step-by-step procedures to follow in order to administer tests in a secure manner.

### **Test Administration**

1. All standardized and/or statewide tests will be administered in an appropriate manner in compliance with testing guidelines.
2. Test booklets will be delivered to each building before the day of the test and distributed by building staff immediately prior to testing. Students will not receive test booklets until time for testing to begin.
3. Students will be encouraged to use restroom facilities, get drinks, etc., before starting to take the test. If students must leave the room during testing, they will be instructed to place their answer sheets in their test booklets and close these booklets before leaving their seats.
4. All individuals administering tests will strictly follow the procedures outlined in the test administration manual. Test administrators will not leave the testing room the entire time the test is being given.
5. While the test is being given, building administrators and other designated individuals will move between classrooms to help monitor administration and to provide assistance as needed.
6. If a test is to be administered over a series of days, test booklets and answer sheets will be collected each day immediately following testing, counted by the test administrator and stored in a locked facility.

### **Collection and Storage of Test Materials Following Testing**

1. Test booklets will be collected from test administrators immediately following testing, organized according to instructions, and stored in a secure area.
2. Test booklets will be re-counted by the test coordinator and these counts will be documented and checked against preadministration counts.
3. Test booklets will be sorted and packaged, according to directions, by the test coordinator or person who has been designated as responsible and sent for scoring as expediently as possible while allowing for makeups.
4. All test makeups will be scheduled by the test coordinator. Students in each building will be grouped together for testing. A designated individual will administer the test according to specified administration procedures, taking all aforesaid precautions to ensure security. Test materials will be counted.

### **Sanctions Against Unfair Practices**

The security measures outlined in this document should help prevent unfair practices. Unfair practices include, but are not limited to, the following:

1. Copying any part of a standardized test booklet for any reason.
2. Removal of a test booklet from the secure storage area except during test administration.
3. Failure to return all test booklets following test administration.
4. Directly teaching any test item included on a standardized test.
5. Altering a student's responses to items on an answer sheet.
6. Indicating to students during testing that they have missed items and need to change them; giving students clues or answers to questions; allowing students to give each other answers to questions or to copy off each other's work; or altering test administration procedures in any other way to give students an unfair advantage.
7. Undue pressure or encouragement on the part of administrators for teachers to engage in any of the aforementioned inappropriate or unfair practices.

If a district staff person is suspected of engaging in any unfair practice, an immediate investigation will occur. If allegations are proven, a report will be forwarded to the superintendent, and appropriate disciplinary action will be taken.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 12, 2001

Revised:

## **EVALUATION OF INSTRUCTIONAL PROGRAMS**

The Board of Education directs the superintendent to implement appropriate methods for a continual evaluation of the curriculum, the educational programs and the instructional processes of the school district.

These evaluations will assess educational needs, provide information for planning in the district, indicate instructional strengths and weaknesses in the district's educational programs, assure that the district is complying with the legal requirements for state-funded and federally funded programs, and provide data for public information.

The Board will rely on its professional staff and/or outside agencies to provide continual evaluation of the educational programs and instructional processes of the district. Specific measures will be identified to determine program success. The superintendent or designee will periodically review appropriate research studies to determine recent trends and developments in instructional evaluative techniques.

The superintendent will prepare and maintain written reports about the educational programs and instructional processes of the district and provide copies to the Board upon request and as necessary to carry out the Board evaluations required by this policy. The reports will include the goals and objectives of each program, progress toward meeting those goals and objectives, an explanation of the data and information used to determine program effectiveness, and recommendations for continued or improved effectiveness.

Unless otherwise required by law or Board policy specific to a particular program, the Board will review each district program in accordance with the following schedule. The Board may review any program at any time and is not restricted to the schedule or programs in this policy.

### **Annual Review**

Financial Investment of Surplus Funds

### **Biennial Review (Every Two Years)**

1. Title I
2. Special Education
3. Career/Technical Education
4. Gifted Education
5. Programs for Homeless Students
6. Programs for English Learner (EL) Students (reviewed annually by coordinator)
7. Programs for Migratory Students

8. Programs for At-Risk Students
9. Early Childhood Programs
10. Parents as Teachers
11. Guidance and Counseling
12. Student Health Services
13. Library and Media Resources
14. Technology
15. Professional Development (reviewed annually by the Professional Development Committee)
16. Parent, Family, and Community Involvement (reviewed annually at the school level)
17. Transportation
18. Food Service
19. Facilities and Grounds
20. School Climate
21. Safety Program and Emergency Response and Intervention Plan
22. Grant-funded programs not otherwise listed (unless the grant requires a different schedule)

**Other**

Curriculum will be reviewed immediately following the scheduled curriculum reviews by staff.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12, 2011

Revised: October 8<sup>th</sup>, 2018

MSIP Refs: 8.1

## **SPEAKERS AT DISTRICT EVENTS**

Some district events, such as graduation, classes, assemblies and professional development meetings, include the use of student speakers or speakers from outside the district. The purpose of this policy is to establish the parameters for such speakers.

### **Rules for All Speakers**

Regardless of the type of speaker or the event, the speaker is required to follow all district policies and procedures including, but not limited to, the following:

1. The topic of the presentation must reflect the mission of the district and be directly related to the curriculum or the purpose of the event.
2. The presentation must be appropriate for the age level of the students attending and must also be appropriate for any parents/guardians and children who may attend or for a professional environment, when applicable.
3. Speakers will be given a general topic or theme upon which to speak. The speech must be consistent with that topic or theme.
4. Obscene, vulgar, lewd or indecent speech is not permitted.
5. Speakers will not plagiarize, will properly attribute material authored by another person and will respect copyright, trademark and other applicable state or federal laws.
6. Speakers may not advertise or promote any product, practice or service not permitted to minors by law or district policy.
7. Insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion or ethnic origin), are not permitted.
8. The district does not permit speech that, because of its content, presents a clear and present likelihood that it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities or will cause the commission of unlawful acts or the violation of lawful school procedures.

## **Outside Speakers**

The Board, superintendent, principals or teachers may invite speakers from outside the district to speak at school or district events, such as classes or assemblies, or present at professional development programs for district employees or the Board. For the purposes of this policy, outside speakers are those who are not students, district officials or employees.

Any event at which outside speakers are invited to speak is considered a closed forum, and the content of the speech is limited to the purpose of the forum and the specific topic or theme the speaker was directed to address. Outside speakers may be required to submit a copy of their presentation for the purpose of determining whether it meets the intended purpose of the event and otherwise satisfies the rules established in this policy.

Building administrators are responsible for approving and monitoring the use of outside speakers in their buildings and may revoke an invitation or stop a presentation if the speaker is in violation of this policy or for any legal reason.

Outside speakers at meetings of student-initiated groups are subject to the same rules as other outside speakers who speak at district-sponsored events.

## **Student Speakers**

### ***Student Speakers in Classrooms and at Events Not Open to the Public***

Students may be requested or required to speak on a variety of issues in the classroom, in curricular-related events, at assemblies, at performances and in other forums that are not open to the general public. In those situations, the district maintains a closed forum, and students are expected to follow the directions of district staff. Student speech must be respectful and conform to district policies and procedures and building and classroom rules.

### ***Student Speakers at Public Events***

Students may be invited to speak at public events, including assemblies and graduation celebrations, that are open to the general public. In general, district events are considered a closed forum; however, when students speak at public events, the district will consider the student's speech to be presented in a limited public forum, as required by law. In addition, particular events may have more specific purposes directly related to the event. The district is under no obligation to expand the forum or create a new forum to include students other than those invited to speak in accordance with this policy.

A student speaker may be required to submit a copy of his or her presentation for the purpose of determining whether it meets the intended purpose of the event and otherwise satisfies the rules established in this policy and other policies and procedures.



Students will not be disciplined based on the viewpoint expressed, including religious viewpoints, for otherwise permissible speech. If, in the opinion of the school official supervising the event, the student's speech is in violation of this policy or other district policies and procedures, the official may require the student to stop speaking, and the student may be disciplined or directed to modify his or her speech appropriately.

In accordance with law, the following disclaimer shall be read aloud and/or printed on any written materials distributed at graduation: "Student speakers are speaking as individuals, and their speech does not reflect the endorsement, sponsorship, position or expression of the district." The district will also provide this disclaimer at any other public district event at which a student speaks if the district considers it necessary to clarify to the audience that the student does not speak on behalf of the district.

### ***Selection of Student Speakers at Public Events***

It is a privilege for students to be allowed to speak at district-sponsored public events. All student speakers must be in good standing with the district, as defined by the district, in order to be eligible to speak.

Student speakers at public district events will be selected based on viewpoint-neutral criteria in accordance with law including, but not limited to, the following:

1. The district will select student speakers for graduation from among those graduates with the highest grade-point average, those with notable accomplishments or those who served as the senior class or student body president.
2. Student speakers for other public district or school events are limited to:
  - \* Student government officers or candidates.
  - \* Club and organization presidents.
  - \* Team captains.
  - \* Exchange students.
  - \* Students who have received a particular honor or award, such as success at a state or national competition.
  - \* Students selected by a random drawing from a pool of volunteers.
1. The superintendent or designee may allow a student who does not meet the above criteria to speak at public school or district events upon the recommendation of a district

employee. Approval will not be given unless the employee recommending the student articulates an alternative neutral criteria used to select the student.

These selection criteria are not required for students who are speaking as part of a school- or district-sponsored event when the student's speech is scripted or where a staff member specifically directs the students in what to say.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: July 13, 2015

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
KK, Visitors to District Property/Events

Legal Refs: § 160.2500, RSMo.  
U.S. Const. amend. 1

## **CEREMONIES AND OBSERVANCES**

The Board of Education recognizes the value of district-sponsored programs and ceremonies during school hours and at other appropriate times. Recognizing achievement and talent encourages further learning. District-sponsored programs, ceremonies and observances also provide an opportunity to involve the community in public education.

### **Programs, Ceremonies and Observances**

1. The flag of the United States of America will be prominently displayed, either on the outside of the building or upon a pole erected in the school yard, at every school in the district during school hours.
2. Pursuant to state law, the Pledge of Allegiance will be recited in at least one scheduled class of every student no less than once per school day. However, in accordance with law, no student will be required to participate in the recitation.
3. The text of the Bill of Rights of the U.S. Constitution will be displayed in all school buildings in a conspicuous and legible manner.
4. Teachers and students should observe the following days with the appropriate exercises, as required by law:
  - \* Bird Appreciation Day (March 21)
  - \* Prisoners of War Remembrance Day (April 9)
  - \* Holocaust Education Week (the second week of April or another week designated by the district)
  - \* Patriots Day (April 19)
  - \* Constitution Day and Citizenship Day (September 17, or the preceding or following week if this date falls on a weekend or holiday)
  - \* Missouri Day (the third Wednesday of October)
  - \* Pearl Harbor Remembrance Day (December 7)
5. The district may observe the following days and months, as recommended in state statute:
  - \* Missouri Lifelong Learning Month (February)
  - \* Math, Engineering, Technology and Science Week (the first week of March)
  - \* Arbor Day (the first Friday in April)

- \* Jefferson Day (April 13)
- \* Emancipation Day (June 19)
- \* Emergency Services Day (September 11)
- \* POW/MIA Recognition Day (the third Friday of September)
- \* Disability History and Awareness Month (October)
- \* Bill of Rights Day (December 15)

6. The district may host a diploma ceremony on or around Veterans Day for any veteran receiving an honorary diploma from the Department of Elementary and Secondary Education (DESE) pursuant to "Operation Recognition."
7. Each school in the district shall, prior to any scheduled Veterans Day observance, conduct programs and activities that convey the meaning and significance of Veterans Day. Veterans Day observances will be held as closely as possible to November 11, and the duration of activities and programs that lead up to such an observance shall be the equivalent of at least one class period.

The superintendent or designee will create administrative procedures addressing how ceremonies and observances will be conducted.

### **Religious Content in Programs and Ceremonies**

The schools of the Lone Jack C-6 School District, as well as all employees of the district as governmental officials, are required by law to remain neutral and refrain from endorsing any particular religious belief. However, this policy should not be interpreted to preclude the factual and objective teaching about religions, religious holidays and religious differences.

In particular, music, art, literature and drama with religious themes and programs involving religious themes will be permitted if presented in an objective manner without sectarian indoctrination. Religious content included in any student performance or ceremony will be selected on the basis of independent educational merit.

To the extent required by law, district employees or officials shall not lead attendees of a district-sponsored event in prayer or any other religious ritual, nor shall they direct, whether implicitly or explicitly, a student to lead attendees in a prayer or any other religious ritual. However, this policy shall not be used to deny any student, employee or district official any personal legal right of expression.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: February 10, 2002

Revised: March 8, 2004  
December 12, 2005  
December 13, 2010  
October 8, 2012  
December 9, 2013  
February 15, 2017  
September 11<sup>th</sup>, 2023

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
GBCB, Staff Conduct  
KG, Community Use of District Facilities

Legal Refs: Mo. Const. art. I, §§ 5 - 8, art. IX, § 8  
§§ 9.030, .040, .070 -.072, 160.360, 161.700, 162.946, 170.049, 171.021,  
RSMo.  
U.S. Const. amend. I  
Patriotic and National Observances and Ceremonies, 36 U.S.C. §106  
*Santa Fe Independent Sch. Dist. v. Doe*, 530 U.S. 290 (2000)

## **TRANSFERS WITHIN THE DISTRICT**

The Board will establish attendance areas for the district's school buildings, and students who live within an attendance area will be required to enroll in the designated building unless one of the following exceptions applies.

### **Reassignment**

The superintendent or designee may reassign a student to a different building for the health, safety or welfare of the student, to maintain discipline and safety in the schools, to better meet the educational needs of the student or to address overcrowding in school.

### **Students with Disabilities**

Students with disabilities may be assigned to attend a school outside their attendance area by their Section 504 team or pursuant to their individualized education programs (IEPs). Administrators participating in these decisions will notify the admissions office as soon as the decision is made to place a student outside his or her attendance area.

### **Homeless Students and Students in Foster Care**

As required by law, students placed in foster care or students who qualify as homeless may attend or continue to attend the school of origin when it is determined that it is in the student's best interest, even when the student is placed in a home or temporarily resides in a home in another attendance area or school district.

### **Transfer Requests**

Students who wish to transfer to a different district school, or their parents/guardians, must submit a transfer request to the district school prior to the beginning of the new semester. Granting of such transfer requests will be contingent on available space and eligibility as determined by the district. Students who have begun attendance at a school cannot transfer to another school until the next semester begins unless their residence changes to a new attendance area or unless otherwise required by law. Transportation will not be provided to students transferring to schools outside their designated attendance area unless required by law.

### **Transfers Due to Accreditation Status**

In accordance with law, if the Missouri State Board of Education declares the Lone Jack C-6 School District unaccredited, a student who has been enrolled in and attended a district attendance center that has an annual performance report score consistent with a classification of unaccredited may transfer to another eligible school in the district with the capacity to receive the student. The student must have attended the attendance center for the full semester prior to

requesting the transfer. The superintendent or designee will coordinate the transfers in accordance with law.

Students who choose to attend a district school with admission requirements or a competitive entrance process, such as a magnet school or an academically selective school, must meet the admission requirements in order to attend.

### **Transfers Allowed by Federal Law**

Students enrolled in a school identified as persistently dangerous pursuant to federal and state law may transfer to another public school within the district that has not been so identified. A student who has been a victim of a violent criminal offense on school property as defined by state regulation may transfer to another public school in the district upon request.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 12, 2020

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations  
IGBA, Special Education  
IGBCA, Programs for Homeless Students  
IGBE, Students in Foster Care  
IHB, Class Size

Legal Refs: §§ 162.1190, 167.895, RSMo.  
5 C.S.R. 20-100.210  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
The Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6311, 7912  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431 - 11435  
34 C.F.R. Part 104  
34 C.F.R. Part 300

**TRANSFERS OUTSIDE THE DISTRICT**  
*(K-12 Districts)*

The Lone Jack C-6 School District provides an excellent education to students within the boundaries of the district, near the students' homes and families, and therefore does not encourage or support transfers outside the district except in the following situations.

**Specialized Services**

On occasion, students with disabilities require specialized services that are not offered in the Lone Jack C-6 School District or are more efficiently offered in another district. In those situations, and at the discretion of the district, the district may contract with another district to provide the necessary services to the student. The student will stay enrolled in the Lone Jack C-6 School District.

**Residential Placements in other Districts**

When a resident student of the Lone Jack C-6 School District is placed in programs or facilities in another district by the Missouri Department of Mental Health, the Department of Social Services or a court order, and the placement results in the student living in a different district, the student is still considered a resident of the Lone Jack C-6 School District, but the district in which the student is living is responsible for educating the student. The Lone Jack C-6 School District will pay the educating district an amount equal to the average sum produced per child by the Lone Jack C-6 School District's local tax effort.

**Homeless Students and Students in Foster Care**

In accordance with law, when it is in the best interest of a student who is in foster care or identified as homeless to attend his or her school of origin and that school is in another district, the Lone Jack C-6 School District will assist the other district with the transfer and provide transportation when required to do so.

**Transfers Due to Accreditation Status**

In accordance with law, if the Missouri State Board of Education declares the Lone Jack C-6 School District unaccredited, any student who is eligible to transfer but is not able to do so within the district may apply to the Department of Elementary and Secondary Education (DESE) to transfer to an eligible attendance center located within an accredited district in the same county as Lone Jack C-6 School District or an adjoining county or an eligible charter school located within the same county as the Lone Jack C-6 School District or an adjoining county. The district will pay tuition to the receiving school district or charter school and will provide transportation to at least one receiving school district or charter school designated by DESE.



\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: June 12, 2017

Revised: October 12, 2020

Cross Refs: IGBA, Special Education  
IGBCA, Programs for Homeless Students  
IGBE, Students in Foster Care

Legal Refs: §§ 167.126, .131, .132, .241, .895, .898, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
34 C.F.R. Part 300  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001,  
42 U.S.C. §§ 11431- 11435  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104  
*Breitenfeld v. Sch. Dist. of Clayton*, 399 S.W.3d 816 (Mo.banc 2013)

## **COMPULSORY AND PART-TIME ATTENDANCE**

The Lone Jack C-6 School District exists to improve lives through education. The district seeks to enroll and educate all resident children in the community, as required by law.

### **Compulsory Attendance**

The law requires all children between 7 and 17 years of age, or 16 years of age if fewer than 16 credits toward graduation have been earned, to regularly attend a public, private, parochial, parish, home school or a combination of such schools for the duration of the entire school term. Parents, guardians or other persons having legal custody of a student may obtain a court order requiring students to attend school until the student receives a high school diploma or its equivalent, or reaches the age of 18. In addition, the Lone Jack C-6 School District provides educational programming for all students between the ages of five and seven and beginning at the age of three for students qualified for special education services. The district may also provide preschool and adult education programs.

Once enrolled in the district, the district expects the student to attend regularly and for the student's parents/guardians or other adults having charge, control or custody of the student to communicate regularly and honestly with the district regarding the student's absences. Because the Lone Jack C-6 School District Board and district staff strongly believe that regular attendance is important in gaining the most from the educational experience and because state law requires district staff to report all instances of abuse and neglect, including educational neglect, the district will make every effort to ensure students are attending school as required by law. These efforts include, but are not limited to: accurately recording attendance, creating procedures for regular communication with parents regarding attendance, investigating truancy, and reporting suspected incidences of educational neglect to the Children's Division (CD) of the Department of Social Services.

### **Part-Time Attendance**

Although the district believes that all students will benefit from attending the Lone Jack C-6 School District full-time, state law allows students to attend public school part-time, as long as their total educational experience meets the requirements of the state compulsory education law and the student is not already enrolled full-time in another public school. The superintendent or designee will create procedures on enrollment of part-time students to ensure that such enrollments do not jeopardize the discipline, health and academic standards of the district. The Board also directs the superintendent to annually analyze the number of students attending school part-time and to create vocational, dual-credit, advanced placement or other programs and incentives to encourage these students to attend school full-time. Eligible students may also participate in the School Flex Program per district policy.

### **Students Withdrawing from or Dropping Out of School**

Once enrolled, the student will be considered a district student until the district is directed to withdraw the student or until multiple unsuccessful attempts have been made to contact the parents/guardians or student to confirm continued enrollment after several absences. The district will encourage all families and students to consult with district staff prior to withdrawing a student.

Any student age 16 years or older who drops out of school for any reason other than to attend another school, college or university, or to enlist in the armed services, shall be reported to the state literacy hotline office.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: February 2003

Revised: December 13, 2006  
December 13, 2010  
December 9, 2013

Cross Refs: IGBD, At-Risk Students  
IGCE, District-Sponsored Instruction Options

Legal Refs: §§ 160.539, 161.670, 163.011 - .012, 167.031 - .111, .275, 211.034, RSMo

**SCHOOL ADMISSIONS**  
*(K-12 Districts)*

Persons seeking admission to the district and its instructional programs must satisfactorily meet all legal requirements to be enrolled. In addition, the district requests additional information from parents/guardians so that the district may better serve the student.

The district encourages parents/guardians to preregister their children in the spring prior to initial enrollment or register their children prior to the beginning of school so that the district can hire the appropriate staff and adequately prepare for the school year. In accordance with law, students enrolling in the district whose parents/guardians are transferring to Missouri under military orders will be allowed to register remotely without the parent/guardian or student being physically present.

Students who are homeless, in foster care or are otherwise entitled to admission will be admitted in accordance with Board policy and law.

**Immunizations**

Unless otherwise required by law or Board policy, the district will not allow a student to attend school, including a district-sponsored preschool, daycare or nursery school, until the district has satisfactory evidence on file demonstrating that the student has been immunized, that the immunization process has begun and satisfactory progress is being accomplished, or that the student is exempted from obtaining immunizations in accordance with law.

**Residency or Eligibility to Enroll**

For admission into the district, students must reside in the district or otherwise be entitled to enrollment in accordance with law and policy JECA.

**Proof of Age**

During the admission process, the district may require the parent/guardian to provide documentation of the student's age for the purpose of determining whether the student satisfies state entrance age requirements. Such documentation may include, but is not limited to, a birth certificate, immunization records, a baptism certificate, any government-issued identification or an affidavit sworn by the parent/guardian in the presence of a district official.

### ***Entrance Ages***

In general, students between the ages of 5 and 21 years old who do not have a high school diploma may attend the district's K-12 program. Any senior qualifying for graduation at the end of the school semester and attaining age 21 during the course of the semester may complete that particular semester tuition free.

In accordance with law, a student is eligible for admission to attend the Lone Jack C-6 School District, and is eligible for admission to summer school the summer prior to entering kindergarten, if the student:

1. Reaches the age of five before August 1 of the school year in which he or she plans to enroll;
2. Has attended school, or the summer school prior to a kindergarten school term, in the St. Louis City School District or the Kansas City 33 School District, regardless of the age of the student; or
3. Is a child in the household of an active duty member of the military, including some veterans who are deceased or injured as defined by law, who has successfully completed an accredited prekindergarten program or has attended an accredited kindergarten in another state, regardless of the age of the student.

A student who meets one of the entrance age requirements in this subsection and has previously attended a kindergarten program or otherwise demonstrates to the district's satisfaction that he or she is socially and academically ready to progress may be placed in a class, grade or program that would best meet the student's educational needs, after consultation with the student's parent/guardian. Likewise, a student who demonstrates that he or she is not socially or academically ready to enter kindergarten or the grade in which he or she would otherwise be placed may be placed in a preschool or other appropriate class or program offered by the district, after consultation with the student's parent/guardian.

### ***Preschool and Prekindergarten Entrance Ages***

In accordance with law, if the district maintains a preschool or prekindergarten program for which state aid is collected, a child is eligible for admission to attend the preschool or prekindergarten program if the child reaches the age of three before August 1 of the school year in which he or she plans to enroll.

### ***Special Education Entrance Ages***

Federal law requires the district to provide special education services to qualifying resident students as well as qualifying nonresident students attending private schools located in the district who are between the ages of 3 and 21.

### **Requests for Student Records**

Within two business days of enrolling a student, the school official enrolling the student shall request those records required by district policy for student transfer, including discipline records, from all schools previously attended by the student within the last 12 months.

Within 48 hours of enrolling a nonresident student placed in the district via foster homes, residential care facilities or child-placing agencies pursuant to law, the school official enrolling the student shall request those records required by district policy for student transfer, including discipline records, from all schools and facilities previously attended by the student; the Department of Social Services; the Department of Mental Health; the Department of Elementary and Secondary Education; and any entity involved with the placement of the student within the last 24 months.

The district will accept hand-carried or unofficial records for the purpose of enrolling a student transferring from another state who is in the household of an active duty member of the military, including some veterans who are deceased or injured as defined by law, but will request official records in accordance with this policy.

### **Statement of Prior Suspension, Expulsion or Criminal Offense**

The Board of Education requires the parent, guardian or other person having control or charge of a child of school age to provide upon enrollment a signed statement indicating whether the student has been suspended or expelled from a public or private school in this state or any other state for an offense in violation of Board policies. In addition, the person enrolling the student must affirm that the student has not been convicted of or charged with an act listed in the "Admission Restrictions" section of this policy. This registration document shall be maintained as a part of the student's scholastic record.

### **Students Suspended or Expelled from Another District**

Without the superintendent's or designee's permission, no student may enroll in a school in the district during a suspension or expulsion from another in-state or out-of-state school district, including a private, charter or parochial school or school district, if it is determined upon attempt to enroll that the student's conduct would have resulted in a suspension or expulsion in this district. The parent/guardian or student may request a conference with the superintendent or designee to consider whether the conduct of the student would have resulted in a suspension or

expulsion in this district. The superintendent or designee may make such suspension or expulsion from another district effective if it is determined that such conduct would have resulted in a suspension or expulsion in this district. If it is determined that such conduct would not have resulted in a suspension or expulsion in this district, the superintendent or designee shall not make such suspension or expulsion from another school or district effective. The superintendent or designee will consider whether the student has received the due process required by law before making any decision.

A remedial conference will be held in accordance with Board policy prior to the enrollment of any student following a suspension or expulsion from another school for an act of school violence as defined in § 160.261.2, RSMo. The remedial conference will be held regardless of whether such act was committed at a public or private school in this state, provided that such act shall have resulted in the suspension or expulsion of such student in the case of a private school.

### **Admission Restrictions**

In accordance with § 167.171, RSMo., no student may be readmitted or enrolled to a regular program of instruction in the school district if he or she has been convicted of or charged with an act that if committed by an adult would be one of the following:

1. First-degree murder under § 565.020, RSMo.
2. Second-degree murder under § 565.021, RSMo.
3. First-degree assault under § 565.050, RSMo.
4. Forcible rape, as it existed prior to August 28, 2013, or rape in the first degree under § 566.030, RSMo.
5. Forcible sodomy, as it existed prior to August 28, 2013, or sodomy in the first degree under § 566.060, RSMo.
6. Statutory rape under § 566.032, RSMo.
7. Statutory sodomy under § 566.062, RSMo.
8. Robbery in the first degree under § 569.020, RSMo., as it existed prior to January 1, 2017, or robbery in the first degree under § 570.023, RSMo.
9. Distribution of drugs to a minor under § 195.212, RSMo., as it existed prior to January 1, 2017, or delivery of a controlled substance under § 579.020, RSMo.
10. Arson in the first degree under § 569.040, RSMo.

11. Kidnapping, or kidnapping in the first degree, when classified as a class A felony under § 565.110, RSMo.

Nothing in this section shall prohibit the readmittance or enrollment of any student if a charge has been dismissed or when a student has been acquitted of any of the above acts. This section does not apply to a student with a disability, as identified under state eligibility criteria, who is convicted as a result of an action related to the student's disability. If the district maintains an alternative education program and the district determines that the placement is appropriate, a student subject to these admission restrictions may be admitted to such an alternative education program.

### **Social Security Numbers**

The district will not require the disclosure of a Social Security number as a condition for registration purposes but may request that a parent/guardian provide a student's Social Security number if the district explains in writing how the district will use the information and that such disclosure is voluntary.

### **Documentation**

The district seeks to provide a safe learning environment for students and will work with both parents/guardians to meet the student's educational needs. However, the district will not mediate disputes between parents/guardians or enforce or monitor visitation arrangements and parenting plans. The district may request court orders or documentation of custody for the limited purpose of verifying who the legal parents/guardians are and who may have contact with the student.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: March 13, 2005  
December 14, 2009  
December 13, 2010  
February 15, 2017  
October 12, 2020



Cross Refs: IGBA, Special Education  
IGBCA, Programs for Homeless Students  
IGBCB, Programs for Migratory Students  
IGBE, Students in Foster Care  
KDA, Custodial and Noncustodial Parents

Legal Refs: §§ 43.408, 160.051 - .053, .055, .261, 167.023, .101, .122, .161, .171, 210.003,  
565.020 - .021, .050, .110, 566.030, .032, .060, .062, 569.020, .040, 570.023,  
579.020, RSMo.  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001,  
42 U.S.C. §§ 11431 - 11435  
Privacy Act of 1974, 5 U.S.C. § 552a

**ELIGIBILITY TO ENROLL**

*(District Allows Tuition-Paying, Nonresident Students to Enroll and Attend)*

The Lone Jack C-6 School District encourages all eligible students to enroll in the District. The superintendent or designee will develop an admission process that meets legal requirements and is efficient and welcoming to parents/guardians and students.

**Enrollment**

In general, in order to enroll a student in the Lone Jack C-6 School District, the parent, legal guardian, military guardian, person acting as a parent, or the student must provide proof of legal residency in the District or request a waiver of proof of residency (as outlined in this policy) and must complete all admission requirements as determined by Board policies, regulations and procedures. Students whose parents/guardians are being relocated to Missouri under military orders and who are registering remotely are required to provide proof of residency within ten days of the student's actual attendance in the District.

The District may allow nonresident students to enroll in and attend the District upon payment of tuition as detailed in this policy.

**Resident and Nonresident Students**

A student is a "resident" student the student meets at least one of the following criteria:

1. The student physically resides and is domiciled in the District. The domicile of a minor child shall be the domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed legal guardian. A "power of attorney" document alone, with the exception of a special power of attorney document relevant to the guardianship of a child in the household of an active duty member of the military, is insufficient to satisfy the "court-appointed legal guardian" requirement.
2. The student does not live with a parent, military guardian or court-appointed guardian but does physically reside in the District for reasons other than obtaining access to the District's schools, and has a waiver of proof of residency on file.
3. The student will soon physically reside in the district due to relocation to Missouri of one or both of the student's parents/guardians under military orders.

Students who do not meet the requirements to be a resident student of the District, as defined in Board policies and law, will be considered nonresidents.

### **Waiver of Proof of Residency**

In cases where a student living in the District wishes to enroll, but the student does not live with a parent, military guardian or court-appointed guardian in the District and is not otherwise allowed by law or a contractual relationship with another school District to attend, the student, parent, military guardian, legal guardian or person acting as a parent must request a waiver of proof of residency. Waivers of proof of residency will be granted only on the basis of hardship or good cause. Good cause shall include situations where the student is living in the District for reasons other than attending school in the District. Under no circumstances shall athletic ability be a valid basis of hardship or good cause for the issuance of a waiver.

The Board delegates to the superintendent or designee the responsibility for bringing to the Board's attention any waiver application in which the student is not clearly entitled to attend school in the District. All other applications will be accepted and granted by the superintendent or designee on behalf of the Board. Once a waiver application has been identified for Board review, the Board shall convene a hearing to consider the request as soon as possible, but no later than 45 days after the receipt of the waiver request, or else the waiver shall be granted. The Board president may appoint a committee of the Board to act in lieu of the Board to consider waiver requests.

If a waiver request has been forwarded to the Board for review, the superintendent or designee may permit a student to temporarily enroll and attend school until the Board meets to decide whether the waiver request will be granted, if it is determined to be in the best interest of the student. If the Board grants the waiver request, the student will be allowed to continue attending school in the District. If the Board denies the waiver request, the student shall not be allowed to continue attending school in the District.

In instances where there is reason to suspect that admission of the student will create an immediate danger to the safety of other students and employees, the superintendent or designee may convene a hearing within five working days of the enrollment request to determine whether the student may enroll.

### **Students Otherwise Entitled by Law to Enroll**

In accordance with law, students will be enrolled and admitted without going through the waiver process when they attend under one of the following conditions, and tuition for these students, when applicable, will be charged in accordance with policy DFI. These conditions include students who:

1. Are considered homeless in accordance with state and federal law (42 U.S.C. § 11431 - 11435; § 167.020, RSMo.).
2. Are attending as participants in an interdistrict transfer program established under a court-ordered desegregation program (§ 167.020, RSMo.).

3. Are wards of the state and have been placed in a residential care facility within the District by state officials (§ 167.020, RSMo.).
4. Have been placed in a residential care facility within the District due to a mental illness or developmental disability (§ 167.020, RSMo.).
5. Have been placed in a residential care facility within the District by a juvenile court (§ 167.020, RSMo.).
6. Are assigned to the District by the commissioner of education due to an unusual or unreasonable transportation hardship (§ 167.121, RSMo.). The school district the student lives in will pay the tuition.
7. Have been identified as students with disabilities under state eligibility criteria and are in the District for reasons other than accessing the District's educational program (§ 167.020, RSMo.).
8. Have a permanent or temporary home in the district and are orphans, have only one parent living or their parents do not contribute to their support, as long as the students are between the ages of 6 and 20 years old and are unable to pay tuition (§ 167.151, RSMo.).
9. Are child whose parents:
  - a. Currently owns residential or agricultural real property in the District or is a named beneficiary of a trust that owns such property;
  - b. Provides proof of ownership, or proof of the trust's ownership, of the property for at least the previous four consecutive years;
  - c. Provides proof that the parent or the trust has annually paid a minimum of \$2,000 in school taxes to the school district levied on the property;
  - d. Resides in the same county as the District; and
  - e. Provides 30 days' written notice to the District of their intent to enroll the child

The parent may send up to four of their children to the District under this provision. For the purposes of this exception, “residential real property” does not include multi-family residential property that exceeds four units.

10. Have been placed by the Missouri Department of Mental Health, the Missouri Department of Social Services or by court order in facilities or programs located within the District, even if their domicile is in another school district (§ 167.126, RSMo.). Tuition will be collected in accordance with policy DFI.
11. Are residing in a Missouri school district that has been declared unaccredited by the Missouri State Board of Education (State Board) and that is located in the same county as

District or an adjoining county (§167.895, RSMo.). The unaccredited school district will pay tuition as required by law. The District is not responsible for providing transportation.

12. Are living in a school district that does not provide education for all grade levels (such as K–6 or K–8 school districts) that is located in the same county as the District or an adjoining county (§ 167.131, RSMo.). The school district the student lives in will pay tuition as calculated by the District or the State Board in accordance with law. The District is not responsible for providing transportation. Before the District will enroll the student, the student must first enroll in the school district the student lives in and verify residency in that school district.
13. Are placed in the care of another person living in the District because one or both of their parents/guardians have been stationed or deployed out of state or deployed within Missouri by the military or because of active duty military service. These students will be allowed to attend without the payment of tuition (§§ 160.2000, 167.020, RSMo.). In addition, if the active duty orders expire during the school year, the students may finish the school year in the District in accordance with law.
14. Were enrolled in the District but, due to the active duty military service of a parent/guardian, are placed in the care of a person who resides in another school district. These students will be allowed to continue to attend school in the District without payment of tuition (§ 160.2000, RSMo.).
15. Attend a private school within the District and are enrolled in the District for the limited purpose of special education identification and the receipt of some special education services when available as mandated by federal special education law (§ 167.020, RSMo.).
16. Previously attended the District and have been placed in foster care in an adjacent school district (§ 167.019, RSMo.).
17. Are otherwise required by law to be enrolled and admitted.

### **Enrollment at the Option of the District**

The Board, in its discretion, may also allow students to enroll and attend under the following circumstances without going through the waiver process. Unless required by law, no student will be enrolled if the enrollment might result in overcrowding, disruption to the educational environment or a financial hardship to the District.

1. The District may enroll and educate nonresident students on a contractual basis with another school district that will pay the tuition or educational expenses (§ 167.020,

RSMo.). For example, students may attend a District alternative education program on a contractual basis or as part of a regional or cooperative education program.

2. The children of nonresident teachers and regular employees may enroll without paying tuition when the resident school district is not otherwise liable for tuition (§§ 163.011, 168.151, RSMo.). In accordance with law, these students will be considered resident students for the purpose of determining average daily attendance, and the Board shall not solicit or receive money from a teacher employed by the District for the purpose of paying tuition or any other expenses for the operation of schools.
3. The District may enroll students pursuant to a contractual arrangement that complies with the Enrollment Option Act when permitted by law (§§ 162.1040 - .1059, RSMo.). A nonresident student enrolled pursuant to an enrollment option program shall be counted as a resident student for the purposes of determining state aid.
4. Nonresident students living in Missouri will be permitted to enroll in the District's schools upon payment of tuition if admission will not exceed the target class sizes and student-to-teacher ratios set by the Board.
5. In accordance with law, the District may enroll nonresident students in its summer school program if there is room in the program to accommodate the students and the students are not attending summer school in another school district (§ 167.227, RSMo.). The District will either count the students as residents for state aid purposes or allow them to attend upon payment of tuition by another school district or the parents/guardians.

The District will not enroll nonresident students in summer programs funded entirely by federal funds unless there is an interdistrict agreement to provide those services.

6. Foreign exchange students living within the boundaries of the District who have obtained a J-1 visa and who are sponsored by an organization listed on the Council on Standards for International Educational Travel (CSIET) Advisory List will be allowed to enroll in the District. Such enrollment will be conditioned upon approval of the superintendent and in accordance with procedures set forth by the superintendent or designee. The Board of Education reserves the right to limit the number of foreign exchange students enrolled in a given year. Attendance by foreign exchange students is a privilege, not a right.
7. Children residing in institutions located within the District that provide a place of residence for three or more such children whose domicile is not in the state of Missouri may be admitted pursuant to a contractual arrangement, provided that the school District, its taxpayers, the state of Missouri or its political subdivisions bear no financial burden as a result of the placement (§ 167.126, RSMo.).

## **Tuition**

The District or the State Board will determine the amount of tuition, when referenced in this policy, in accordance with law and policy DFI.

## **Removal of Students Ineligible to Attend**

The superintendent or designee will investigate any information the District receives indicating that a student is not a resident of the District or not otherwise entitled to attend the District in accordance with law or this policy. If the superintendent or designee determines after the investigation that the student is not a resident of the District and is not otherwise entitled to enroll in and attend the District in accordance with law and the district's policy, the District will notify the student's parents/guardians, ask them to withdraw the student by a specific date, and offer the parents/guardians a hearing. If the parents/guardians do not request a hearing by the specified deadline and do not withdraw the student, the District will formally remove the student from its rolls and notify the parents/guardians that the student may no longer attend school in the district.

Unless otherwise prohibited by law, the District may exclude students from the District's education programs for failure to pay tuition after the responsible party is notified of the delinquency and given a reasonable amount of time to pay the District.

## **Educational Larceny**

It is a crime to provide the District false information regarding residency. The Board authorizes the superintendent or designee to make a criminal complaint and pursue civil recourse against any person who fraudulently claims or attempts to fraudulently claims residency in the district.

Adopted: March 12, 2001

Revised: November 8, 2004  
March 13, 2005  
December 12, 2005  
December 14, 2009  
June 11, 2016  
February 15, 2017  
August 13, 2018  
October 12, 2020  
June 12<sup>th</sup>, 2023

Cross Refs: DFI, Setting Tuition for District Programs  
IGBCA, Programs for Homeless Students  
IGBCB , Programs for Migratory Students

IGBE, Students In Foster Care  
IHB, Class Size

Legal Refs: §§ 160.2000, 162.1040 - .1059, 163.011, 167.019 - .022, .121, .126, .131, .151,  
.227, .895, .898, 168.151, 431.058, 475.060, RSMo.  
8 U.S.C. § 1101  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42  
U.S.C. §§ 11431 - 11435  
*Blue Springs R-IV Sch. Dist. v. School Dist. of Kansas City*, 415 S.W.3d 110 (Mo.  
2013)  
*Breitenfeld v. School Dist. of Clayton*, 399 S.W.3d 816 (Mo. 2013)  
*Martinez v. Bynum*, 461 U.S. 321 (1983)  
*Horton v. Marshall Public Sch.*, 769 F.2d 1323 (8th Cir. 1985)  
*Washington v. Ladue Sch. Dist. Bd. of Educ.*, 564 F. Supp. 2d 1059 (E.D. Mo.  
2008)



**ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES**  
***(K-12 Districts)***

The Board believes that a student should be placed in the grade level and classes that best meet the student's academic needs, after consultation with the student's parent/guardian. A student's social and emotional needs will also be considered to the extent that they affect academic progress. Although the district will first consider placing students in grade levels or classes with students of similar age, age will not necessarily be the determining factor. Further, any student's placement may be adjusted by the principal or designee as needed, after consultation with the student's parent/guardian. The district's administrative staff will make the final decision regarding assignment of students to grade levels or classes. Students receiving special education services will be placed in accordance with law.

**Transfers from Accredited Schools**

For the purposes of this policy, an "accredited school" includes a Missouri public school district, a Missouri charter school, the Missouri Course Access Program (MOCAP); a private agency where students with disabilities are placed by a public school; or any school or school district accredited by the Missouri State Board of Education, AdvancED or the Independent Schools Association of the Central States (ISACS). If a school or school district is located in another state, that school or school district must be accredited by that state's department of education, AdvancED, ISACS or the equivalent organizations.

In general, if a student transfers to the Lone Jack C-6 School District from an accredited school, this district will accept the units of credit completed in the previous school or school district and rely on the grade-level placement in the previous school to the extent that it coincides with the district's program. However, the district may adjust the student's placement as needed to meet his or her educational needs after consultation with the student's parent/guardian.

All credits must be equated to the Carnegie Unit as defined in Missouri. Only credits that correspond to course offerings accepted by the Missouri State Board of Education or by the Lone Jack C-6 School District may be accepted to meet graduation requirements.

**Transfers from Unaccredited Schools**

For the purposes of this policy an "unaccredited school" is any public or private school or school district or home school that does not meet the definition of "accredited" above.

In general, if a student transfers to the Lone Jack C-6 School District from an unaccredited school, the principal or designee will examine a number of criteria to determine grade-level or class placement including age, achievement tests or other performance data, transcripts, course descriptions, textbooks used, home-schooling logs, and interviews with the student and his or her parents/guardians. If necessary, the district will administer additional tests to aid placement

decisions. Once placed, the district may further adjust the student's placement to meet his or her educational needs after consultation with the student's parent/guardian.

The district will attempt to award credit for classes completed in previous schools if there is sufficient evidence of achievement. All credits must be equated to the Carnegie Unit as defined in Missouri. Only credits that correspond to course offerings accepted by the Missouri State Board of Education or by the Lone Jack C-6 School District may be accepted to meet graduation requirements.

### **Transfers While Enrolled in MOCAP**

Students who transfer to the district while enrolled in one or more MOCAP courses will remain enrolled in the courses as required by law.

### **Transfers of Students of Military Families**

If a transfer student is in the household of an active duty member of the military, including students in the household of certain veterans who are deceased or injured as defined by law, the district will initially place the student in the same courses and programs the student was in while attending the previous district, to the extent the district offers such courses and programs. Such placements may include, but are not limited to: honors classes; vocational, technical and career pathway courses; and International Baccalaureate, Advanced Placement, English learner and gifted programs. After placement, the district may perform additional evaluations to ensure that the student has been placed appropriately and may change the student's placement after consultation with the student's parent/guardian.

### **Transfers of Students in Foster Care**

Students in foster care will be placed in courses and programs pursuant to law and the district's policy on foster care students.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised: December 8, 2008  
December 14, 2009  
December 9, 2013

June 11, 2016  
March 6<sup>th</sup>, 2019

Cross Refs: IGBA, Programs for Students with Disabilities  
IGBCA, Programs for Homeless Students  
IGBE, Students in Foster Care  
IGCD, Virtual Courses  
IKF, Graduation Requirements  
IKFB, Graduation Exercises

Legal Refs: §§ 160.2000, 161.670, 167.031, 171.171, RSMo.  
5 C.S.R. 20-100.230

## **STUDENT ABSENCES AND EXCUSES**

The Board recognizes the importance of regular student attendance to a successful learning experience. Research supports the fact that attendance is crucial to improving student achievement. At least one (1) study identified attendance as the single greatest indicator of student achievement. The Board further recognizes that:

1. Frequent absences of students from regular classroom learning experiences disrupt the continuity of the instructional process.
2. The benefits of classroom instruction, once lost, cannot be entirely regained.
3. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences and study in order to meet the district's student achievement goals.
4. Holding students and their parents/guardians responsible for attendance is part of the district's larger mission to train students to be productive citizens and employees.
5. State law reflects the importance of regular attendance by establishing compulsory school attendance and charging this Board to enforce that law.
6. State law authorizes school boards to make all needful rules for organization and government in the district.

Therefore, regular and punctual patterns of attendance will be expected of each student enrolled in the Lone Jack C-6 School District.

### **Development of Rules and Procedures**

The superintendent, with the assistance of building-level administrators and other administrative and professional staff, shall establish rules and procedures for student attendance within the district. The primary purpose of the district's attendance rules and procedures shall be to change behavior, not to punish students. Such rules and procedures shall be published on the district's website and in appropriate handbooks and shall be subject to review by the Board of Education. The administration will develop rules and procedures that minimally include:

1. Clear and reasonable attendance standards with consistently enforced consequences for violating those standards.
2. Early intervention strategies for students in primary and elementary grades.
3. Targeted intervention strategies.
4. Strategies to increase engagement with students and families.

In developing these rules and procedures, the administration will collect data to determine why students are absent. Data collected will include, but not be limited to:

1. Reasons for student absences.
2. Family attitudes toward school attendance.
3. The extent to which frequently absent students feel engaged with the school.
4. The extent to which family members of students who are frequently absent feel engaged in student learning.
5. Academic needs of frequently absent students.
6. Nonacademic service needs of frequently absent students.

In response to the data collected, the superintendent or designee will implement one (1) or more of the following strategies:

1. Academic support programs for students and families.
2. Use of alternative educational methods, such as distance learning and homebound instruction.
3. Use of available, appropriate community resources.
4. Staff-Student advisory or mentoring programs designed to increase student engagement with the school.
5. Procedures for student and family contact when students are absent.

No rule or procedure will preclude a student from making up work missed due to any type of absence, including absences due to suspension. Procedures and rules must include a due process component that includes notice before consequences are imposed and that allows students and their parents/guardians to appeal any imposed consequence to the superintendent. The Board will not hear appeals of consequences for excessive absences.

The district will maintain a comprehensive system of attendance records for each student. Each teacher is responsible for the accurate reporting of daily attendance in the classroom. The building principal is responsible for supplying information to parents/guardians about student absences and for submitting attendance information to the superintendent's office.

The district will contact the Children's Division (CD) of the Department of Social Services or the local prosecutor in cases where the district has a reasonable suspicion that a student's lack of attendance constitutes educational neglect on the part of the parents/guardians or that parents/guardians are in violation of the compulsory attendance law. No such action will be taken unless other strategies and interventions have been implemented and proven ineffective.

If a student in foster care is absent from school due to a decision by a court or child-placing agency to change the student's placement or due to a verified court appearance or related court-ordered activity, the grades and credit of the student will be calculated as of the date the student left school, and no lowering of the student's grades shall occur as a result of the absence under these circumstances.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 10, 1988

Revised: December 8, 2008  
December 13, 2010

MSIP Refs: 6.3, 6.5, 7.7, 8.6, 8.7, 9.6

Legal Refs: §§ 167.018 - .019, .031 - .111, 171.011, .053, .151, RSMo.

## **STUDENT DISMISSAL PRECAUTIONS**

It is the goal of the Lone Jack C-6 School District to provide a safe environment for students. The district recognizes that rules regarding the dismissal of students are a necessary part of the district's safety program. District administrators will publicize this policy to parents and create procedures regarding the dismissal of students.

### **Dismissal from School**

District administrators will create student dismissal procedures that protect the safety of students while also addressing the necessary flow of traffic to and from school. These procedures may vary depending on the age of the student. District personnel will monitor the parking lot and other locations where students board the district's transportation or meet parents or others. At the request of a parent, school personnel will verify the identity of a parent or other authorized person before releasing the student. District staff may refuse to release a student and will notify the principal if they have concerns regarding the student's safety or whether a person is authorized to transport the student. Otherwise the district will assume that the student knows with whom he or she may leave.

### **Early Dismissal**

Students shall not be excused into any person's custody without the direct prior approval and knowledge of the building principal or designee. Each building principal will establish procedures to validate requests for early dismissal to assure that students are released only for proper reasons and only to authorized persons.

Procedures must adhere to the following rules:

- < Students will only be released to the parent, guardian or designee of the parent or guardian or to other individuals or agencies as permitted or required by law.
- < The district will release a student to either parent unless the district has a valid court order directing otherwise or unless the parent requesting release is only entitled to supervised visitation. If district staff have concerns about releasing the student to a parent, the student may be held while additional precautions are taken, including, but not limited to, verifying custody orders, contacting the other parent or contacting appropriate authorities.
- < Students who are 17 years old and living independently and students 18 or older must validate their own attendance and dismissal.
- < Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's parent or guardian.

- < Any person requesting release of a student must present proper identification prior to release of the student.

For the purposes of this policy, a parent is defined as a biological or adoptive parent, including parents who are unmarried; a guardian; or an individual acting as a parent in the absence of the parent or guardian.

### **Dismissal from School Activities**

If an activity occurs immediately after school, the district will follow the same procedures used for dismissing students from the regular school day. Otherwise, students are expected to return from activities with the student's parents or the same person(s) who transported them to the activity. If the district provides the student transportation to an activity, the student is expected to return using district transportation. However, district administrators may develop procedures for releasing students from a school activity to parents or other authorized persons, keeping the safety of students in mind.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 12, 2001

Revised: December 14, 2005

Cross Refs: KDA, Custodial and Noncustodial Parents  
KK, Visitors to District Property/Events



## **STUDENT DRESS CODE**

The Board of Education recognizes the value of allowing individual student expression as well as the necessity of protecting student health and safety and maintaining an atmosphere conducive to education. Student dress code procedures must be designed with the goal of balancing these competing interests.

All dress code procedures will adhere to health and safety codes and comply with applicable law. Dress that materially disrupts the educational environment will be prohibited. No procedure will impose dress and grooming rules based on gender in violation of Title IX. District procedures will specifically define ambiguous terms, and examples will be provided when practicable.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised: March 14, 2005

Cross Refs: EBBA, Accident Response and Prevention  
IGDJ, Interscholastic Athletics

Legal Refs: § 167.166, RSMo.  
*Stephenson v. Davenport Comm. Sch. Dist.*, 110 F.3d 1303 (8th Cir. 1997)  
*Bishop v. Colaw*, 450 F.2d 1069 (8th Cir. 1971)  
Title IX of the Education Amendments of 1992, 20 U.S.C. § 1681  
*Tinker v. Des Moines Indep. Comm. Sch. Dist.*, 393 U.S. 503 (1969)

## **STUDENT CONDUCT ON SCHOOL TRANSPORTATION**

Students, parents/guardians, bus drivers and school officials must work together to provide for the safe transportation of students. The school buses, bus stops, and all other forms of transportation provided by the district or provided incidental to a school activity are considered school property. Students are subject to district authority and discipline while waiting for, entering and riding district transportation. The superintendent or designee will create and enforce administrative procedures detailing the conduct expected of students and will make that information available to students and parents.

Students who fail to observe district rules or fail to contribute to a safe transportation environment will be subject to disciplinary action including, but not limited to, suspension of the privilege of riding the bus. Students with disabilities will be disciplined in accordance with their Individualized Education Program (IEP) or applicable law. The bus driver or other authorized personnel shall report all misbehavior or dangerous situations to the principal as soon as possible.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EEA, Student Transportation Services  
JG, Student Discipline  
JGF, Discipline Reporting and Records

Legal Refs: §§ 160.261, 571.030, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 - 1487  
34 C.F.R. Part 300

**SECRET ORGANIZATIONS**

The Board of Education prohibits the organization of school-sponsored fraternities, sororities or secret organizations wherein membership is determined by members themselves rather than on the basis of free choice. The Board considers those organizations or memberships in those organizations detrimental to the good conduct and discipline of the school. Interference with the instructional program of the Lone Jack C-6 School District by those groups will not be condoned, and no organizational activities are permitted under the sponsorship of the school district or its personnel.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted:

Revised:

Legal Refs: § 171.141, RSMo.

## **BULLYING**

### **General**

In order to promote a safe learning environment for all students, the Lone Jack C-6 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 includes, but is not limited to: 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 will impose consequences and 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 district compliance officer appointed in policy AC 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 antibullying education and training programs. In addition, the

antibullying coordinator will assist in making any relevant reports as required by state and federal law.

### **Reporting Bullying**

School employees, substitutes or volunteers are expected to intervene to prevent student bullying, appropriately discipline the perpetrator, 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 transmit the report to 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 compliance officer designated in policy AC conduct the investigation. If at any time during the investigation the principal determines that the bullying involves illegal discrimination, harassment or retaliation as described in policy AC, the principal will report the incident to the compliance officer designated in that policy, who will assist in the investigation. If the alleged bullying involves a special education student or a student with disabilities, the principal 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 will decide whether bullying or harassment occurred and, if so, whether additional discipline is warranted in accordance with the district's student discipline code. The principal will generate a written report of the investigation and findings and send a copy of the completed report to the district's antibullying coordinator. The principal or designee will document the report in the files of the victim and the alleged or actual perpetrator of bullying. All reports will be kept confidential in accordance with state and federal law.

**FILE: JFCF**  
**Critical**

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 code. 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 or notify social media companies of inappropriate online activity when 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 will 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.

**FILE: JFCF**  
**Critical**

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.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 8, 2003

Revised: December 13<sup>th</sup>, 2006  
June 11, 2016  
December 12<sup>th</sup>, 2016

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
EHB, Technology Usage  
GCPD, Suspension of Professional Staff Members  
GCPE, Termination of Professional Staff Members  
GDPD, Nonrenewal, Suspension and Termination of Support Staff Members  
IGD, District-Sponsored Extracurricular Activities and Groups

Legal Refs: §§ 160.261, .775, 565.090, RSMo.



## **HAZING**

In order to promote a safe learning environment for all students, the Lone Jack C-6 School District prohibits all forms of hazing.

For purposes of this policy, hazing is defined as any activity, on or off school grounds, that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or district-sponsored activity.

Hazing may include those actions that subject a student to extreme mental stress including, but not limited to, sleep deprivation, physical confinement, forced conduct that could result in extreme embarrassment or criminal activity, or other stress-inducing activities. Hazing may also include, but is not limited to: acts of physical brutality; whipping; beating; branding; exposing to the elements; forcing inhalation or consumption of any food, liquor, drug, tobacco product, or other substance; or any other forced physical activity that could adversely affect the physical health or safety of an individual.

Hazing can occur even when all students involved are willing participants. Hazing does not occur when a student is required to audition or try out for an organization when the criteria are reasonable, approved by the district and legitimately related to the purpose of the organization.

District staff, coaches, sponsors and volunteers will not permit, condone or tolerate any form of hazing or plan, direct, encourage, assist in, engage in or participate in any activity that involves hazing. District staff will report incidents of hazing to the building principal. The principal shall promptly investigate all complaints of hazing and administer appropriate discipline to all individuals who violate this policy. District staff who violate this policy may be disciplined or terminated.

Students participating in or encouraging inappropriate conduct will be disciplined in accordance with JG-R1. Such discipline may include, but is not limited to, suspension or expulsion from school and removal from participation in activities. The district will report hazing incidents to law enforcement when required by law. Students who have been subjected to hazing are instructed to promptly report such incidents to a school official.

The superintendent will provide for appropriate training designed to assist staff, coaches, sponsors and volunteers in identifying, preventing and responding to incidents of hazing.

The district shall annually inform students, parents/guardians, district staff and volunteers that hazing is prohibited. This notification may occur through the distribution of the written policy, publication in handbooks, presentations at assemblies or verbal instructions by a coach or sponsor at the start of a season or program.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12<sup>th</sup>, 2016

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
GCPD, Suspension of Professional Staff Members  
GCPE, Termination of Professional Staff Members  
GDPD, Nonrenewal, Suspension and Termination of Support Staff Members  
IGD, District-Sponsored Extracurricular Activities and Groups

Legal Refs: §§ 160.261, .775, 565.090, RSMo.

## **STUDENT ALCOHOL/DRUG ABUSE**

The Lone Jack C-6 School District is concerned with the health, welfare and safety of its students. Therefore, use, sale, transfer, distribution, possession or being under the influence of unauthorized prescription drugs, alcohol, narcotic substances, unauthorized inhalants, controlled substances, illegal drugs, counterfeit substances and imitation controlled substances is prohibited on any district property, in any district-owned vehicle or in any other district-approved vehicle used to transport students to and from school or district activities. This prohibition also applies to any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district. The use, sale, transfer or possession of drug-related paraphernalia is also prohibited.

For the purpose of this policy a controlled substance shall include any controlled substance, counterfeit substance or imitation controlled substance as defined in the Narcotic Drug Act, § 195.010, RSMo., and in schedules I, II, III, IV and V in section 202(c) of the Controlled Substances Act, 21 U.S.C. § 812(c).

Students may only be in possession of medication as detailed in Board policy JHCD. Searches of persons reasonably suspected to be in violation of this policy will be conducted in accordance with Board policy.

Any student who is found by the administration to be in violation of this policy shall be referred for prosecution and subject to disciplinary action up to and including suspension, expulsion or other discipline in accordance with the district's discipline policy. Strict compliance is mandatory. The school principal shall immediately report all incidents involving a controlled substance to the appropriate local law enforcement agency and the superintendent. All controlled substances shall be turned over to local law enforcement.

Students with disabilities who violate this policy will be disciplined in accordance with policy JGE.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: December 13, 2006

Cross Refs: GBEBA, Drug-Free Workplace

IGAEA, Teaching about Drugs, Alcohol and Tobacco

Legal Refs: §§ 167.115, .117, .161, .171, 195.010, .017, 577.625, .628, 578.250 - .265, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C §§ 1400 - 1487  
34 C.F.R. § 300.520  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 - 7165  
Controlled Substances Act, 21 U.S.C. § 812(c)

## **WEAPONS IN SCHOOL**

The Board recognizes the importance of preserving a safe educational environment for students, employees and patrons of the district. In order to maintain the safety of the educational community, the district will strictly enforce the necessary disciplinary consequences resulting from the use or possession of weapons on school property. No student may possess a weapon on school property at any time, except as specifically authorized during a school-sponsored or school-sanctioned activity permitting weapons. The school district will provide secured storage of student firearms if necessary.

School property is defined as: Property utilized, supervised, rented, leased, or controlled by the school district including but not limited to school playgrounds, parking lots and school buses, and any property on which any school activity takes place.

A weapon is defined to mean one or more of the following:

1. A firearm as defined in 18 U.S.C. § 921.
2. A blackjack, concealable firearm, firearm, firearm silencer, explosive weapon, gas gun, knife, knuckles, machine gun, projectile weapon, rifle, shotgun, spring gun, switchblade knife, as these terms are defined in § 571.010, RSMo.
3. A dangerous weapon as defined in 18 U.S.C. § 930(g)(2).
4. All knives and any other instrument or device used or designed to be used to threaten or assault, whether for attack or defense.
5. Any object designed to look like or imitate a device as described in 1-4.

Pursuant to the Missouri Safe Schools Act and the federal Gun-Free Schools Act of 1994, any student who brings or possesses a weapon as defined in #1 or #2 above on school property will be suspended from school for at least one (1) calendar year or expelled and will be referred to the appropriate legal authorities. The suspension or expulsion may be modified on a case-by-case basis upon recommendation by the superintendent to the Board of Education. Students who bring or possess weapons as defined in #3, #4 and #5 and not otherwise included in #1 and #2, will also be subject to suspension and/or expulsion from school and may be referred to the appropriate legal authorities.

Students with disabilities who violate this policy will be disciplined in accordance with policy JGE.

This policy will be submitted annually to the state Department of Elementary and Secondary Education along with a report indicating any suspensions or expulsions resulting from the possession or use of a firearm as defined in 18 U.S.C. § 921. The report will include the name of the school in which the incidents occurred, the number of students suspended or expelled and the types of weapons involved.

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: March 12, 2001

Revised:

Cross Refs: ECA, Building and Grounds Security  
JG, Student Discipline  
JGD, Student Suspension and Expulsion  
JGE, Discipline of Students with Disabilities

Legal Refs: §§ 160.261, 571.010, .030, RSMo  
18 U.S.C. § 921  
Elementary and Secondary Education Act of 1965 as amended by the Gun-Free Schools Act of 1994  
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 - 1487

## **A+ SCHOOLS PROGRAM**

The Lone Jack C-6 School District encourages its students to further their education and training after they graduate from the district. For that reason, the district will participate in the state A+ Scholarship Program to provide students an opportunity to pursue postsecondary education at a low cost or earn college credit while in high school. The district will follow the requirements as established by state law and regulation for the implementation and administration of its A+ Schools Program. The district shall employ an A+ Schools Program coordinator, as required by law.

### **Program Goals**

The Lone Jack C-6 School District has established the following goals and performance standards:

1. All students graduate from high school.
  - < CSIP III C R-3.2 The district will continue to review course offerings and vocational opportunities to provide college and career skills within student's field of interest.
2. All students complete a selection of high school studies that is challenging and for which there are identified learning expectations.
  - < CSIP I A1 P-1,2,3 Ensure all Missouri Learning standards are included in the curriculum which includes PreK-12 vertical alignment.
3. All students proceed from high school graduation to a college, postsecondary career-technical school or high-wage job with workplace skill development opportunities.
  - < CSIP III C R-3.2 The district will continue to review course offerings and vocational opportunities to provide college and career skills within student's field of interest.

### **Citizenship Component**

An important component of the A+ Schools Program is the fostering of good citizenship in our district's students. A student demonstrates good citizenship by showing respect for self, law, property and the rights of others. Students have not demonstrated good citizenship if, while in grades nine through twelve, they have:

1. Pled guilty or *nolo contendere* (no contest) to, received a suspended imposition of sentence or suspended execution of sentence for, agreed to a deferred prosecution for, or been convicted or found guilty of a misdemeanor or felony.

2. Unlawfully used or possessed drugs, drug paraphernalia or alcohol on or off school property.
3. Had an out-of-school suspension.
4. Violated the district's rules governing academic dishonesty (plagiarism, cheating, etc.).

### **Participation Agreement, Discipline and Appeal**

All students wishing to participate in the A+ Schools Program must submit a completed A+ Participation Agreement. If the coordinator determines that a student who has submitted a participation agreement has violated the terms of that agreement or district policies or procedures regarding A+ participation, the coordinator will notify the student in writing and may put the student on probation or expel the student from the program. The student or the student's parents/guardians may appeal expulsions from this program, in accordance with written district procedures, to the Board of Education or to a committee of Board members appointed by the president of the Board and given the authority to act for the Board. The Board or the Board's committee will hear the student's appeal in closed session and will notify the student of its decision.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: June 12, 2017

Revised: October 12, 2020

Cross Refs: IGBD, At-Risk Students

Legal Refs: § 160.545, RSMo.  
5 C.S.R. 20-100.200  
6 C.S.R. 10-2.190



## **SEARCHES OF STUDENTS**

The district respects the privacy of students. However, in order to maintain a safe learning environment and properly investigate potential misconduct, district personnel may search student property or district property used by students and, in some limited situations, may require students to undergo drug and/or alcohol testing. All searches will be conducted professionally and in accordance with law. The superintendent or designee is directed to provide staff with appropriate training and is authorized to contact the district's attorney for advice prior to conducting any search.

### **Searches of District Property**

Students do not have an expectation of privacy in district-provided property. Lockers, desks, technology and other district property are provided for the convenience of students and are subject to periodic inspection in accordance with law.

### **Searches of Student Property**

Student property, including vehicles parked on district property, may be searched based on reasonable suspicion of a violation of law, district policy or other rules applicable to students. Reasonable suspicion must be based on facts known to the administration, credible information or reasonable inference drawn from such facts or information. Searches of student property shall be limited in scope based on the original justification for the search. The privacy and dignity of students shall be respected. Searches shall be carried out in the presence of adult witnesses when possible.

### **Searches of Students**

If reasonable under the circumstances, district administrators performing a search may require students to empty pockets or remove jackets, coats, shoes and other articles of exterior clothing that when removed do not expose undergarments not otherwise observable.

District administrators will contact law enforcement officials to perform a search if they reasonably suspect that a student is concealing controlled substances, drug paraphernalia, weapons, stolen goods or evidence of a crime beneath his or her clothing and the student refuses to surrender such items. District administrators may contact law enforcement officials for assistance in performing a search in any case in which a student refuses to allow a search or in which the search cannot be conducted safely.

District employees, administrators and volunteers, other than commissioned law enforcement officials, shall not strip search students, as defined in state law, except that an administrator may conduct such a search if a commissioned law enforcement officer is not immediately available and the administrator has reason to believe that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others.

If a student is strip searched, as defined in state law, by an administrator or a commissioned law enforcement officer, the district will attempt to notify the student's parents/guardians as soon as possible. For the purposes of this section, the term "strip search" shall not include the removal of clothing in order to investigate the potential abuse or neglect of a student, give medical attention to a student or screen a student for medical conditions

### **Drug-Detection Dogs**

The district may arrange for law enforcement officials to use professionally trained dogs to detect the presence of drugs on district property. A dog alerting to the presence of drugs will constitute reasonable suspicion for district administrators to conduct a search. Drug-detection dogs will not come into direct contact with students. The superintendent or designee shall develop procedures for the use of drug-detection dogs.

### **Student Drug and Alcohol Testing**

If district personnel have reasonable suspicion that a student is inebriated or has come to school soon after consuming drugs or alcohol, the district may require the student to participate in a drug or alcohol test given by district authorities. If the student refuses to participate, the student may be disciplined as if the student tested positive for the substance.

In accordance with law, the district may implement a random student drug-testing program for students in extracurricular activities.

### **School Resource Officers**

A school resource officer (SRO) may accompany district officials executing a search or may perform searches under the direction of district officials based on the reasonable suspicion standard. However, the SRO may choose not to participate in the search if the SRO believes that such participation might interfere with the successful future criminal prosecution of the student.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 9, 2000

Revised: November 8, 2004  
October 12, 2020

Cross Refs: ECD, Traffic and Parking Controls  
ECG, Animals on District Property  
EHB, Technology Usage  
GBCB, Staff Conduct  
GCPD, Suspension of Professional Staff Members  
GDPD, Suspension of Support Staff Members  
KNAJ, Relations with Law Enforcement Authorities

Legal Refs: §§ 167.166, 210.145, 544.193, RSMo.  
*New Jersey vs. T.L.O.*, 469 U.S. 325 (1985)  
*Burlison v. Springfield Pub. Schs.*, 708 F3d 1034 (2013)

## **INTERVIEWS WITH OR REMOVAL OF STUDENTS**

### **District Personnel Discussions with Students**

#### **Purpose**

The purpose of this policy is to set rules for entities other than district employees who request to interview students at school. This policy does not apply to the day-to-day conversations between students and district employees. Such conversations will be conducted in accordance with board policy governing communications between students and staff, board policy governing parent and family involvement, and state and federal law.

#### **School Resource Officers (SROs)**

An SRO's role in interviewing students or taking students into custody will be addressed in the agreement between the district and the law enforcement agency commissioning the SRO.

#### **Crimes Committed on District Property or at District Activities**

If a student is suspected of committing a crime on district property or at a district activity, school officials will contact law enforcement as required by law and Board policy. School officials will also contact the student's parent/guardian. District staff will interview the student as part of the misconduct investigation and student discipline process, but law enforcement will not be allowed to interview the student except as described below.

#### **Law Enforcement Interviews**

Law enforcement officials requesting to interview a student at school will provide the principal or designee the reason for the interview and provide any applicable warrant or court order. The principal or designee will record the identity of the law enforcement officials and the stated reason for the interview.

The district will not allow law enforcement officials to interview students at school unless one of the following applies:

1. The law enforcement official has presented an applicable warrant or court order authorizing the official to take custody of the student or interview the student.
2. Consent for the interview is provided by the parent/guardian or the student if the student is 18 or older and is otherwise competent to consent.
3. Exigent circumstances exist that school officials consider sufficient to justify the interview. Exigent circumstances are sufficient if the law enforcement officials

demonstrate that delaying the interview may pose a danger to the health or safety of the student, other students, district employees or others.

If the interview is permitted, the principal or designee will be present during the interview. Unless the parent/guardian was already contacted, the principal or designee will attempt to contact the parent/guardian immediately after the interview.

### **Removal of Students from School by Law Enforcement Officials**

If a law enforcement official or other legally authorized person wishes to remove a student from school, the principal or designee must take the following steps:

1. Verify the identity of any law enforcement official or other legally authorized person before they are allowed to take a student into custody.
2. Verify, to the best of their ability, the official's authority to take custody of the student before they are allowed to take a student into custody.
3. Require officials who are determined to have the authority to take custody of a student to remove the student in a manner that minimizes disruption to the school environment.
4. Attempt to notify the student's parents/guardians that the student is being removed from school.

### **Children's Division (CD) Interviews**

CD representatives may meet with students on campus. The district liaison will work with the CD to arrange such meetings to be minimally disruptive to the student's schedule. If the student is an alleged victim of abuse or neglect, the CD may not meet with the student in any school building or childcare facility where the abuse of the student allegedly occurred. The principal or designee will verify and record the identity of any CD representatives who request to meet with or take custody of a student.

### **Guardian Ad Litem and Court-Appointed Special Advocate Interviews**

When a court-appointed guardian ad litem or special advocate finds it necessary to interview a student during the school day or during periods of extracurricular activities, the principal or designee must be notified prior to the scheduled interview. The principal or designee will verify and record the individual's identity through the court order that appointed the individual. The interview must be conducted in a private setting and with the least disruption to the student's schedule.

**Student Records Access**

Student records will be provided only in accordance with state and federal law.

Adopted: October 12, 2020

Revised: March 13, 2023

Cross Refs: KNAJ, Relations with Law Enforcement Authorities

Legal Refs: §§ 210.145, 544.193, RSMo.  
The Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

## **STUDENT DISCIPLINE**

It is essential that the district maintain a safe school environment and a climate that allows teachers to communicate effectively with all students in the class and allows all students in the class to learn. Discipline will be equitably applied and viewed as a learning opportunity with the ultimate goal of improving behavior, safety and the school climate. The district seeks to minimize the unnecessary exclusion of students from classrooms and school and encourages the superintendent and district staff to exclude students only when necessary to maintain a safe and appropriate learning environment.

The superintendent or designee is authorized to contact the district's attorney for advice on the legality of district discipline or the discipline process. The Board encourages the superintendent to recommend changes to Board policy related to student discipline as needed.

### **Discipline Code**

To assist district staff in maintaining the necessary education environment, the Board of Education has created a discipline code that addresses the consequences for students whose conduct is prejudicial to good order and discipline in the schools or impairs the morale or good conduct of other students.

The district's comprehensive written code of conduct includes, but is not limited to, this policy, JG-R1, JGA, JGB, JGD, JGE, JGF and associated procedures. The district's comprehensive written code of conduct will be placed on the district's website, and a copy will be available in the superintendent's office during normal business hours. The code of conduct will be distributed to all students and their parents/guardians at the beginning of each school year, which may be accomplished by directing students and parents/guardians to the district's website. These policies, regulations and procedures will apply to all students in attendance in the district's instructional and support programs as well as at district-sponsored activities.

### **Equity**

All district staff are required to enforce district policies, regulations and procedures in a manner that is consistent, developmentally appropriate and equitable. District staff who increase or decrease the consequences for student misconduct based on individual circumstances must document the reasons for the variance. The superintendent or designee will regularly review district discipline data to determine whether district policies are being equitably enforced and, when necessary, make recommendations to the Board for policy changes, training or resources to further the district's goals for providing equitable education to all students.

### **Discipline for Off-Campus Misconduct**

Students may be disciplined for misconduct that occurs off district grounds and outside a district activity when allowed by law including, but not limited to, the following situations:

1. The district's technology is used.
2. The student's conduct negatively impacts the education environment or there is a nexus to the education environment.
3. The student has been charged with, convicted of, or pled guilty to the commission of a felony in a court of general jurisdiction(not a juvenile court). The Board may suspend such students after a hearing in accordance with law.
4. The student has been indicted on, charged with or convicted of one of the specific crimes listed in § 167.171, RSMo. (see in policy JEC) or a petition has been filed or adjudicated in juvenile court involving one of the specific crimes listed in § 167.171, RSMo. The district shall exclude such students from school or from the general education environment after appropriate due process.
5. The student transfers to the district during a suspension or expulsion from another public school or a private or parochial school, and the district determines that the conduct would have resulted in a suspension or expulsion in this district. The district may honor a student's suspension or expulsion in such cases after providing appropriate due process when necessary.

### **Immediate Removal**

The Board authorizes the immediate removal of a student upon a finding by a principal or superintendent that the student poses a threat of harm to self or others, as evidenced by the prior conduct of such student. Any such removal will be subject to the appropriate due process procedures and in accordance with law.

### **Enforcement**

Building principals are responsible for the development and enforcement of additional student conduct rules needed to maintain proper behavior in schools under their supervision. All such rules shall be consistent with Board-adopted discipline policies and regulations.

Teachers have the authority and responsibility to make and enforce necessary rules for discipline in the classroom, subject to review by the building principal. The Board expects each teacher to maintain a satisfactory standard of conduct in the classroom.

All district staff enforcing student discipline should seek to minimize, as much as possible, the amount of instructional time the student loses.



## **Training**

All district employees shall annually receive instruction related to the specific contents of the district's comprehensive code of conduct and any interpretations necessary to implement its provisions including, but not limited to, confidentiality requirements and the approved methods for dealing with acts of school violence and disciplining students with disabilities.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised: December 14, 2015  
October 12, 2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
AH, Use of Tobacco Products and Imitation Tobacco Products  
ECD, Traffic and Parking Controls  
EGAAA, Reproduction of Copyrighted Materials  
GBH, Staff/Student Relations  
IGBD, At-Risk Students  
IKFB, Graduation Exercises  
ILA, Test Integrity and Security

MSIP Refs: I-8

Legal Refs: §§ 160.261, 167.117, .161, .171, 171.011, RSMo.  
*Beussink v. Woodland R-IV Sch. Dist.*, 30 F.Supp. 2d 1175 (E.D. Mo. 1998)

## **STUDENT DISCIPLINE**

The Student Code of Conduct is designed to foster student responsibility, respect for others, and to provide for the orderly operation of district schools. No code can be expected to list each and every offense that may result in disciplinary action; however, it is the purpose of this code to list certain offenses which, if committed by a student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, any aggravated circumstance of any offense, or any action involving a combination of offenses may result in disciplinary consequences that extend beyond this code of conduct as determined by the principal, superintendent and/or board of education. In extraordinary circumstances where the minimum consequence is judged by the superintendent or designee to be manifestly unfair or not in the interest of the district, the superintendent or designee may reduce the consequences listed in this policy, as allowed by law. This code includes, but is not necessarily limited to, acts of students on district property, including playgrounds, parking lots and district transportation, or at a district activity, whether on or off district property. The district may also discipline students for off-campus conduct that negatively impacts the educational environment, to the extent allowed by law.

### **Reporting to Law Enforcement**

It is the policy of the Lone Jack C-6 School District to report all crimes occurring on district property to law enforcement including, but not limited to, the crimes the district is required to report in accordance with law. A list of crimes the district is required to report is included in policy JGF.

The principal shall also notify the appropriate law enforcement agency and superintendent if a student is discovered to possess a controlled substance or weapon in violation of the district's policy.

In addition, the superintendent shall notify the appropriate division of the juvenile or family court upon suspension for more than ten days or expulsion of any student who the district is aware is under the jurisdiction of the court.

### **Documentation in Student's Discipline Record**

The principal, designee or other administrators or school staff will maintain all discipline records as deemed necessary for the orderly operation of the schools and in accordance with law and policy JGF.

### **Conditions of Suspension, Expulsion and Other Disciplinary Consequences**

All students who are suspended or expelled, regardless of the reason, are prohibited from participating in or attending any district-sponsored activity, or being on or near district property or the location of any district activity for any reason, unless permission is granted by the

superintendent or designee. When appropriate, the district may prohibit students from participating in activities or restrict a student's access to district property as a disciplinary consequence even if a student is not suspended or expelled from school. Likewise, a student may become ineligible for or be required to forfeit any honors and awards as a disciplinary consequence.

In accordance with law, any student who is suspended for any offenses listed in § 160.261, RSMo., or any act of violence or drug-related activity defined by policy JGF as a serious violation of school discipline, shall not be allowed to be within 1,000 feet of any district property or any activity of the district, regardless of whether the activity takes place on district property, unless one of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian, custodian or another adult designated in advance, in writing, to the student's principal by the student's parent, legal guardian or custodian, and the superintendent or designee has authorized the student to be on district property.
2. The student is enrolled in and attending an alternative school that is located within 1,000 feet of a public school in the district.
3. The student resides within 1,000 feet of a public school in the district and is on the property of the student's residence.

Students who violate the prohibitions in this section may be suspended or expelled in accordance with the offense, "Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences," listed below.

Pursuant to law, no student will be confined in an unattended locked space except in an emergency situation while awaiting the arrival of law enforcement personnel.

### **Impact on Grades**

As with any absence, absences due to an out-of-school suspension may result in the student earning a lower grade in accordance with the district's policy on absences.

### **Prohibited Conduct**

The following are descriptions of prohibited conduct and potential consequences for violations. Building-level administrators are authorized to more narrowly tailor potential consequences as appropriate for the age level of students in the building within the ranges established in this regulation. In addition to the consequences specified here, school officials will notify law enforcement and document violations in the student's discipline file pursuant to law and board policy.

**Academic Dishonesty** – Cheating on tests, assignments, projects or similar activities; plagiarism; claiming credit for another person's work; fabrication of facts, sources or other supporting material; unauthorized collaboration; facilitating academic dishonesty; and other misconduct related to academics.

*First Offense:* No credit for the work, grade reduction, or replacement assignment.

*Subsequent Offense:* No credit for the work, grade reduction, course failure, or removal from extracurricular activities.

**Arson** – Starting or attempting to start a fire, or causing or attempting to cause an explosion.

*First Offense:* Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion. Restitution if appropriate.

*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion. Restitution if appropriate.

## **Assault**

1. Using physical force, such as hitting, striking or pushing, to cause or attempt to cause physical injury; placing another person in apprehension of immediate physical injury; recklessly engaging in conduct that creates a grave risk of death or serious physical injury; causing physical contact with another person knowing the other person will regard the contact as offensive or provocative; or any other act that constitutes criminal assault in the third or fourth degree.

*First Offense:* Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

*Subsequent Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Knowingly causing or attempting to cause serious physical injury or death to another person, recklessly causing serious physical injury to another person, or any other act that constitutes assault in the first or second degree.

*First Offense:* 10-180 days out-of-school suspension or expulsion.

*Subsequent Offense:* Expulsion.

**Automobile/Vehicle Misuse** – Uncourteous or unsafe driving on or around district property, unregistered parking, failure to move vehicle at the request of school officials, failure to follow

directions given by school officials or failure to follow established rules for parking or driving on district property.

*First Offense:* Suspension or revocation of parking privileges, detention, or in-school suspension.

*Subsequent Offense:* Revocation of parking privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.

**Bullying and Cyberbullying (see board policy JFCF)** – Intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for their 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 includes, but is not limited to, 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 is 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.

*First Offense:* Detention, in-school suspension, or 1-180 days out-of-school suspension.

*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion.

**Bus or Transportation Misconduct (see board policy JFCC)** – Any offense committed by a student on transportation provided by or through the district shall be punished in the same manner as if the offense had been committed at the student's assigned school. In addition, transportation privileges may be suspended or revoked.

**Dishonesty** – Any act of lying, whether verbal or written, including forgery.

*First Offense:* Nullification of forged document. Principal/Student conference, detention, or in-school suspension.

*Subsequent Offense:* Nullification of forged document. Detention, in-school suspension, or 1-180 days out-of-school suspension.

**Disrespectful or Disruptive Conduct or Speech (see board policies AC and ACA if illegal harassment or discrimination is involved)** – Verbal, written, pictorial or symbolic language or gesture that is directed at any person that is in violation of district policy or is otherwise rude, vulgar, defiant, considered inappropriate in educational settings or that materially and substantially disrupts classroom work, school activities or school functions. Students will not be disciplined for speech in situations where it is protected by law.

*First Offense:* Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

*Subsequent Offense:* Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

**Drugs/Alcohol (see board policies JFCH and JHCD)**

1. Possession, sale, purchase or distribution of any over-the-counter drug, herbal preparation or imitation drug or herbal preparation.

*First Offense:* In-school suspension or 1-180 days out-of-school suspension.

*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion.

2. Possession of drug paraphernalia or possession of or attendance while under the influence of, or soon after consuming, any unauthorized prescription drug, alcohol, narcotic substance, unauthorized inhalant, counterfeit drug, or imitation controlled substance, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act.

*First Offense:* In-school suspension or 1-180 days out-of-school suspension.

*Subsequent Offense:* 11-180 days out-of-school suspension or expulsion.

3. Sale, purchase or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances or drug-related paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act.

*First Offense:* 1-180 days out-of-school suspension or expulsion.

*Subsequent Offense:* 11-180 days out-of-school suspension or expulsion.

**Extortion** – Threatening or intimidating any person for the purpose of obtaining money or anything of value.

*First Offense:* Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

*Subsequent Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.

**Failure to Care for or Return District Property** – Loss of, failure to return, or damage to district property including, but not limited to, books, computers, calculators, uniforms, and sporting and instructional equipment.

*First Offense:* Restitution. Principal/Student conference, detention, or in-school suspension.

*Subsequent Offense:* Restitution. Detention or in-school suspension.

**Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences** – Violating the conditions of a suspension, expulsion or other disciplinary consequence including, but not limited to, participating in or attending any district-sponsored activity or being on or near district property or the location where a district activity is held. See the section of this regulation titled, "Conditions of Suspension, Expulsion and Other Disciplinary Consequences."

As required by law, when the district considers suspending a student for an additional period of time or expelling a student for being on or within 1,000 feet of district property during a suspension, consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether the student's presence is disruptive to the educational process or undermines the effectiveness of the district's discipline policy.

*First Offense:* Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion. Report to law enforcement for trespassing if expelled.

*Subsequent Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion. Report to law enforcement for trespassing if expelled.

**False Alarms (see also "Threats or Verbal Assault")** – Tampering with emergency equipment, setting off false alarms, making false reports, communicating a threat or false report for the purpose of frightening or disturbing people, disrupting the educational environment, or causing the evacuation or closure of district property.

*First Offense:* Restitution. Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

*Subsequent Offense:* Restitution. In-school suspension, 1-180 days out-of-school suspension, or expulsion.

**Fighting (see also, "Assault")** – Mutual combat in which both parties have contributed to the conflict either verbally or by physical action.

*First Offense:* Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

*Subsequent Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.

**Gambling** – Betting on an uncertain outcome, regardless of stakes; engaging in any game of chance or activity in which something of real or symbolic value may be won or lost. Gambling includes, but is not limited to, betting on outcomes of activities, assignments, contests and games.

*First Offense:* Principal/Student conference, loss of privileges, detention, or in-school suspension.

*Subsequent Offense:* Principal/Student conference, loss of privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.

**Harassment, including Sexual Harassment (see board policies AC and ACA and note that additional provisions of the code of conduct may apply to the student's behavior)**

1. Use of material of a sexual nature or unwelcome verbal, written or symbolic language based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law.

*First Offense:* Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

*Subsequent Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Unwelcome physical contact of a sexual nature or that is based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law.

*First Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.

*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion.

3. Student is found "responsible" for sexual harassment under Title IX upon conclusion of a formal complaint under policy ACA.

*Any Offense:* 10-180 days out-of-school suspension or expulsion.



**Hazing (see board policy JFCG)** – Any activity that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or district-sponsored activity. Hazing can occur even when all students involved are willing participants.

*First Offense:* In-school suspension or 1-180 days out-of-school suspension.

*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion.

**Incendiary Devices or Fireworks** – Possessing, displaying or using matches, lighters or other devices used to start fires unless required as part of an educational exercise and supervised by district staff; possessing or using fireworks.

*First Offense:* Confiscation. Warning, principal/student conference, detention, or in-school suspension.

*Subsequent Offense:* Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

**Nuisance Items** – Possession or use of items such as toys, games, and portable media players that are not authorized for educational purposes.

*First Offense:* Confiscation. Warning, principal/student conference, detention, or in-school suspension.

*Subsequent Offense:* Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

**Public Display of Affection** – Consensual physical contact that is inappropriate for the school setting including, but not limited to, kissing and groping.

*First Offense:* Principal/Student conference, detention, or in-school suspension.

*Subsequent Offense:* Detention, in-school suspension, or 1-10 days out-of-school suspension.

**Sexting and/or Possession of Sexually Explicit, Vulgar or Violent Material (see board policies AC and ACA)** – Students may not possess or display, electronically or otherwise, sexually explicit, vulgar or violent material including, but not limited to, pornography or depictions of nudity, violence or explicit death or injury. This prohibition does not apply to curricular material that has been approved by district staff for its educational value. Students will not be disciplined for speech in situations where it is protected by law.

*First Offense:* Confiscation. Principal/Student conference, detention, or in-school suspension.  
*Subsequent Offense:* Confiscation. Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

**Sexual Activity** – Consensual acts of sex or consensual simulations of sex including, but not limited to, intercourse or oral or manual stimulation.

*First Offense:* Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

*Subsequent Offense:* Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

**Technology Misconduct (see board policies EHB and KKB and procedure EHB-AP1)**

1. Attempting, regardless of success, to: gain unauthorized access to a technology system or information; use district technology to 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 district technology; secure a higher level of privilege without authorization; introduce computer viruses, hacking tools, or other disruptive/destructive programs onto or using district technology; or evade or disable a filtering/blocking device.

*First Offense:* Restitution. Principal/Student conference, loss of user privileges, detention, or in-school suspension.

*Subsequent Offense:* Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

2. Using, displaying or turning on pagers, phones, personal digital assistants, personal laptops or any other personal electronic devices during the regular school day, including class change time, mealtimes or instructional class time, unless the use is part of the instructional program, required by a district-sponsored class or activity, or otherwise permitted by the building principal.

*First Offense:* Confiscation, principal/student conference, detention, or in-school suspension.

*Subsequent Offense:* Confiscation, principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

3. Violations, other than those listed in (1) or (2) above, of board policy EHB, procedure EHB-AP1 or any policy or procedure regulating student use of personal

electronic devices.

*First Offense:* Restitution. Principal/Student conference, detention, or in-school suspension.

*Subsequent Offense:* Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

4. Use of audio or visual recording equipment in violation of board policy KKB.

*First Offense:* Confiscation. Principal/Student conference, detention, or in-school suspension.

*Subsequent Offense:* Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

**Theft** – Theft, attempted theft or knowing possession of stolen property.

*First Offense:* Return of or restitution for property. Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

*Subsequent Offense:* Return of or restitution for property. 1-180 days out-of-school suspension or expulsion.

**Threats or Verbal Assault** – Verbal, written, pictorial or symbolic language or gestures that create a reasonable fear of physical injury or property damage.

*First Offense:* Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

*Subsequent Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.

### **Tobacco**

1. Possession of any tobacco products, electronic cigarettes (vaping products), other nicotine-delivery products or imitation tobacco products, as defined in policy AH, on district property, on district transportation or at any district activity. Nicotine patches or other medications used in a tobacco cessation program may be possessed only in accordance with district policy JHCD.

*First Offense:* Confiscation of prohibited product. Principal/Student conference, detention, or in-school suspension.

*Subsequent Offense:* Confiscation of prohibited product. Detention, in-school suspension, or 1-10 days out-of-school suspension.

2. Use of any tobacco products, electronic cigarettes (vaping products), imitation tobacco products or other nicotine-delivery products, as defined in policy AH, on district property, on district transportation or at any district activity. Nicotine patches or other medications used in a tobacco cessation program may be used only in accordance with district policy JHCD.

*First Offense:* Confiscation of prohibited product. Principal/Student conference, detention, in-school suspension, or 1-3 days out-of-school suspension.

*Subsequent Offense:* Confiscation of prohibited product. In-school suspension or 1-10 days out-of-school suspension.

**Truancy or Tardiness (see board policy JED and procedures JED-AP1 and JED-AP2) –** Absence from school without the knowledge and consent of parents/guardians and the school administration; excessive non-justifiable absences, even with the consent of parents/guardians; arriving after the expected time class or school begins, as determined by the district.

*First Offense:* Principal/Student conference, detention, or 1-3 days in-school suspension.

*Subsequent Offense:* Detention or 3-10 days in-school suspension, and removal from extracurricular activities.

**Unauthorized Entry –** Entering or assisting any other person to enter a district facility, office, locker, or other area that is locked or not open to the general public; entering or assisting any other person to enter a district facility through an unauthorized entrance; assisting unauthorized persons to enter a district facility through any entrance.

*First Offense:* Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion.

**Vandalism (see board policy ECA) –** Willful damage or the attempt to cause damage to real or personal property belonging to the district, staff or students.

*First Offense:* Restitution. Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

*Subsequent Offense:* Restitution. In-school suspension, 1-180 days out-of-school suspension, or expulsion.

**Weapons (see board policy JFCJ)**

1. Possession or use of any weapon as defined in board policy, other than those defined in 18 U.S.C. § 921, 18 U.S.C. § 930(g)(2) or § 571.010, RSMo.  
*First Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.  
*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion.
2. Possession or use of a firearm as defined in 18 U.S.C. § 921 or any instrument or device defined in § 571.010, RSMo., or any instrument or device defined as a dangerous weapon in 18 U.S.C. § 930(g)(2).  
*First Offense:* One calendar year suspension or expulsion, unless modified by the board upon recommendation by the superintendent.  
*Subsequent Offense:* Expulsion.
3. Possession or use of ammunition or a component of a weapon.  
*First Offense:* In-school suspension, 1-180 days out-of-school suspension, or expulsion.  
*Subsequent Offense:* 1-180 days out-of-school suspension or expulsion.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11<sup>th</sup>, 2002  
Revised: December 13<sup>th</sup>, 2010  
December 12<sup>th</sup>, 2011  
December 9<sup>th</sup>, 2013  
December 14<sup>th</sup>, 2015  
June 11<sup>th</sup>, 2016  
December 12<sup>th</sup>, 2016  
August 9<sup>th</sup>, 2021

MSIP Refs: I-8

## **CORPORAL PUNISHMENT**

For the purposes of this policy, corporal punishment is the use of physical force as a method of correcting student behavior. No person employed by or volunteering on behalf of the district shall administer corporal punishment or cause corporal punishment to be administered upon a student attending district schools.

A staff member may, however, use reasonable physical force against a student for the protection of the student or other persons or to protect property. Restraint of students in accordance with the district's policy on student seclusion and restraint is not a violation of this policy.

**Search the index for this section and the cross references to identify related policies, administrative procedures and forms.**

Adopted: October 17, 1996

Revised: December 11, 2011  
June 6<sup>th</sup>, 2022

Legal Refs: §§ 160.261, .263, 171.011, 563.061, RSMo.

**DETENTION AND/OR IN-SCHOOL SUSPENSION OF STUDENTS**

The provisions of detention or an in-school suspension program for student violations of policies, rules and procedures shall provide principals with an additional alternative for dealing with disciplinary problems that occur in the schools. When this alternative is appropriate, students will be assigned to serve a specified time period in the in-school suspension program. These assignments, and the determination of the time period for them, shall be determined by the principal, or his or her designee.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 17, 1996

Revised:

Cross Refs: JG, Student Discipline

Legal Refs: § 160.261, RSMo

## **STUDENT SUSPENSION AND EXPULSION**

The following procedures apply to all students. However, additional procedures for discipline for students with disabilities are sometimes required, as discussed in policy JGE, Discipline of Students with Disabilities.

The Board of Education believes that the right of a child to attend free public schools carries with it the responsibility of the child to attend school regularly and to comply with the lawful policies, rules and procedures of the school district. This observance of school policies, rules and procedures is essential for permitting others to learn at school.

Therefore, the administration may exclude a student from school because of violation of school rules and procedures, conduct which materially or substantially disrupts the rights of others to an education, or conduct which endangers the student, other students or the property of the school. Furthermore, if a student poses a threat to self or others, as evidenced by the prior conduct of such student, the administration may immediately remove the student from school. Such actions will be taken in accordance with due process and with due regard for the welfare of both the student and the school.

The terms "suspension" and "removal" refer to an exclusion from school that will not exceed a specific period of time and shall be subject to the due process procedures set forth for "suspensions" in this policy. The term "expulsion" refers to exclusion for an indefinite period.

The district may honor suspensions and expulsions from another in-state or out-of-state school district including a private, charter or parochial school or school district pursuant to law and policy JEC, Student Admissions. Before making any decision to honor such suspensions or expulsions, the superintendent or designee will consider whether the student has received the due process required by law.

### **Suspensions**

In Missouri, a principal may suspend a student for up to ten (10) school days. A superintendent may suspend a student for up to 180 school days. Procedures for suspending a student are outlined below.

1. Before suspending a student, a principal or superintendent must (a) tell the student, either orally or in writing, what misconduct he or she is accused of; (b) if the student denies the accusation, explain, either orally or in writing, the facts that form the basis of the proposed suspension; and (c) give the student an opportunity to present his or her version of the incident.
1. If the principal or superintendent concludes that the student has engaged in misconduct



punishable by suspension, the procedures described below apply. If the student has a disability as defined in the Individuals with Disabilities Education Act (IDEA) as amended or Section 504 of the Rehabilitation Act, additional procedural safeguards described in the policy dealing with the discipline of students with disabilities apply.

3. The principal or superintendent should determine whether the student should be suspended or whether less drastic alternative measures would be appropriate. In many cases, the principal or superintendent may decide not to suspend a student unless conferences (between the teacher, student and principal and/or between the parent, student and principal) have been held and have failed to change the student's behavior.
4. If suspension is imposed, the student's parents or guardians must be promptly notified of the suspension and the reasons for the action.
5. Any suspension by a principal must be reported, immediately and in writing, to the superintendent, who may revoke the suspension, either part or in full, at any time.
6. If a student is suspended for more than ten (10) school days, the following rules also apply:
  - a. The student, his or her parents, guardians or others having custodial care have a right to appeal the superintendent's decision to the Board or a committee of the Board appointed by the Board president.
  - b. If the student gives notice that he or she wishes to appeal the suspension to the Board, the suspension shall be stayed until the Board renders its decision, unless in the superintendent's judgment, the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process.
  - c. All notices of appeal shall be transmitted, either by the appealing party or by the superintendent, to the secretary of the Board. Oral notices, if made to the superintendent, shall be reduced to writing and communicated to the secretary of the Board.
  - d. The superintendent, when notified of an appeal, shall promptly transmit to the Board a full written report of the facts relating to the suspension, the action taken by the superintendent, and the reasons for the action.
  - e. Upon receipt of a notice of appeal, the Board will schedule a hearing and within a reasonable time in advance of the scheduled date, will notify, by certified mail, the appealing party of the date, time and place of the hearing and of the right to counsel, to call witnesses, and to present evidence at the hearing.

- f. Hearings of appealed suspensions will be conducted as described in the section of this policy dealing with student disciplinary hearings.

### **Suspensions For More Than 180 School Days and Expulsions**

Only the Board may expel a student or suspend a student for more than 180 school days. The applicable procedures are outlined below.

1. Before recommending to the Board that a student be expelled or suspended for more than 180 school days, the superintendent must (a) tell the student, either orally or in writing, what misconduct he or she is accused of; (b) if the student denies the accusation, explain, either orally or in writing, the facts that form the basis of the proposed suspension/expulsion; and (c) give the student an opportunity to present his or her version of the incident.
2. If the superintendent concludes that the student has engaged in misconduct and should be expelled or suspended for more than 180 school days, the procedures described below apply unless the student has a disability. (In the case of a student with a disability, the procedures described in the policy dealing with the discipline of students with disabilities shall apply.)
  - a. The superintendent will recommend to the Board that the student be expelled or suspended for more than 180 school days. The superintendent may also immediately suspend the student for up to 180 school days.
  - b. Upon receipt of the superintendent's recommendation, the Board will follow the procedures described in the section of this policy dealing with student disciplinary hearings.
3. If the student is expelled, he or she may later apply to the Board for readmission. Only the Board can readmit an expelled student.

### **Student Discipline Hearings**

The Board of Education may originate student discipline hearings upon recommendation of the superintendent. In such cases, the Board of Education will review the superintendent's report and determine whether to conduct a discipline hearing. In addition, student discipline hearings also will be held upon written request of the student or the student's parents, to consider appeals from student suspensions in excess of ten (10) school days. A discipline hearing will always be held in cases of suspensions in excess of 180 school days or expulsions, unless after meeting with the superintendent or designee, the parent or guardian waives, in writing, the right to an expulsion hearing.

In all hearings, whether initiated by the Board of Education or by appeal, the following procedures will be adhered to:

1. The student and the parents/guardians will be advised of the charges against the student; their right to a Board hearing; the date, time and place of the hearing; their right to counsel; and their procedural rights to call witnesses, enter exhibits and cross-examine adverse witnesses. All such notifications will be made by certified mail, addressed to the student's parents or guardians. The Board shall make a good-faith effort to have the parents or guardians present at the hearing.
2. Prior to the Board hearing, the student and the student's parents/guardians will be advised of the identity of the witnesses to be called by the administration and advised of the nature of their testimony. In addition, the student and the student's parents/guardians will be provided with copies of the documents to be introduced at the hearing by the administration.
3. The hearing will be closed unless the Board decides otherwise. The hearing will only be open with parental consent. At the hearing, the administration or their counsel will present the charges and such testimony and evidence to support such charges. The student, his or her parents/guardians or their counsel shall have the right to present witnesses, introduce exhibits, and to cross-examine witnesses called in support of the charges.
4. At the conclusion of the hearing, the Board of Education shall deliberate in executive session and shall render a decision to dismiss the charges; to suspend the student for a specified period of time; or to expel the student from the schools of the district. The administration or its counsel, by direction of the Board of Education, shall promptly prepare and transmit to the parents/guardians written notice of the decision.

### **Remedial Conference**

Prior to the readmission or enrollment of any student who has been suspended out of school or expelled in accordance with this policy for any "act of school violence" as defined in §160.261.2, RSMo., and Board policy JGF, a conference must be held to review the student's conduct that resulted in the suspension or expulsion and any remedial actions needed to prevent future occurrences of such conduct or related conduct. The conference shall include the appropriate school officials including any teacher directly involved with the conduct that resulted in the suspension or expulsion, the student, and the parent or guardian of the student or any agency having legal jurisdiction, care, custody or control of the student. The Board of Education shall notify, in writing, the parents or guardians and all other parties of the time, place and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. This requirement applies to enrolling students transferring from another school as well, regardless of whether the "act of school violence" was committed at a public school or at

a private school in Missouri, provided that such act shall have resulted in the suspension or expulsion of such student in the case of a private school.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 12, 2001

Revised:

Cross Refs: ECA, Building and Grounds Security  
JFCH, Student Alcohol/Drug Abuse  
JG, Student Discipline  
JGE, Discipline of Students With Disabilities  
JGF, Discipline Reporting and Records

Legal Refs §§ 160.261, 162.955 - .963, 167.161 - .171, RSMo.  
Chapter 536, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487

## **DISCIPLINE OF STUDENTS WITH DISABILITIES**

It is the goal of the Lone Jack C-6 School District to provide a safe and productive learning environment for all students. The district does not believe in a double standard for misbehavior and holds the welfare and safety of all persons in the district in highest regard. Students with disabilities will be disciplined in accordance with the district's discipline code applicable to all students, subject to the modifications mandated by law. All students, including those with disabilities, will be referred for law enforcement action when required by law and when their conduct constitutes a crime.

The district will comply with all state and federal laws governing the discipline of students with disabilities, including the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, applicable regulations and state and local plans for compliance with the law. In addition to the process outlined in special education law, students with disabilities will receive the same due process afforded other students.

The Board delegates to the superintendent or designee the authority to seek the removal of a student with a disability as allowed by federal or state law to an alternative educational setting through the state hearing process or to seek a court injunction ordering removal or a different educational placement.

The superintendent or designee will provide all district employees training on violence prevention, the district's discipline code and the legal requirements for disciplining students with disabilities. The Board delegates to the superintendent or designee the authority to contact the district's legal counsel for legal advice or training on the district's responsibilities.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: October 9, 2000

Revised: December 14, 2005

Cross Refs: IGBA, Programs for Students with Disabilities

Legal Refs: §§ 160.261, 162.680, .955 - .963, 167.161 - .171, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104

**FILE: JGE**  
**Critical**

Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
28 C.F.R. Part 35  
21 U.S.C. § 812(c); 18 U.S.C. § 930  
*Honig v. Doe*, 484 U.S. 305 (1988)  
*Light v. Parkway C-2 Sch. Dist.*, 41 F.3d 1223 (8th Cir. 1994)

## **DISCIPLINE REPORTING AND RECORDS**

In compliance with state law, the Board of Education establishes clear 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's 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 immediately by the appropriate school administrator to the appropriate law enforcement entity. 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.

\* Immediate reporting of third-degree assault under § 565.054, RSMo., may not be required if an agreement with law enforcement exists.

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 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.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: November 8, 2004  
March 14, 2005  
December 14, 2009  
December 12, 2011  
February 17, 2017

Legal Refs: §§ 160.261, .522, 167.020, .115 - .117, .122, 210.865, 211.032, 565.002, RSMo.

## **SECLUSION AND RESTRAINT**

The district will treat all students with dignity and provide a safe learning environment for students and a safe working environment for district personnel. Seclusion and restraint interventions will be used only when necessary and in accordance with this policy, and they will never be used as a form of punishment or for the convenience of district personnel. The restrictions in this policy apply to the district and any other provider of educational or related services to the student on behalf of the district.

The board directs the superintendent or designee to train and direct district personnel to use with fidelity measures to proactively address student behaviors, such as positive behavior support techniques, and to identify students with disabilities who may need behavior intervention plans.

### **Definitions**

*Behavior Intervention Plan (BIP)* – A plan that sets forth specific behavior interventions for a specific student who displays chronic patterns of problem behavior.

*District Personnel* – All persons employed by the district or performing services on behalf of or at the direction of the district, including persons working with students as independent contractors or on behalf of an independent contractor.

*Mechanical Restraint* – The use of any device or equipment to restrict a student's freedom of movement. This term shall not include devices implemented by trained personnel or used by a student with a prescription for such devices from an appropriate medical or related service professional that are used for specific and approved purposes for which such devices were designed, such as the following:

1. Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
2. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
3. Restraints for medical immobilization; or
4. Orthopedically prescribed devices that permit a student to participate in activities without risk.

*Physical Restraint* – A personal restriction such as person-to-person physical contact that immobilizes, reduces or restricts the ability of a student to move the student's torso, arms, legs or head freely. This term shall not include:

1. A physical escort, which is a temporary touching or holding of the hand, wrists, arm, shoulder or back for the purpose of inducing a student to walk to a safe location;
2. Comforting or calming a student;
3. Holding a student's hand to transport the student for safety purposes;
4. Intervening in a fight; or
5. Using an assistive or protective device prescribed by an appropriately trained professional or professional team.

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

*Prone Restraint* – Using mechanical or physical restraint or both to restrict a student's movement while the student is lying with the student's front or face downward.

*Restraint* – Includes, but is not limited to, mechanical restraint, physical restraint and prone restraint.

*Seclusion* – The involuntary confinement of a student alone in a room or area that the student is physically prevented from leaving. This term shall not include:

1. A timeout;
2. In-school suspension;
3. Detention; or
4. Other appropriate disciplinary measures.

*Timeout* – A behavior management technique that is part of an approved program, involves the monitored separation of the student in a nonlocked setting, and is implemented for the purpose of calming.

### **Seclusion and Restraint Limitations**

District personnel will reserve the use of seclusion or restraint for situations or conditions in which there is imminent danger of physical harm to self or others. Any student placed in seclusion or restraint shall be removed from such seclusion or restraint as soon as district personnel determine that the student is no longer an imminent danger to self or others.

## **Seclusion Spaces**

In the limited situations where seclusion is used, it must occur in a room that complies with applicable building codes. The space in which the student is confined should 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.

### **Mechanical, Physical or Prone Restraint Limitations**

District personnel are prohibited from using any mechanical, physical or prone restraint technique that:

1. Obstructs views of the student's face;
2. Obstructs the student's respiratory airway, impairs the student's breathing or respiratory capacity, or restricts the movement required for normal breathing to cause positional or postural asphyxia;
3. Places pressure or weight on or causes the compression of the student's chest, lungs, sternum, diaphragm, back, abdomen or genitals;
4. Obstructs the student's circulation of blood;
5. Involves pushing on or into the student's mouth, nose, eyes or any part of the face or involves covering the face or body with anything including, but not limited to, soft objects such as pillows, blankets or washcloths;
6. Endangers the student's life or significantly exacerbates the student's medical condition;
7. Is purposely designed to inflict pain; or
8. Restricts the student from communicating. If an employee physically restrains a student who uses sign language or an augmentative mode of communication as the student's primary mode of communication, the student shall be permitted to have their hands free of restraint for brief periods unless district personnel determine that such freedom appears likely to result in harm to self or others.

### **Parent/Guardian Notifications**

The district will attempt to notify the parents/guardians of the student as soon as possible but no later than one hour after the end of the school day on which seclusion or restraint occurred. Notification will be oral or electronic and will include a statement indicating that the district or

district contractor will provide the parents/guardians a copy of the report required by law and this policy within five school days.

### **Monitoring and Reporting**

District personnel shall monitor the use of student seclusion or restraint and shall complete a report for each incident that minimally contains the following:

1. The date, time of day, location, duration and description of the incident and interventions;
2. Any event leading to the incident and the reason for using seclusion or restraint;
3. A description of the methods of seclusion or restraint used;
4. The nature and extent of any injury to the student;
5. The names, roles and certifications of any district personnel involved in the use of seclusion or restraint;
6. The name, role and signature of the person who prepared the report;
7. The name of an employee whom the parent/guardian can contact regarding the incident and use of seclusion or restraint;
8. The name of an employee to contact if the parent/guardian wishes to file a complaint; and
9. A statement directing parents/guardians to a sociological, emotional or behavioral support organization and a hotline number to report child abuse and neglect.

The report will be an education record of the student. The district or district contractor will provide a copy of the report to the parent/guardian of the student within five school days, and a copy of each incident report will be given to the Department of Elementary and Secondary Education within 30 days of the incident.

### **Training**

All district personnel, as defined in this policy, will annually review this policy and district procedures involving the use of seclusion and restraint. Personnel who use seclusion or restraint shall annually complete mandatory training in the specific seclusion and restraint techniques used by the district.

**Retaliation Prohibited**

School board members, administrators and district personnel will not retaliate against any person for reporting a violation of this policy or failure to follow state law regarding seclusion and restraint. Likewise, retaliation is prohibited against any person for providing information regarding a violation of law regulating seclusion and restraint.

**Search the index for this section and the cross references to identify related policies, administrative procedures and forms.**

Adopted: December 11, 2011

Revised: November 18<sup>th</sup>, 2019  
June 6<sup>th</sup>, 2022

Legal Refs: §§ 160.261, .263, 563.061, RSMo.



## **STUDENT INSURANCE**

The Board of Education recommends that all students have accident insurance. Although arranging for such insurance is the responsibility of the student and parents/guardians, the Board may name an insurance carrier each year to offer group rates. Participation in the group plan is optional. Parents/Guardians and students will deal directly with the insurance carrier.

Students participating in interscholastic athletics and certain other activities governed by the Missouri State High School Activities Association (MSHSAA) are required to have accident insurance coverage before being allowed to practice or compete for a school team. A student will not be allowed to participate in these activities, including practices, until proof of insurance coverage is received in the principal's office.

The district will provide parents/guardians enrolling students in the district information about the state children's health insurance program, MO HealthNet for Kids (MHK). A parent/guardian who, when completing an application for free and reduced-price meals, indicates that a child does not have health insurance will be notified by the district that the MHK program is available, if household income is within eligibility standards.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12, 2011

Revised:

Cross Refs: EFB, Free and Reduced-Cost Food Services  
IGDJ, Interscholastic Athletics  
KB, Public Information Program

Legal Refs: § 208.658, RSMo.

## **STUDENT HEALTH SERVICES AND REQUIREMENTS**

The Board of Education supports the health and physical well-being of students by establishing a districtwide coordinated student health services program. The district nursing staff has oversight of the coordinated student health services program and will work with a school health advisory council, which is composed of a school nurse, a counselor and Board-appointed members of the community. The purpose of the advisory council is to incorporate community priorities and values into the district's student health services. The meetings, records and votes of the advisory council will adhere to the requirements of the Missouri Sunshine Law.

Nurses employed to staff the health services program shall serve under the direction of the superintendent or designee and, to the extent required by law, under the supervision of a physician or registered nurse, who may be offsite. The nurse or designee will be responsible for all notifications to parents/guardians regarding health services. The services provided by the nursing staff will include:

1. Administration of laws that protect the health of children attending Missouri public schools in including:
  - Ensuring compliance with immunization requirements.
  - Excluding students who have contagious diseases from attendance when authorized by law.
  - Reporting the presence or suspected presence of diseases mandated for reporting by law.
2. Emergency first aid treatment for injury or illness occurring during the school day.
3. The administration of medication, including emergency medications stocked by the district, pursuant to Board policy.
4. Assistance in carrying out the district's responsibilities outlined in Section 504 plans and individualized education programs (IEPs).
5. Development of individualized health plans (IHPs) and individualized emergency health plans (IEHPs) for students in consultation with parents/guardians and health care providers, including IHPs and IEHPs for students with epilepsy or seizure disorders.
6. Guidance and counseling concerning health problems of students.
7. Maintenance of student health records, including the maintenance of emergency information forms for each student. The nurse will store health records in a secure location, and any health information provided to the nurse orally will be reduced to

**FILE: JHC**  
**Critical**

writing and stored appropriately. The superintendent or designee shall have access to student health records when there is a legitimate educational purpose or access is necessary to supervise staff. District employees shall not share information regarding a student's health in front of other students or staff members who do not have a need to know the information. Student records will be stored and disclosed in accordance with Board policy.

7. Age-appropriate health education in the district's instructional program, in accordance with Missouri School Improvement Program (MSIP) Standards and Missouri Grade-Level Expectations (GLEs), including information about the prevention and control of communicable diseases, the use of standard precautions when handling bodily fluids, allergy prevention and response, diabetes, asthma and other chronic conditions. The nurse will maintain information developed by the Missouri Department of Health and Senior Services (DHSS) relating to human papillomavirus (HPV) and may provide this information directly to parents/guardians but not to students. The nurse will also provide parents/guardians and students information that is produced by or similar to information produced by the Centers for Disease Control and Prevention on influenza and influenza vaccinations.
8. Screening for health conditions in accordance with Board policy and administrative procedures.
9. Notification of the school principal if informed of a condition that could require accommodation under federal law.
10. Sharing information with parents/guardians about publicly available health insurance options for students.
11. Development and annual review of a Health Services Plan.
12. Training staff as necessary to implement the district's health and safety program.
13. Such other services as assigned by the supervising principal or superintendent.

**Contraceptives**

The district and its agents may not provide contraceptive devices or contraceptive drugs. Referral to the family practitioner for such devices or drugs will be made only in accordance with the parental notification checklist requirements of state law.

## **Physical Examinations and Screenings**

"Screening" is the use of a procedure to examine a large population to determine the presence of a health condition or risk factor in order to identify those who need further evaluation. Screening tests for various health conditions (such as vision and hearing) will be conducted in accordance with administrative procedures. Subject to a written agreement, the district may solicit or permit an outside entity to assist with student health screening. The agreement will include a provision requiring the entity to turn over all records collected during the screening, destroy the information after providing it to the district, keep all student information confidential and hold the district harmless for the entity's actions. The superintendent or designee may contact the district's attorney for assistance in drafting the agreement.

Parents/Guardians will receive a written notice of any screening result that indicates a condition that might interfere with a student's academic progress or health.

In general, the school district will not conduct physical examinations of a student without parental consent unless the health or safety of the student or others is in question or unless by court order.

Further, parents/guardians will be notified of the specific or approximate dates during the school year when any nonemergency, invasive physical examination or screening administered by the district is conducted that is:

1. Required as a condition of attendance.
2. Administered by the school and scheduled by the school in advance.
3. Not necessary to protect the immediate health and safety of the student or other students.

As used in this policy, the term "invasive physical examination" means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision, head lice or scoliosis screening.

Parents/Guardians or eligible students will be given the opportunity to opt out of the above-described nonemergency, invasive physical examination or screening.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Missouri State High School Activities Association (MSHSAA) will be required to follow the rules of that organization.

All parents/guardians will be notified at least at the beginning of the school year of the district's policy on physical examinations and screening of students. Parents/Guardians will also be notified within a reasonable period of time after any substantive change in the policy.

Adopted: November 2002

Revised: December 13, 2006  
December 12, 2011  
November 18<sup>th</sup>, 2019  
March 13, 2023

Cross Refs: EBB, Communicable Diseases  
EBBA, Illness and Injury Response and Prevention  
IGBC, Parent/Family Involvement in Instructional and Other Programs

Legal Refs: §§ 167.181 - .195, .611, .635, .637, 170.015, 208.670, .677, RSMo.  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h(b)  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 – 12213  
Individuals with disabilities education act, 42 U.S.C §§ 12101-12213

## **IMMUNIZATION OF STUDENTS**

It is the policy of the Lone Jack C-6 School District that all students attending the district schools shall be immunized in accordance with law.

The district will not allow a student to attend school until the district has satisfactory evidence on file demonstrating that the student has been immunized, that the immunization process has begun and satisfactory progress is being accomplished or that the student is exempted from obtaining immunizations in accordance with law.

### **Immunization Exceptions**

A student is exempted from obtaining immunizations if the district has the completed, original forms from the Missouri Department of Health and Senior Services (DHSS) necessary to prove that the student will not be immunized for religious or medical reasons. An exemption for medical reasons requires certification by a licensed doctor of medicine or doctor of osteopathy that either the immunization would seriously endanger the child's health or life or that the child has documentation of laboratory evidence of immunity to the disease. An exemption for religious reasons requires written certification from one parent/guardian that immunization of the student violates his or her religious beliefs.

Homeless students, students in the custody of the Children's Division (CD) of the Department of Social Services and students in the household of an active duty member of the military who do not have an exemption and cannot provide evidence of having received immunizations required under Missouri law shall be immediately enrolled and given 30 days to provide satisfactory evidence that the student has completed all age-appropriate immunizations or has begun the process of immunization. If the student has begun the process of immunization, the student may continue to attend as long as the process is being accomplished according to the schedule recommended by DHSS.

### **Failure to Provide Evidence of Required Immunizations**

The district will exclude from school all students who are not immunized or exempted as required by law.

The district must report to DHSS the names of any parents/guardians who neglect to immunize their student or refuse to permit the immunization of a nonexempted student. The district will also report to the CD any instance of educational or medical neglect.

Pursuant to law, any contacts with parents/guardians regarding immunizations will also include information about influenza and influenza vaccines.

### **District-Sponsored Preschool, Daycare Centers and Nursery Schools**

No child is permitted to enroll in or attend district-sponsored preschools, daycare centers or nursery schools until the district has satisfactory evidence demonstrating that the child has been immunized unless:

1. There is satisfactory proof that immunizations are in progress and that the process is being accomplished in accordance with the schedule recommended by DHSS; or
2. The student is homeless or in the custody of the CD and cannot provide satisfactory evidence of required immunizations. Such students will be given 30 days to provide satisfactory evidence of completion or evidence that immunizations are in process.
3. A parental, medical or religious exemption is on file. Exemptions must be on original forms from DHSS.

Upon request from a parent/guardian of a student enrolled in or attending district-sponsored preschools, daycare centers or nursery schools, the district will inform the parent/guardian whether any student enrolled or currently attending the facility in which the district-sponsored preschool, daycare center or nursery school is located has an immunization exemption on file. The district will verify only whether any student has an exemption on file. The district will not release any information that would identify a particular student with an exemption or a particular type of exemption.

The district will notify parents/guardians at the time of initial enrollment of their student in district-sponsored preschools, daycare centers or nursery schools that they may request notice from the district as to whether any students currently enrolled in or attending the facility have an immunization exemption on file with the district.

### **Records**

The superintendent or designee shall institute procedures for the maintenance of health records that show the immunization status of every child enrolled or attending in the district and for the completion of all necessary reports in accordance with guidelines prepared by DHSS.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised: December 13, 2010  
June 11, 2016  
October 12, 2020

Cross Refs: IGBCA, Programs for Homeless Students  
IGBE, Students in Foster Care

Legal Refs: §§ 160.1990, .2000, 167.181 - .191, 210.003, RSMo.  
19 C.S.R. 20-28.010, 20-28.040  
The Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6301 - 7941



## **ADMINISTRATION OF MEDICATIONS TO STUDENTS**

### **Definitions**

*Authorized Prescriber* - Includes a healthcare provider licensed or otherwise authorized by state law to prescribe medication.

*Diabetes Medical Management Plan* - A document developed by the student's personal healthcare team that sets out the health services needed by the student at school and that is signed by the student's personal healthcare team and parent/guardian.

*Medications* - For the purposes of this policy, medications include prescription drugs and over-the-counter drugs, including herbal preparations and vitamins. Medications also include substances that claim or purport to be medicinal or performance enhancing, including essential oils.

### **General**

The Lone Jack C-6 School District prohibits students from possessing or self-administering medications while on district grounds, on district transportation or during district activities unless explicitly authorized in accordance with this policy. However, the Board recognizes that some students may require medication for chronic or short-term illnesses to enable them to remain in school and participate in the district's education services. The Board directs the superintendent or designee to employ, contract with and train the necessary personnel to administer medications to students. Medications will be administered at school only when it is not possible or effective for the student to receive the medication at home.

Parents/Guardians are encouraged to submit any relevant information regarding the medications their student needs, including a diabetes medical management plan or other information the district may use to develop an individualized education program (IEP), Section 504 Plan or individualized health plan (IHP). The district will review all information submitted by the parents/guardians and work with them to create a plan to meet the student's medical needs while at school or school activities.

The superintendent, in collaboration with the district nursing staff, will establish administrative procedures for storing and administering medications in compliance with this policy and pursuant to state and federal law.

### **Nurses and Other Personnel**

The administration of medications is a nursing activity that must be performed by or under the supervision of a registered professional nurse (RN). Other district personnel may be required to administer medications to a student as long as they have been appropriately trained and are supervised by an RN. An appropriately licensed member of the nursing staff will be responsible for:

1. Developing procedures for the training of unlicensed personnel in the administration of medications;
2. Devising protocols for the administration of medications by unlicensed personnel; and
3. Training unlicensed personnel in the administration of medications.

District employees who administer medications must maintain documentation of all medications provided to students and stored on district property.

Nurses and other staff administering medications will take precautions when administering medications and, when necessary, will clarify authorized prescriber orders prior to administering medications.

In accordance with law, any trained or qualified employee will be held harmless and immune from civil liability for administering medication in good faith and according to standard medical practices. A qualified employee is one who has been trained to administer medication according to standard medical practices.

### **Over-the-Counter Medications**

The district may administer over-the-counter medication to a student if the district has received permission to do so from the parent/guardian. Over-the-counter medications must be delivered to the school principal or designee in the manufacturer's original packaging and will only be administered in accordance with the manufacturer's label.

### **Prescription Medications**

The district may administer prescription medication to a student if the district has received permission to do so from the parent/guardian and appropriate direction on how the medication is to be administered. The prescription label will be considered the equivalent of a prescriber's written direction, and a separate document is not needed.

### **Medications District Personnel Will Not Administer**

Unless required by law to administer a medication to accommodate a disability, nurses who question the necessity of administering a particular medication during the school day may, after consultation with the superintendent or designee, require a written directive by the student's healthcare provider that states why the medication must be administered at school. The district may also refuse to administer any medication for other reasons listed in this policy. The district will not administer any medication that is not regulated by the U.S. Food and Drug Administration.

The district may refuse to administer medications in an amount exceeding the recommended daily dosage listed in the *Physician's Desk Reference (PDR)* or other recognized medical or pharmaceutical text unless the district has verified the dosage with the prescriber. Except for the medications that are used only in an emergency situation, the district will not knowingly administer the first dose of any medication. The district expects parents/guardians to administer medications at home or by coming to the school to administer the medications themselves when possible.

Staff, students and all other individuals are prohibited from possessing or administering any medication that is illegal pursuant to state or federal law on district grounds, on district transportation or during district activities. The superintendent or designee is authorized to obtain a legal opinion from the district's attorney when there is a question regarding the legality of administering any medication.

### **Medical Marijuana and Cannabidiol (CBD) Oil**

The district does not permit the possession or administration of marijuana or marijuana-infused products for medicinal purposes on district property or at district events since these products are prohibited under federal law.

In accordance with state law, parents/guardians with a valid hemp extract registration card may possess CBD oil on district property for the purpose of administering it to their students who are less than 18 years old for the treatment of epilepsy. Students 18 and older with a valid hemp extract registration card may possess CBD oil on district property for the limited purpose of bringing it to the health office where it will be stored with other medications and administered to the student by the nursing staff for the treatment of epilepsy. Students who have an actual prescription for a medication containing CBD will be permitted to possess and administer the prescription medication in accordance with this policy.

When applicable, district staff will administer prescription medication containing CBD in the same manner used to administer other prescription medication.

## **Student Possession and Self-Administration of Medications**

The district prohibits students from possessing or self-administering medications unless the student is allowed by law to do so and has been given permission in accordance with this section.

A student with an IEP or Section 504 plan may possess and self-administer medications in accordance with the IEP or Section 504 plan. Students who do not have an IEP or Section 504 plan may possess and self-administer medications in accordance with 1) or 2) below:

1. **Students with Diabetes:** Upon written request of the parent/guardian and upon authorization by a student's diabetes medical management plan, the district will permit a student with diabetes to perform blood glucose checks, administer insulin through the student's insulin delivery systems, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes. The district will permit the student to possess on his or her person at all times all necessary supplies and equipment to perform these monitoring and treatment functions. The student shall have access to a private area for performing diabetes care tasks should the parent/guardian or student request such access. Students with diabetes who wish to possess and self-administer medications are subject to the same requirements (below) as students with other health conditions.
2. **Students with Other Chronic Health Conditions:** Students may possess and self-administer medications for the treatment of asthma, anaphylaxis and other chronic health conditions in accordance with this policy and law. The district will not permit students to possess and self-administer medications unless all of the following requirements are met:
  - < The medication was prescribed or ordered by the student's physician.
  - < The physician has provided a written treatment plan for the condition for which the medication was prescribed or authorized that includes a certification that the student is capable of and has been instructed in the correct and responsible use of the medication and has demonstrated to the physician or the physician's designee the skill level necessary to use the medication.
  - < The student has demonstrated proper self-administration technique to the school nurse.
  - < The student's parent/guardian has signed a statement authorizing self-administration and acknowledging that the district and its employees or agents will incur no liability as a result of any injury arising from the self-administration of such medication unless such injury is a result of negligence on the part of the district or its employees or agents.

Permission to possess and self-administer medications may be revisited if there is evidence that the student is not handling or administering the medication appropriately or that the student's actions may be harming his or her own health or the health and safety of others.

### **Emergency Medications**

All student-occupied buildings in this district are equipped with prefilled epinephrine auto syringes, asthma-related rescue medications and naloxone. The school nurse or another employee trained and supervised by the school nurse may administer these medications when they believe, based on training, that a student is having a serious or life-threatening reaction or episode. A prescription or written permission from a parent/guardian is not necessary to administer these medications in an emergency situation.

Epinephrine, naloxone and asthma-related rescue medications will be administered only in accordance with written protocols provided by an authorized prescriber. Naloxone (brand name Narcan) will be administered by nurses and other trained employees to students suspected of having an opioid-related drug overdose. The Board will purchase an adequate supply of prefilled epinephrine auto syringes, asthma-related rescue medications and naloxone based on the recommendation of the school nurse, who will be responsible for maintaining adequate supplies based on previous use levels and replacing expired syringes and medications.

The school principal or designee will maintain a list of students who cannot, according to their parents/guardians, receive epinephrine, naloxone or asthma-related rescue medications. A current copy of the list will be kept with the medications at all times.

### **Consequences**

Students who possess or consume medications in violation of this policy while on district grounds, on district transportation or during a district activity may be disciplined up to and including suspension or expulsion. Employees who violate this policy may be disciplined up to and including termination. District administrators will notify law enforcement when they believe a crime has occurred.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: July 10, 2000

Revised: December 12, 2011  
December 9, 2013  
July 13, 2015  
November 18<sup>th</sup>, 2019

Cross Refs: AH, Use of Tobacco Products and Imitation Tobacco Products  
EBB, Communicable Diseases  
EBBA, Illness and Injury Response and Prevention  
KK, Visitors to District Property/Events

Legal Refs: Mo. Const., art. XVI § 1  
§§ 167.621 - .635, .800 - .824, 192.945, .947, 335.016, .066, 338.059, 577.625,  
.628, RSMo.  
*Davis v. Francis Howell Sch. Dist.*, 138 F.3d 754 (8th Cir. 1998)  
*DeBord v. Board of Educ. of Ferguson-Florissant Sch. Dist.*, 126 F.3d 1102 (8th  
Cir. 1997)

## **STUDENT ALLERGY PREVENTION AND RESPONSE**

The purpose of this policy is to create an organized system for preventing and responding to allergic reactions. This policy is not a guarantee of an allergen-free environment; instead, it is designed to increase awareness, provide education and training, reduce the chance of exposure and outline responses to allergic reactions. The best form of prevention for life-threatening allergies is avoidance of the allergen.

Research shows that allergies can negatively impact student achievement by affecting concentration, auditory processing and attendance. Further, healthy students are better learners. In addition to posing health risks, allergies can be potentially deadly for some individuals.

This policy applies to district facilities to which students have access and includes transportation provided by the district. The Board instructs the superintendent or designee to develop procedures to implement this policy.

### **Identification**

Each school will attempt to identify students with life-threatening allergies, including food allergies. An allergic reaction is an immune system response to a substance that itself is not harmful but that the body interprets as being harmful. Allergic reactions can range from mild to severe and can even be life threatening. At enrollment, the person enrolling the student will be asked to provide information on any allergies the student may have.

### **Students with Known Allergies**

Students with allergies that rise to the level of a disability as defined by law will be accommodated in accordance with district policies and procedures pertaining to the identification and accommodation of students with disabilities. An individualized health plan (IHP), including an emergency action plan (EAP), may be developed for students with allergies that do not rise to the level of a disability.

All staff members are required to follow any Section 504 plan or IHP/EAP developed for a student by the district. Staff members who do not follow an existing Section 504 plan or IHP/EAP will be disciplined, and such discipline may include termination.

### **Prevention**

Staff members shall not use air fresheners, oils, candles or other such items intended to add fragrance in any district facilities. This provision will not be construed to prohibit the use of personal care items that contain added fragrance, but the principal may require staff members to refrain from the use of personal care items with added fragrance under particular circumstances.

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**Critical**

Staff members are prohibited from using cleaning materials, disinfectants, pesticides or other chemicals except those provided by the district.

The district will not serve any processed foods, including foods sold in vending machines, that are not labeled with a complete list of ingredients. Vended items must include a list of ingredients on the individual package. The food service director will create an ingredient list for all foods provided by the district as part of the district's nutrition program, including food provided during the school day and in before- and after-school programs. This list will be available upon request.

Prepackaged items used in concessions, fundraisers and classroom activities must include a list of ingredients on the package. If the package does not contain a list of ingredients, the list of ingredients must be available at the location where the package is sold or provided.

### **Education and Training**

All staff members will be regularly trained on the causes and symptoms of and responses to allergic reactions. Training will include instruction on the use of prefilled epinephrine auto syringes and the administration of asthma-related rescue medications.

In accordance with law, qualified employees will be held harmless and immune from civil liability for administering epinephrine or asthma-related rescue medications in good faith and according to standard medical practices. A qualified employee is one who has been trained to administer medication, including epinephrine, in accordance with standard medical practice.

Age-appropriate education on allergies and allergic reactions will be provided to students as such education aligns with state Grade-Level Expectations (GLEs) for health education. Education will include potential causes, signs and symptoms of allergic reactions; information on avoiding allergens; and simple steps students can take to keep classmates safe.

### **Confidentiality**

Information about individual students with allergies will be provided to all staff members and others who need to know the information to provide a safe learning environment for the student. Information about individual students with allergies will not be shared with students and others who do not have a legitimate educational interest in the information unless authorized by the parent/guardian or as otherwise permitted by law, including the Family Educational Rights and Privacy Act (FERPA).



**Response**

Response to an allergic reaction shall be in accordance with established procedures, including application of the student's Section 504 plan or IHP/EAP. Information about known allergies will be shared in accordance with FERPA. Each building will maintain an adequate supply of prefilled epinephrine auto syringes and asthma-related rescue medications to be administered in accordance with Board policy.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 12, 2011  
December 9, 2013

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
ADF, District Wellness Program  
EBBA, Illness and Injury Response and Prevention  
ECG, Animals on District Property  
EF, Food Services Management  
EFB, Free and Reduced-Cost Food Services  
IGBA, Programs for Students with Disabilities  
IGD, District-Sponsored Extracurricular Activities and Groups  
IICA, Field Trips and Excursions

Legal Refs: §§ 167.208, .635, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
National School Lunch Act, 42 U.S.C. §§ 1751 - 1769  
Child Nutrition Act of 1966, 42 U.S.C. §§ 1771 - 1785  
7 C.F.R. Parts 210, 220, 227

## **STUDENT COUNSELING PROGRAM**

### **Definitions**

*Counselor* - For the purposes of this policy, a counselor is a school counselor as defined by the Department of Elementary and Secondary Education (DESE).

*School Counseling Advisory Council (SCAC)* - A committee composed of a variety of stakeholders, such as parents/guardians, community leaders, agency personnel, students, teachers and School Board members.

### **General**

The Lone Jack C-6 School District's comprehensive school counseling program provides important benefits to all students at all grade levels by addressing their social/emotional, academic and career development needs. Research indicates that a fully implemented comprehensive school counseling program has a positive impact on student achievement and has the potential to increase attendance, reduce discipline referrals and improve Missouri Assessment Program (MAP) scores. In support of the district's efforts to improve student achievement, the Board requires full implementation of the Missouri Comprehensive School Counseling Program and will adhere to all of its standards. The program shall be implemented in each attendance area and is considered an integral part of each school's education program. School counseling program objectives will be aligned with the district's Comprehensive School Improvement Plan (CSIP) and student performance data. The program shall be implemented by certified school counselors with the support of district staff, students and external organizations and agencies.

### **School Counseling Curriculum**

Counselors will create and implement a written school counseling curriculum that promotes students' academic, career and social/emotional development. The Board will provide resources and support activities for implementation of the school counseling curriculum. The school counseling curriculum will be systematically reviewed and revised, and modifications to the school counseling curriculum will be based on student data, school data and planning survey data collected at least every three years.

### **Individual Student Planning**

Individual planning activities help students plan, monitor and manage their academic achievement as well as their social/emotional and career development. The foundation for individual planning will be established during the elementary school years through school counseling activities. Building on this foundation, the individual planning component of the school counseling program will assist middle school students as they begin to plan for the future and will continue to support students in their planning endeavors until graduation.

**FILE: JHD**  
**Critical**

School counselors will assist students in individual student planning (ISP) that addresses educational and career planning, educational transitioning and self-appraisal for decision making. An ISP process will be developed for students at every grade level.

Prior to their ninth-grade year, students will work with school counselors to create an individual career and academic plan (ICAP) as part of the student's ISP. The ICAP will include, but is not necessarily limited to, requirements for graduation; career or postsecondary goals and coursework or a program of study related to those goals, which shall include relevant opportunities that the district may not directly offer; grade-appropriate and career-related experiences as outlined in the grade-level expectations of the Missouri Comprehensive School Counseling Program; and student assessments, interest inventories or academic results needed to develop, review and revise the ICAP.

School counselors will continue to work with students throughout high school to evaluate and, if necessary, amend the plan in order to facilitate on-time graduation of success-ready students.

Students identified as at risk of not graduating from high school success-ready will receive additional support in accordance with law and policy IGBD.

If a student is receiving special education services, the student's individualized education program (IEP) team may explicitly waive or exempt the student from the provisions of this section.

### **Academic and Career Counseling Program**

The district may establish an academic and career counseling program in cooperation with parents/guardians and the local community that is in the best interest of and meets the needs of students in the community.

### **Responsive Services**

Responsive services are referrals and other actions taken by the district in response to the immediate needs and concerns of a particular student or identified needs and concerns of groups of students. The purpose of the responsive services component of the comprehensive school counseling program is to work with students whose personal circumstances, concerns or problems are interfering or threatening to interfere with their academic, career or social/emotional development. Responsive services will be implemented through individual counseling, small group counseling, consultation and referral.

Referrals shall be made in accordance with Board policies and district procedures. The superintendent, with the assistance of the SCAC, will develop procedures for staff to use to identify students who may need a referral for assistance beyond that regularly provided by the counseling staff. All staff members who, in the course of their duties, have contact with students on a regular basis will receive annual training on these procedures.

In the event of a pandemic or other emergency, school counseling staff will assist students with personal and emotional issues. The district's crisis intervention plan will include methods for continuing counseling support even in the event of a long-term school closure.

### **System Support**

The Board recognizes system support as a crucial component in the full implementation of a comprehensive school counseling program. System support of the comprehensive school counseling program includes administration and management activities that support the program. The Board directs the administration to implement activities that support the school counseling program, such as program management, professional development, staff-community relations, consultation, committee participation, community outreach, and research and development.

### **Program Goals**

The district will strive to meet the program goals in each of the following areas:

1. Social/Emotional Development
  - < Assist students in gaining an understanding of self as an individual and as a member of diverse local and global communities by emphasizing knowledge that leads to the recognition and understanding of the interrelationship of thoughts, feelings and actions in students' daily lives.
  - < Provide students with a solid foundation for interacting with others in ways that respect individual and group differences.
  - < Aid students in learning to apply physical and psychological safety and promoting the student's ability to advocate for him- or herself.
2. Academic Development
  - < Guide students to apply the skills needed for educational achievement by focusing on self-management, study and test-taking skills.
  - < Teach students skills to aid them as they transition between grade levels or schools.
  - < Focus on developing and monitoring individual education plans, emphasizing the understanding, knowledge and skills students need to develop meaningful ICAPs.
3. Career Development
  - < Enable students to apply career exploration and planning skills in the achievement

of life career goals.

- < Educate students about where and how to obtain information about the world of work and postsecondary training and education.
- < Provide students the opportunity to learn employment readiness skills and skills for on-the-job success, including responsibility, dependability, punctuality, integrity, self-management and effort.

### **Confidentiality**

It is necessary for counselors to build trusting relationships with students and district staff; however, counselors are not permitted to promise students complete confidentiality. Counselors may at times be required to disclose information to parents/guardians, report child abuse or neglect, convey to district staff information necessary to better serve a student, or report to supervisors as appropriate.

Care should be taken in explaining to students, in a developmentally appropriate manner, the limits of confidentiality. Notice of the limits of confidentiality may be made by a variety of methods including classroom lessons, student handbooks, the district website and school counseling brochures in addition to oral notification of individual students.

District counselors have the responsibility to protect the confidentiality of student records and only release information in accordance with state and federal law and Board policy. Information transmitted or stored electronically must maintain the same level of confidentiality as traditional paper records. Care shall be taken to send sensitive information by a means that protects student identity.

### **School Counseling Program Evaluation**

The SCAC will systematically review the district's comprehensive school counseling program, including the school counseling curriculum, through the development and use of a comprehensive evaluation plan. The comprehensive evaluation plan will minimally assess the impact of the comprehensive school counseling program on the Missouri School Improvement Plan (MSIP) performance standards and other relevant criteria including, but not limited to, attendance, grades and behaviors.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: July 15, 1996

Revised: December 12, 2006  
December 12, 2011  
May 14<sup>th</sup>, 2018  
March 6<sup>th</sup>, 2019

Cross Refs: EBCA, Crisis Intervention Plan  
ECG, Animals on District Property  
IGBD, At-Risk Students  
IGCD, Virtual Courses  
IGCE, Nontraditional Instruction Options  
IL, Assessment Program

Legal Refs: §§ 167.266, .903, .905, 170.048, RSMo.

MSIP Refs: I-6

## **SURVEYING, ANALYZING OR EVALUATING STUDENTS**

All instructional materials, including teachers' manuals, films, tapes or other supplementary material that will be used in connection with any survey, analysis or evaluation as part of any program shall be available for inspection by the parents or guardians of the students. Further, a parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to a student. The term "instructional material" does not include academic tests or academic assessments.

In general, the district will not collect, disclose or use personal student information for the purpose of marketing or selling that information or otherwise providing the information to others for that purpose. In the rare case where the district may collect information from students for the purpose of marketing or selling that information, parents may inspect any instrument used before the instrument is administered or distributed to a student, upon request and in accordance with Policy KI.

Parents will be notified at least annually at the beginning of the school year of this policy and within a reasonable period of time after any substantive change in the policy. The district will directly notify parents at least annually at the beginning of the school year of the specific or approximate dates during the school year when the above described surveys or evaluations are scheduled or expected to be scheduled or when information for the purpose of marketing will be collected. Parents have the opportunity to opt the student out of participation in any surveys or evaluations described in this policy.

### **Programs Wholly or Partially Funded by the U.S. Department of Education**

Without written consent of a parent or consent of the student if emancipated, no student, as part of any program wholly or partially funded by the U.S. Department of Education, shall be required to submit to a survey, analysis or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parent.
2. Mental or psychological problems of the student or the student's family.
3. Sex behavior and attitudes.
4. Illegal, antisocial, self-incriminating or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers

7. Religious practices, affiliations or beliefs of the student or the student's parent.
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

If a survey covering one (1) or more of the eight (8) listed issues is distributed, regardless of the source of funding, the district will take measures to protect the identification and privacy of the students participating. These measures may include limiting access to the completed surveys and the survey results as allowed by law. Parents have the opportunity to opt the student out of participation in a survey covering one or more of the eight (8) listed issues.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 11, 2002

Revised:

Cross Refs: IGBA, Programs for Students with Disabilities  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
JO, Student Records  
KI, Public Solicitation/Advertising in District Facilities

Legal Refs: §§ 610.010 - .028, RSMo.  
General Education Provisions Act, 20 U.S.C. § 1232h



## **BEHAVIORAL RISK ASSESSMENT**

To further the goal of school safety, and in accordance with the Missouri School Improvement Program, the Lone Jack C-6 School District has established a system for reporting and addressing threats of violence or physical harm to self or others and other behaviors that are indicative of potential threats. All statements (written or verbal), actions or gestures that threaten the safety of any person at any district facility will be taken seriously regardless of intent.

All district employees, volunteers and contractors are required to report any expressed threat(s) or behavior(s) that might represent a danger to district students or staff or indicate a potential for self-harm. Nothing in this policy shall preclude district personnel from acting immediately to address an imminent threat before notifying the superintendent or designee of any individual who poses a threat of violence or physical harm to self or others.

### **Behavioral Risk Assessment Team**

The superintendent or designee shall establish one or more behavioral risk assessment teams (Team or Teams) in accordance with this policy. Each Team should include persons with expertise in counseling, instruction, school administration and law enforcement. One Team may serve more than one school in the district. Teams will utilize best practices in developing strategies for identifying and addressing potential threats to district students or staff.

Each Team will:

1. Receive professional training in the behavioral risk assessment (also known as threat assessment) model the district uses.
2. Train and provide guidance to students and staff on recognizing threatening behavior or other behavior that might represent a danger to district students or staff or indicate a potential for self-harm.
3. Identify and designate members of the school community to whom threatening behaviors should be reported.
4. Be responsible for and implement assessment and intervention protocols for individuals whose behavior might pose a threat to the safety of district students or staff. Unless it is not feasible to do so, all Team members will be involved in the assessment and intervention. Intervention methods may include alternative delivery of educational services when allowed by law.
5. Provide information on community resources, such as drug treatment, health services, mental health services and other needed services.

Teams will meet regularly to ensure that students are appropriately assessed and, if needed, referred to services. However, if there is an imminent threat to school or district safety, the superintendent or designee will convene an emergency threat assessment meeting to address the imminent threat. After an incident, Teams will conduct an after-action debriefing to identify possible improvements to the assessment process.

Students may be subject to disciplinary action and referral to law enforcement in accordance with board policy and state law and regardless of the actions any Team takes.

### **Student Record Disclosure**

The Team may share personally identifiable student records and information from those records only in accordance with state and federal law and policy JO.

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: January 10<sup>th</sup>, 2022

Revised:

Cross Refs: EB, Safety Program

MSIP Refs: L-10

Legal Refs: §§ 160.261, 167.115, .117, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
34 C.F.R. Part 99

## **SUICIDE AWARENESS AND PREVENTION**

### **Purpose**

Suicide is a leading cause of death among youths in Missouri and is a public health concern impacting all Missouri citizens. The Lone Jack C-6 School District is committed to maintaining a safe environment to protect the health, safety and welfare of students.

This policy outlines key protocols and procedures the district will use to raise awareness of suicide and the steps that can be taken to prevent it. The goal of the district is to help students, including students receiving their education virtually, who may be at risk of suicide without stigmatizing students or excluding them from school. The board will provide the resources necessary to meet this goal. No student will be excluded from school based solely on the district's belief that the student is at risk of suicide.

### **Definitions**

*Crisis Response Team (CRT)* - A team of district employees trained in suicide awareness and prevention.

*Student at Risk of Suicide* - A student who is demonstrating individual, relationship, community or societal factors that are associated with suicide and that in combination indicate that an individual might be contemplating suicide.

*Suicide Crisis* - A situation in which a person is attempting suicide or is seriously contemplating or planning suicide. Planning may include, but is not limited to, a timeframe and method for attempting suicide or obtaining or attempting to obtain the means to attempt suicide. A suicide crisis is considered a medical emergency requiring immediate intervention.

### **Crisis Response Team**

The district will establish a district-level CRT and, if practical, a team in each building. CRT members will include administrators, counselors and the school nurse and may also include school social workers, school resource officers, teachers and community members as appropriate. The CRT will be responsible for implementation of the district's response plan.

The district will use an evidence-based/informed tool for determining whether a student is at risk of suicide or is having a suicide crisis. The CRT members and the building will receive training and coaching in using this tool to assist in making determinations as to whether a student may be at risk of suicide and the appropriate response.

Any such determination shall be made by multiple team members. If the district has a behavioral risk assessment team, a threat assessment team or any similar team that monitors students considered "at risk," those teams must immediately contact the CRT if the team has identified a student who might be at risk for self-harm or suicide.

## **Response Plan**

District employees will respond immediately in situations where they have a reasonable belief that a student may be at risk of suicide or may be having a suicide crisis.

### ***Students Who May Be at Risk of Suicide***

Any district employee who has a reasonable belief that a student may be at risk of suicide, even though the student is not having a suicide crisis as defined in this policy, will take the following steps:

1. Find another employee and make every effort to locate the student immediately. One of the employees must stay with the student.
2. While one employee stays with the student, the other will notify a CRT member or the building administrator or designee. If the employee cannot reach the building administrator, designee or any of the CRT members, the employee will contact the student's parent/guardian. If the parent/guardian is also unavailable, or at the parent's/guardian's request, the employee will contact emergency services.

When a CRT member or the building administrator or designee receives notification that a student may be at risk of suicide, the CRT member, administrator or designee will take the following steps:

1. If the student cannot be located or leaves after being located, contact the parent/guardian to explain the district's concern.
2. If the student has been located, use an evidence-based/informed tool to determine whether the student is at risk of suicide and the appropriate response. Regardless of the determination, the building administrator or designee will contact the student's parent/guardian to discuss the concern.
3. If it is determined that the student may be at risk of suicide, appropriate members of the and a CRT will meet with the student and the student's parents/guardians to discuss support and safety systems, available resources, coping skills and collaborative ways to support the student.

### ***Students Who May Be Having a Suicide Crisis***

If an employee reasonably believes that a student is having a suicide crisis, the employee will take the following steps:

1. Find another employee and make every effort to locate the student immediately. One of the employees must stay with the student.

**FILE: JHDF**  
**Critical**

2. Immediately report the situation to a CRT member or the building administrator or designee. If the employee cannot reach the building administrator, designee or any of the CRT members, the employee will notify the student's parent/guardian and contact emergency services. The employee may also contact the National Suicide Prevention Lifeline (800-273-8255) or 988 for assistance. As soon as practical, the employee will notify the building administrator or designee.

When a CRT member or the building administrator or designee receives notification that a student is believed to be having a suicide crisis, the CRT member, administrator or designee will take the following steps:

1. If the student cannot be located or leaves after being located, a CRT member or the building administrator or designee will contact the parent/guardian to explain the district's concern.
2. If the student has been located, the CRT member and the building administrator or designee will, based on their training and an assessment of the student, determine the appropriate action, including whether to call emergency services, and implement the appropriate response.
3. At an appropriate time after the crisis has passed appropriate CRT members will meet with the student and the students' parents/guardians to discuss support and safety systems, available resources, coping skills and collaborative ways to support the student.

### **Students Attending Virtually**

In addition to monitoring the attendance and academic progress of students receiving education virtually (virtual learners), the district must also monitor virtual learners who may be at risk for suicide. Building administrators will develop procedures for monitoring the social/emotional health, including suicide risk, of virtual learners in conjunction with monitoring attendance and academic progress that will include:

3. Identifying staff members who will contact virtual learners on a regular basis;
4. Providing hard copies of student contact information to those assigned to contact virtual learners as a backup to Internet access of student records;
5. Creating a few questions designed to assess a virtual learner's social and emotional health that will be asked in conjunction with questions about academic progress;
6. Creating a written set of instructions for employees to follow if the employee suspects the virtual learner may be at risk of suicide or self-harm; and

7. Notifying the CRT.

To the extent possible, the superintendent or designee will work with the teachers hired by Missouri Course Access and Virtual School Program (MOCAP) providers to solicit information about the social and emotional health of the virtual learners in their courses.

**Confidentiality**

Employees are required to share with the CRT and administrators or their designees any information that may be relevant in determining whether a student is at risk of suicide, is having a suicide crisis or is otherwise at risk of harm. Employees are prohibited from promising students that information shared by the student will be kept secret when the information is relevant to the student's safety or the safety of another person.

Release of a student's individually identifiable education records will be made in accordance with the Family Educational Rights and Privacy Act (FERPA). In accordance with FERPA, information contained in a student's education records may be revealed at any time to the student's parents/guardians and school personnel who have a legitimate interest in the information. Education records may be shared with other appropriate persons when necessary to protect the health or safety of the student or others.

**Abuse and Neglect**

If any employee of the district has reasonable cause to believe a student has been or may be subjected to abuse or neglect or observes the student being subjected to conditions or circumstances that would reasonably result in abuse or neglect, the employee will contact the Child Abuse and Neglect Hotline in accordance with law and Board policy.

**Accommodating a Disability**

If at any time a parent/guardian informs the district that a student has a medical condition or impairment that could require accommodation, district employees will contact the district's compliance coordinator to determine whether the student has a disability.

**School and Community Resources**

The district will, in collaboration with local organizations and the Missouri Department of Mental Health, identify local, state and national resources and organizations that can provide information or support to students and families. Copies of or links to resources will be available to all students and families on the district's website and in all district schools.

A CRT member will follow up with students who have been identified as being at risk of suicide or who have had a suicide crisis and their parents/guardians to offer additional assistance. The CRT will determine the number and frequency of follow-up visits. If a student transfers to virtual

learning or is otherwise not present in school, the district will, to the extent possible, continue providing any supportive services the student was receiving from the district while in physical attendance.

The district will request permission from the parent/guardian to consult with the student's outside medical provider to assist in determining what interventions the district should use.

Beginning July 1, 2023, identification badges issued to students in grades 7–12 shall include the Suicide and Crisis Lifeline three-digit phone number, 988, on both sides of the badge. Badges purchased prior to this date may be used until the supply is depleted

### **Response to Incidents Impacting the School**

When the school community is impacted by the attempted suicide or death by suicide of a student, staff member or other person in the school community, the superintendent or designee will confer with the district-level CRT and, when appropriate, confer with local community resources and professionals to identify and make available supports that may help the school community understand and process the behavior or death.

The CRT and the superintendent or designee will determine appropriate procedures for informing the school community of an attempted suicide or death by suicide and the supports that will be offered. Staff and students who need immediate attention following an attempted suicide or death by suicide will be provided support and resources available through the district and will be given information about other resources.

### **Return to School Following a Suicide Attempt**

Students who have attempted suicide are at greater risk to attempt to harm themselves again and require support when returning to school. The building administrator will designate an appropriate employee to serve as a case manager for a student returning to school after a suicide attempt. The case manager will:

1. Meet with the student and family prior to the return date;
2. Study the student's records, including the events that precipitated the attempt if available;
3. Provide information about the student to teachers and other staff members to the extent necessary to support the student's return;

4. Meet with the student regularly; and
5. Assist the student and family in finding supportive services outside of the school

### **Staff Education on Suicide Prevention and Response Protocol**

All district employees will receive information regarding this policy and the district's protocol for suicide awareness, prevention and response. This information will be provided to current employees and each new employee hired. The information will focus on the importance of suicide prevention, recognition of suicide risk factors, strategies to strengthen school connectedness, and response procedures and will include:

1. Strategies that can help identify students who are at possible risk of suicide;
2. Strategies and protocols for helping students at possible risk of suicide; and
3. Protocols for responding to a suicide death

The district will also provide opportunities for district staff to participate in professional development regarding suicide awareness and prevention. Opportunities may include district-led training, access to web-based training, or training provided in other school districts or by local organizations or health professionals.

### **Suicide Prevention Education for Students**

Starting no later than fifth grade, students will receive age-appropriate information and instruction on suicide awareness and prevention. Information and instruction may be offered in health education, by the counseling staff or in other curricula as may be appropriate.

### **Policy Publication**

The district will notify employees, students and parents/guardians of this policy by posting this policy on the district's website and providing information about the policy to district employees. The district may also include information about the policy in appropriate district publications and student handbooks.

Adopted: May 14<sup>th</sup>, 2018

Revised: March 13<sup>th</sup>, 2023



Cross Refs: EBCA, Crisis Intervention Plan

Legal Refs: § 170.048- .048, RSMo.  
CC-1, T1-10, TL-7; MSIP Standard

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

The Lone Jack C-6 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 accordance with law, 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.; sexual contact with a student under § 566.086, 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.

Mandated reporters who make such reports to the CD must notify the school principal or designee that a report has been made. The principal or designee will notify the superintendent or designee and the district liaison(s) about the report. 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.

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.

**Investigating Child Abuse and Neglect**

The CD investigates reports of child abuse and neglect.

When the CD receives a child abuse report alleging that an employee of the district has abused a student, the CD will notify the superintendent (or the president of the School Board in situations concerning the superintendent),

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 reporter's 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.

Adopted: December 8, 2003

Revised: December 13, 2006  
December 11, 2011  
October 8, 2012  
December 9, 2013  
June 11, 2016  
October 12, 2020  
March 13<sup>th</sup>, 2023

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
ACA, Sexual Harassment under Title IX  
BHA, Board Training and Development  
GBCBB, Protected Staff Communications

GBH, Staff/Student Relations  
GBLB, References  
GCPB, Resignation of Professional Staff Members  
GCPD, Suspension of Professional Staff Members  
GCPE, Termination of Professional Staff Members  
GCPF, Renewal of Professional Staff Members  
GDPB, Resignation of Support Staff Members  
GDPD, Nonrenewal, Suspension and Termination of Support Staff Members  
GDPE, Nonrenewal and termination of support staff members  
IGAEB, Sexual Health Instruction

Legal Refs: §§210.110-.165, 160.261, 162.203, 167.122, .123, 170.045, 210.865, RSMo  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

## **WORK CERTIFICATES**

Under state law, children between the ages of 14 and 16 must first obtain a work certificate to be employed during the regular school year, as defined by the school calendar of the school the child attends. The Lone Jack C-6 School District Board of Education believes that it is in the best interest of children to focus on educational opportunities and to delay entering the workforce until the student has proven successful in the classroom. The Board recognizes that there may be circumstances in which children may benefit from employment, and the Board will support the child's initiative to the extent that the child may be employed and still progress educationally.

District employees are directed to notify the Missouri Department of Labor and Industrial Relations if they receive information that indicates that a child is being employed without a certificate or if the nature or length of employment violates state or federal laws. In accordance with law, the district will not charge a fee for work certificates.

### **Authorized Employees**

By law the following district employees may issue work certificates:

1. The superintendent.
2. A person holding a student services certificate who is authorized in writing by the superintendent.
3. A person designated in writing by the superintendent when the person with a student services certificate is not available or, if the district does not employ a person with a student services certificate, when the superintendent is not available.
4. A principal or another administrator designated by the principal, but only for students attending the school he or she administers.

Authorized district employees will only issue work certificates in accordance with law and when they are satisfied that employment will serve the best interest of the child. Except as permitted for home-schooled students, no district employee may issue a work certificate to his or her own child.

### **Work Certificates Issued by a Lone Jack C-6 School District Principal or Designee**

Prior to issuing a work certificate to a Lone Jack C-6 School District student, a principal or a person designated by a principal to issue work certificates will provide a self-certification that he or she understands the requirements in existing law for issuing a work certificate. A copy of this self-certification will be maintained in the personnel record of the principal or designee.

The principal or designee will submit a copy of each work certificate he or she issues, along with copies of supporting documentation, to the superintendent. The superintendent may revoke the work certificate if the superintendent becomes aware of any grounds upon which the student may be deemed ineligible for a work certificate under existing law. The superintendent will provide the student and the person employing the student written notice of the revocation and the reasons for the revocation.

### **Work Certificates Issued by the Principal or Designee of a Private School**

In accordance with law, the principal of a private school located in the Lone Jack C-6 School District may issue work certificates and is required to submit a copy of the work certificate to the superintendent of the Lone Jack C-6 School District. The superintendent may revoke the work certificate if he or she becomes aware of any grounds upon which the child may be deemed ineligible for a work certificate under existing law.

### **Requirements**

District employees authorized to issue work certificates (authorized employees) will only issue work certificates if they are satisfied that the employment will serve the best interest of the child, and the authorized employee has received and approved the following:

1. Documentation for a work certificate that includes the written consent of the parent/guardian. The authorized employee may require the parent/guardian to first meet with the authorized employee.
2. A statement of intention to employ signed by the prospective employer setting forth the specific nature of the occupation in which the employer intends to employ the child and the exact hours of the day, the number of hours per day and the days per week during which the child is to be employed.
3. The child's birth certificate or other documentary evidence of age, as prescribed by the authorized employee.
4. A certificate of the principal of the school the child attends or has attended giving the grades received by the child. If a child is permanently excused from attending school under law, this requirement may be waived.
5. A certificate by a licensed physician stating that the child is capable of performing labor without injury, if required by the authorized employee in accordance with law.

A new work certificate may be issued to a student whose certificate has been returned by the employer to the authorized employee.



## **Work Certificates Issued to Residents Not Enrolled in the District**

In accordance with law, the superintendent or persons authorized by the superintendent other than principals or principal designees may issue work certificates to children living in the district who are not students of the district. These children must supply the same documents the authorized employee requires for district students. Children who are home schooled or educated by a private tutor must receive work certificates from their primary education provider.

### **Cancellation**

If an authorized employee is notified that a work certificate has been improperly granted or illegally used or that the child is being injured, or is likely to be injured, by the employment, the authorized employee will cancel the work certificate. The authorized employee will provide the child and the person employing the child written notice of the cancellation and the reasons for the cancellation.

### **State Notice and Recordkeeping**

When issued, the authorized employee will send the work certificate directly to the employer. The authorized employee issuing a work certificate will send a copy of each work certificate issued and notice of the revocation or cancellation of any work certificate to the Missouri Department of Labor and Industrial Relations, in accordance with law.

Copies of work certificates issued and supporting documentation will be maintained in a district student's file. Work certificates returned by employers will be maintained in the district student's file along with documentation regarding cancellation or revocation of work certificates. If the superintendent or designee issues a work certificate for children residing in the district who are not students of the district, copies of the work certificate, supporting documentation and other relevant information will be maintained in the central office.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2003

Revised: December 8, 2003  
December 13, 2006  
December 12, 2011

Legal Refs: §§ 294.011 - .110, RSMo.

**STUDENT RECORDS**  
***(K-12 Districts)***

In order to provide students with appropriate instruction and educational services, it is necessary for the 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 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. These rights transfer from the parent to the student once the student becomes an eligible student; however, under the Missouri Sunshine Law, 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:

**FILE: JO**  
**Critical**

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 coursework 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 purposes 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 requests 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 records 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.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 12, 2001

Revised: November 8, 2004

December 14, 2005  
December 9, 2013  
June 12, 2017  
October 12, 2020

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
EFB, Free and Reduced-Price Food Service  
EHB, Technology Usage  
EHBC, Data Governance and Security  
GBCB, Staff Conduct  
GBCBB, Protected Staff Communications  
IGAB, Instructional Interventions  
IGB, Accommodation of Students with Disabilities  
IGBA, Special Education  
IGBCB, Programs for Migratory Students  
IGBE, Students in Foster Care  
IGDB, Student Publications  
IIAC, Instructional Media Centers/School Libraries  
IL, Assessment Program  
KB, Public Information Program  
KDA, Custodial and Noncustodial Parents  
KI, Public Solicitations/Advertising in District Facilities  
KKB, Audio and Visual Recording  
KNAJ, Relations with Law Enforcement Authorities

Legal Refs: §§ 167.020, .022, .115, .122 - .123, 210.115, .865, 452.375 - .376, 610.010 - .028,  
589.664, 610.010 - .028, RSMo..  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417  
The Elementary and Secondary Education Act of 1965, 20 U.S.C. § 7908  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 99  
*Oregon County R-VI School District v. LeMon*, 739 S.W.2d 533 (Mo.Ct.App.  
1987)

## **PUBLIC INFORMATION PROGRAM**

Open communication with the district's students, parents/guardians, employees and the public is essential for the school district to operate effectively. The Lone Jack C-6 School District Board of Education places high importance on conveying information concerning the district's goals, achievements, activities and operations to these groups.

The district will make a systematic effort to communicate with the public using a variety of communication channels. The Board of Education authorizes the expenditure of funds for the purpose of preparing and distributing information to the general public. Employees and Board members will maintain an effective working relationship with the news media.

### **Spokespersons**

The superintendent, Board president or designee will serve as official spokespersons for the district. All employees and Board members will direct requests for official statements about district business from the public or members of the media to the district's spokespersons. Board members should emphasize to the media and members of the public that they may only speak as individual Board members unless empowered by the Board to speak on its behalf.

### **Communications Plan**

The Board directs the superintendent or designee to develop and disseminate written guidelines to further the goals of this policy, including a communications plan that aligns with relevant Board policies and administrative procedures and addresses:

1. Guidelines for employees communicating with the media.
2. Communicating during emergency situations.
3. Use of the district's website and social media.
4. Sharing information within the district.
5. Sharing information with the public.

### **Effective Communications**

The district recognizes that Board members and employees have regular contact with students, parents/guardians and the public in general. When interacting with the public, all district employees and Board members are responsible for communicating accurate information about district policies and programs and promoting effective school-home-community partnerships. District employees will not be disciplined for speech that is protected by law.

In all communications, the Board and its employees will:

1. Disseminate accurate and timely information about district policies, programs, procedures, achievements, decisions and critical issues.
2. Eliminate rumors and misinformation.
3. Observe confidentiality and other restrictions imposed by law and Board policy.
4. Promote a climate of trust.

### **Specific Information**

The district will provide parents/guardians and members of the public information as required by law. Board policies and related documents, including current versions of district handbooks, will be posted on the district's website. School and district report cards may be posted on the district's website and will be distributed to the public as determined by the superintendent or designee. The district will post notice of Board meetings and make copies of these notices available to representatives of the news media upon request. Other public information will be available in the district's buildings or administrative offices for viewing by the public during the office's normal business hours, as required by law and in accordance with policy BDDL.

The superintendent or designee will develop a communication system for the exchange of information between the district and staff, students, parents/guardians and others when school or school activities are canceled. Notice of the closing and reopening of school or cancellation of activities will be publicized through local media, the district's website and other district information dissemination options.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 14, 2005

Revised: December 9, 2013  
March 6<sup>th</sup>, 2019

Cross Refs: BDDL, Release of Information  
CH, Policy Implementation and Dissemination  
DCB, Political Campaigns  
DIE, Audits  
EBC, Emergency Drills  
EFB, Free and Reduced-Price Food Service  
EHB, Technology Usage



GBH, Staff-Student Relations  
IGAEB, Teaching about Human Sexuality  
IGBB, Programs for Gifted Students  
IGBC, Parent and Family Involvement and Engagement  
IL, Assessment Program  
JHA, Student Insurance  
JO, Student Records

Legal Refs: §§ 105.055, 160.522, .570, 161.670, 162.208, 167.645, RSMo..  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 – 1417  
7 C.F.R. §§ 200.12, 245.5  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 – 12213

**PUBLIC'S RIGHT TO KNOW**

The Lone Jack C-6 School District will make district records available to the public in accordance with law. Any person wishing to access records shall make a request to the custodian of records during regular business hours. Anyone requesting a copy of a public record will be charged fees for search and duplication in accordance with Board policy on the release of public information.

Not all district records are available to the public. If the opportunity to inspect or copy a record is denied, the custodian of records will provide a written statement explaining why the request was denied in accordance with law if such an explanation is requested.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: November 9, 2000

Revised: December 14, 2005

Cross Refs: BDC, Closed Meetings, Records and Votes  
BDDG, Minutes  
BDDL, Release of Information  
GBL, Personnel Records  
JO, Student Records

Legal Refs: §§ 160.261.9, 167.020.7, 610.010 - .028, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
34 C.F.R. Part 99  
29 C.F.R. § 1630.14 (Medical Information of Employees)

## **COMMUNITY ENGAGEMENT**

The board recognizes the importance of ongoing community engagement in supporting the district's mission and is committed to engaging the community in meaningful and intentional ways.

### **Definitions**

**Community** – The district's community includes district parents/guardians; residents; students; taxpayers; representatives from business, social services and local government; civic organizations; advocacy groups; religious leaders; employers; and others who have a stake in the district's success. The composition of community members participating in any particular engagement activity will vary depending on the purpose and type of the activity.

**Community Engagement** – The process by which school boards actively involve diverse citizens in dialogue, deliberation and collaborative thinking around common interests for their public schools. Community engagement focuses on long-term, significant issues involving the district's values, beliefs, mission, vision and goals. The board and district administration make operational decisions.

**Engagement Activities** – Include, but are not limited to, community forums, focus groups, study groups, listening circles, training and education on education-related topics, dialogue, visioning, polling/surveys, media strategies, webinars, wikis and shared workspaces.

### **Written Communication**

It is crucial that district residents have the opportunity to communicate directly with the board, including outside of board meetings, where time is limited and where the district must conduct business. Community members may provide written comments to the board on a school-related topic by submitting the comments, electronically or otherwise, to the board secretary or the board president. Any communications directed to the board will be provided to all board members. When appropriate, the board president will respond on behalf of the board.

The district may post on the district's website an email address or other electronic tool for the public to use to submit comments to individual board members or the board as a whole.

### **Board Meetings**

The board encourages the public to attend open school board meetings. As required by law and provided in policy Current Manual MSBA Policy Management Console Policy Reference Disclaimer: BDDH, the board allows district residents to request that an agenda item be added to regularly scheduled board meetings. The board provides other opportunities for the public to speak at board meetings as well. The board will, with community input, review the process that allows community members to place items on a meeting agenda.

## **Community Engagement Plan**

The board will, with input from the community, create a plan for ongoing community engagement that is consistent with this policy and outlines additional engagement activities the board and district will use the following year. The board will coordinate the community engagement plan with the district- and building-level parent and family engagement plans required by law to maximize engagement opportunities and prevent unnecessary duplication. The board will annually review and adopt the community engagement plan in collaboration with the community.

The community engagement plan will clearly articulate a purpose for each engagement activity. Engagement activities will include at least three of the following four levels of community engagement:

1. Informing – Providing the community with balanced and objective information to assist in understanding the problem and the alternatives or solution.
2. Consulting – Obtaining community feedback on analysis, alternatives and/or decisions.
3. Involving – Working directly with the community to ensure that community issues and concerns are consistently understood and considered.
4. Collaborating – Involving the community in each aspect of a decision, including the development of alternatives and the identification of the preferred solution.

Generally, activity participants will reflect the demographics of the community. If participants are selected based on specialized skills, knowledge or other characteristics, the participants should reflect community demographics to the extent possible. The district will actively seek involvement from community members who reflect the district's demographics and have diverse viewpoints.

The district will conduct engagement activities using a variety of methods, including virtual, written and in-person methods. The district will schedule engagement activities at locations and times convenient to community participants. The district will hold in-person activities in accessible locations, when possible, and may provide childcare, language interpretation and other services to increase participation and understanding.

The board will evaluate all engagement activities in collaboration with activity participants to determine the activity's effectiveness. Depending on the type of activity, the evaluation may be ongoing over the course of the activity, conducted after the activity ends, or both.

Adopted: November 8, 2004

Revised: June 12<sup>th</sup>, 2023

Cross Refs: AD, School District Mission  
BCE, Board Committees/Advisory Committees to the Board

**FILE: KC  
Basic**

BDDH, Public Participation at Board Meetings  
BF, School Board Policy Process  
IGBC: Parent and Family Involvement and Engagement

Legal Ref: 162.058, 167.700

## **CUSTODIAL AND NONCUSTODIAL PARENTS**

The Lone Jack C-6 School District Board of Education encourages parents to be actively involved in their child's education. Further, Missouri law states a preference for continuing and meaningful contact with both parents. Therefore, in accordance with Board policy, the district will not prohibit parents from accessing records, attending activities or participating in conferences pertaining to their child unless otherwise required by court order or law.

### **Definitions**

*Parent* -- A biological or adoptive parent, including parents who are unmarried; a guardian; or an individual acting as a parent in the absence of the parent or guardian.

*Joint Legal Custody* -- Parents share decision-making rights, responsibilities and authority relating to the health, education and welfare of the child.

*Joint Physical Custody* -- Each parent has periods of time, not necessarily equal, during which the child resides with or is under the care or supervision of that parent.

### **Visitation Schedules**

Visitation schedules and parenting plans are agreements between parents and are not binding on the district. The district will release a student to either parent in accordance with Board policy unless otherwise directed by a valid court order.

### **Court Appearances**

The district discourages parents from involving district staff in disputes over custody, visitation schedules, child support and other such issues. Staff members must stay focused on providing students an education. To do so, they must maintain good relationships with both parents and should not be asked to support one (1) parent over another. District employees will not testify or otherwise participate in a custody dispute in their capacities as district employees unless served with a subpoena. Often, student records can provide the same information as the testimony of a staff member, and parents have access to student records by law. Parents are encouraged to use records rather than staff testimony in resolving disputes over their child.

### **Student Records**

A parent will have access to all records and information pertaining to his or her child unless that parent has been denied custody or visitation rights. The district will provide access to all such records unless a court order showing the denial of legal custody or visitation is provided to the district. A court may also order that such records not include the address of the custodial parent

or child. A copy of any court order received by the district pertaining to a student will be forwarded to the principal of the building where the student attends.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 14, 2005

Revised:

Cross Refs: BDC, Closed Meetings, Records and Votes  
JEDB, Student Dismissal Precautions  
JO, Student Records

Legal Refs: §§ 452.375, .376, 610.010, .021, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

## **COMMUNITY USE OF DISTRICT FACILITIES**

As a service to the community and in accordance with law, the Board of Education may allow community groups, as defined in this policy, and individuals to use district facilities for educational, recreational, social, civic, philanthropic and other similar purposes when the facilities are not being used by the district or district-sponsored groups. The superintendent or designee is directed to create and implement procedures addressing facility use and may approve or deny facility use requests in accordance with this policy.

Granting a request to use district facilities does not constitute district endorsement of the activity, organization, organization's mission or any opinion expressed by the individual, groups or members of the groups.

### **Definitions**

*Community Groups (Groups)* - Governmental entities and nonprofit organizations operating in or located in the district.

*District Equipment* - Any property owned by the district that is not permanently affixed to the building including, but not limited to, athletic gear, kitchen appliances and utensils, electronic equipment, desks and chairs. District equipment includes property donated to the district or purchased with donated funds.

*District Facility* - Buildings, rooms, gymnasiums, auditoriums, athletic fields, courtyards or other spaces on district property an individual or group seeks to use.

*District-Sponsored Activity* - Any activity organized by the district as part of the district's education program or co-sponsored by the district with other organizations. District-sponsored activities may include, but are not limited to: clubs, athletic events and practices, tutoring, dances, musical performances and carnivals. District-sponsored activities include activities sponsored by student-initiated groups at the secondary level organized in accordance with policy and law.

### **Eligible Users**

Use of district facilities is a privilege, not a right. Except as otherwise permitted in this policy or the accompanying procedure, any community group or individual who wishes to use district facilities must complete the application process. The district intends to maintain district facilities as nonpublic forums and reserves the right to exclude individuals or groups from its facilities or cancel or modify any permission granted, to the extent allowed by law.

District facilities may not be used by for-profit entities or by any individual or group conducting business for the primary purpose of making a profit for an individual or group. Priority will be



given to applicants who wish to use district facilities for purposes that directly benefit district students. Use of district facilities will not be granted if the use conflicts or interferes with a district-sponsored activity, and all uses granted are contingent upon the district's needs. An individual or group whose request for the use of facilities has been denied by the superintendent or designee may request to speak to the Board regarding the usage. The Board will make the final decision if any dispute over usage occurs.

Staff use of district property and facilities is subject to this policy and applicable procedures when the use is for personal purposes or reasons other than performing the staff member's duties with the district.

### **Boy Scout Equal Access Act**

In accordance with law, when the district allows youth or community groups not affiliated with the district to use district facilities outside of school hours, the district will provide equal access and related services and benefits to groups officially affiliated with the Boy Scouts of America, Girl Scouts of the United States of America, Big Brothers Big Sisters of America, Boys and Girls Clubs of America, or other groups or organizations listed in Title 36 of the U.S. Code that are intended to serve young people under the age of 21.

### **Use Restrictions**

The superintendent or designee will determine which district facilities are available for public use and may determine that some district facilities or equipment are not available for public use. The superintendent or designee may limit the hours or days that district facilities may be used based on the availability of staff and other relevant factors and may prohibit some uses that might be disruptive or damaging to district property. To accommodate as many groups and individuals as possible, the superintendent or designee may limit the number of times a particular individual or group may use district facilities in a school year if there are multiple requests to access the same facilities. Only community groups and individuals directly serving district students are permitted to use school buildings two hours before and two hours after the official academic day.

Because students are frequently on school grounds even when school is not in session, the district expects all individuals and groups to behave in a manner that is appropriate around children, as determined by the district. All individuals and groups using district facilities are subject to applicable district policies, procedures and staff directives.

### **No Application Required**

Unless the district has physically blocked entrance to the area or posted notice that a space is not available for public use, individuals or community groups do not need to go through the application process, pay fees, provide insurance or agree to indemnify the district to use the following spaces:

1. Tracks, walking trails, tennis courts and outdoor basketball courts may be used any time they are not being used by the district.
2. Playgrounds and playground structures may be used any time school is not in session and they are not otherwise being used by the district.

Persons using these spaces do so at their own risk, must use them for the purposes for which they were built and cannot be destructive or disruptive. Persons using these spaces must follow applicable district policies and procedures. The administrator or designee of the school will make the final decision regarding whether the district is using the space at any given time. If another individual or group has reserved the space through the application process, others may use the space only with the permission of the individual or group that reserved it.

### **Security and Safety**

All groups and individuals using district facilities must follow district security rules. Only district employees will unlock district facilities or possess keys or security codes unless the superintendent or designee provides authorization to others. District facilities may not be used for any purpose prohibited by law, and use must comply with state and local fire, health and safety regulations.

The district may require a group or individual to pay for and provide additional security for the group's events if additional security is deemed necessary for traffic control, crowd control or the protection of persons or property.

### **Fees**

The district may charge rental fees for the use of district facilities. The Board will set the fees annually after a recommendation from the superintendent or designee. The district may also charge for additional costs associated with the use, such as the cost of custodial services, food services, technician services or security services, as deemed necessary by the superintendent or designee. The superintendent or designee may require a group or individual to provide a security deposit prior to using the district's facilities. The superintendent or designee may waive the fees for individuals and groups created to support the district; nonprofit organizations; and groups with a reciprocal relationship with the district, such as the Parent Teacher Association (PTA) and booster clubs. However, any group created to support or oppose a ballot issue must pay fees for facility use, even if the ballot issue is in support of the district.

Regardless of whether fees have been waived, groups and individuals using district facilities must provide proof of insurance in an amount set by the superintendent or designee and must agree to indemnify and hold the district harmless for any damages and pay for the actual cost of replacing or repairing damaged property. The district may require payment of owed fees prior to allowing use of the facility.

### **Cancellation**

The district reserves the right to cancel a scheduled use of district facilities at any time including, but not limited to, instances when the district needs to use the space in the event of or as a result of inclement weather or an emergency. When a scheduled use must be canceled, the district will provide as much notice as possible.

### **Use of Equipment**

The superintendent or designee may authorize the use of district equipment by community groups and individuals for educational, recreational, social, civic, philanthropic and other similar purposes. Equipment will not be removed from district property without permission from the superintendent or designee. Fees may be charged for equipment usage in accordance with this policy.

### **Emergency Uses**

The superintendent or designee may authorize the use of district facilities as an emergency shelter or for other emergency purposes if such use does not otherwise conflict with the district's needs.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: February 12, 1990

Revised: October 8, 2012  
December 11, 2017

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
AH, Use of Tobacco Products and Imitation Tobacco Products  
DCB, Political Campaigns  
ECA, Building and Grounds Security  
EF, Food Service Management  
GBCA, Staff Conflict of Interest  
IGD, District-Sponsored Extracurricular Activities and Groups  
IGDA, Student-Initiated Group Use of District Facilities  
IND, Ceremonies and Observances

Legal Refs: §§115.646, 177.031, RSMo.

U.S. Const. amend. I

Boy Scouts of America Equal Access Act, 20 U.S.C. 7905

*Good News Club v. Milford Central Sch.*, 533 U.S. § 98 (2001)

*Lamb's Chapel v. Center Moriches Union Free Sch. Dist.*, 508 U.S. 384 (1993)

*Victory Through Jesus Sports Ministry Found. v. Lee's Summit R-7 Sch. Dist.*, 640  
F.3d 329 (8th 2011)

## **PUBLIC SOLICITATIONS/ADVERTISING IN DISTRICT FACILITIES**

It is the intent of the district to operate a nonpublic forum and, except as allowed in this policy, advertisement is prohibited on district property. For the purposes of this policy, advertisement includes, but is not limited to, in-person solicitation; signage; verbal announcements using communication equipment; pamphlets; handouts; distribution through district technology; other distribution of information regarding products or services available or for sale; or the solicitation of information including, but not limited to, political campaigning. This policy does not prohibit speech in circumstances where it is protected by law.

### **General Rule**

The district may control the content of advertising as allowed by law. Minimally, advertisement on district property or at district events may not include information or materials that:

1. Are obscene to minors.
2. Are libelous.
3. Are pervasively indecent or vulgar (secondary schools) or contain any indecent or vulgar language (elementary schools).
4. Advertise any product or service not permitted to minors by law.
5. Constitute insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion or ethnic origin).
6. Present a clear and present likelihood that, either because of their content or their manner of distribution, they will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities or will cause the commission of unlawful acts or the violation of lawful school procedures.

### **District-Sponsored Advertisement**

This policy is not intended to limit the use of district resources or forums by district personnel to distribute district-sponsored information or advertisements. District-sponsored groups may distribute advertisement to employees and students as determined appropriate by the superintendent or designee and school principal. Materials from extracurricular organizations or professional groups created by the district are considered district sponsored.

### **Distribution Directly to Students**

Only curriculum-related advertisement, district-sponsored advertisement and advertisement by groups affiliated with the district may be distributed directly to students by placing the item in the student's backpack, folder or other conveyance; handing the material to students; placing the material at the student's assigned place; or instructing the student to pick up material at a designated location. Placing items in a designated location where they are available to students is not direct distribution if students are not instructed to pick up the materials.

### **Distribution to Staff**

The district's intercampus mail, staff mailboxes and district e-mail are reserved for communication between employees regarding district business or for distribution of district-sponsored advertisement or advertisement from groups affiliated with the district.

Advertising from any other person or group will be made available to staff by placement in staff work areas or on designated bulletin boards not easily accessible to students. Such advertising must be provided first to the school principal and must clearly state that the district does not sponsor or endorse the information. School principals may establish uniform rules about the length of time an advertisement will be available and may limit the number of advertisements available at one (1) time

### **Groups Affiliated with the District**

The district may allow groups affiliated with the district to advertise on district property in the same manner and to the same extent that district-sponsored groups are allowed to advertise. For the purpose of this policy, a group is affiliated with the district if it is recognized by the Board and 1) working collaboratively with the district, such as a business partner, or 2) is a group that is created solely to work with the district, its staff, students and parents and to raise funds for district activities such as parent-teacher associations or booster clubs.

### **Curriculum-Related Advertisement**

District staff may use resources with reasonable advertising content when such resources are consistent with and related to the district's curriculum and compliant with the district's wellness policy and procedures. District staff may distribute advertisements regarding programs, events, contests and other activities that are not sponsored by the district when those events are consistent with and related to the district's curriculum. District staff may invite companies, organizations or individuals to advertise during school hours or school events if the school principal determines that the information provided is consistent with and related to the district's curriculum.

## **Distribution by Students**

Students may distribute district-sponsored advertisements on district property during noninstructional time as allowed by the school principal and group sponsor. Students may distribute noncurricular student publications and other advertisements not sponsored by the district during noninstructional time only in accordance with Board policy IGDBA.

## **Distribution by Student-Initiated Noncurricular Groups**

Student-initiated noncurricular groups that meet in district facilities shall have the same access to district communication tools and media, including publications, websites and intercom, and are subject to the same provisions on the distribution and content of materials as district-sponsored noncurricular groups. The district may require these groups to clearly state on any advertisement or information that the group is not sponsored by the district.

## **Advertisement in Designated Locations**

School principals may designate a bulletin board, table or other specific location where information regarding nonprofit community events targeting students and parents may be posted or otherwise advertised. All groups fitting this description will be allowed to submit advertising to be placed at the designated location. Such advertising must be provided to the school principal first and must clearly state that the district does not sponsor or endorse the information. School principals may establish uniform rules about the length of time an advertisement will be available and may limit the number of advertisements available at one (1) time.

## **Distribution at District Events**

Only district-sponsored advertisement and advertisement from groups affiliated with the district may be distributed at district events, unless the district sells advertisement opportunities as described below.

## **Groups Using District Facilities**

Boy Scouts, Girl Scouts and other Title 36 youth groups and their official affiliates who meet in district facilities pursuant to the Board's policy on use of facilities may distribute advertising during any meeting, activity or event held in accordance with that policy and applicable procedures but otherwise have no greater ability to advertise or distribute information in schools than groups not using district facilities.

### **Revenue-Generating Advertising on District Property or in District Publications**

The district may accept or solicit advertising for use on the district's website and in gymnasiums, athletic fields and other facilities primarily used for extracurricular activities. Any such advertising will be limited to the name, address, phone number, Internet address and logo of the advertiser.

The district may accept or solicit advertising on extracurricular activity schedules, programs, newspapers, yearbooks or other district-sponsored publications at the discretion of the principal of the school involved. Advertising generally will be limited to the name, address, phone number, Internet address and logo of the advertiser except that publications may also provide the advertiser with a selection of greetings, phrases or graphics that can be included if the advertiser so chooses.

Student publications and the advertising in those publications are district-sponsored speech subject to editorial control over content in accordance with law.

All such advertising must be compliant with the district's wellness policy and procedures.

### **Collecting, Disclosing or Using Information for Marketing**

In general, the district will not collect, disclose or use personal information from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose unless required by law. For the purposes of this policy, "personal information" means individually identifiable information, including a student's or parent's first and last name, a home or other physical address, a telephone number and Social Security number.

In the rare case where the district may collect or disclose students' personal information or allow another group or entity to collect or disclose students' personal information for the purpose of marketing or selling that information, the district will directly notify the parents/guardians in accordance with law at least annually at the beginning of the school year of the specific or approximate dates when such information will be collected. Parents/Guardians, upon request, may inspect any instrument used to collect personal information for the purpose of marketing or selling that information before the instrument is administered or distributed to a student. All parents/guardians and students of appropriate age may decline to provide the information requested.

This portion of the policy does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions, to the extent allowed by law and Board policy.



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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 9, 2002

Revised: January 14, 2008

Cross Refs: ADF, District Wellness Program  
DCB, Political Campaigns  
GBCB, Staff Conduct  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
IGDA, Student-Initiated Group Use of District Facilities  
IGDBA, Distribution of Noncurricular Student Publications  
JHDA, Surveying, Analyzing or Evaluating Students  
JO, Student Records

Legal Refs: §§ 610.010 - .028, RSMo.  
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h  
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905  
34 C.F.R. § §108.1 - 108.9  
Patriotic and National Observances, Ceremonies and Organizations, 36 U.S.C.,  
Subtitle II, Part B  
*Embry v. Lewis*, 215 F.3d 884 (8th Cir. 2000)

## **VISITORS TO DISTRICT PROPERTY/EVENTS**

### **District Property**

Parents/Guardians and patrons of the district are welcome to visit district schools and attend district events; however, all visitors during business hours, including Board members, must sign or check in at the building office prior to proceeding elsewhere in the building. The principal or designee of each school building will post appropriate signs to direct visitors to designated doors nearest the building office. It is the responsibility of all district employees to direct visitors to the office and report any person in violation of district rules.

### **Student Visitation**

In general, visitors to district property are not allowed to speak directly with students unless it is part of the district's education program or a parent/guardian has given permission.

The district understands that parents/guardians sometimes need to briefly communicate with a student during the school day or during a school activity and will accommodate such communications when possible. However, the district refuses to mediate visitation and custody disputes among parents/guardians and other relatives or accommodate visits that the district determines could be distracting to a student. The district discourages parents/guardians, grandparents and other relatives from visiting students during school hours or school activities.

The superintendent or designee has the discretion to prohibit a parent/guardian or other relative from, for example, eating lunch with a student, attending class parties or field trips or pulling a student out of class if such a visit could interfere with the education program or be disruptive; if one of the parents/guardians objects; if there is a current dispute regarding custody or visitation of the student; or if district employees are uncertain as to whether a person may legally have contact with a student.

### **Classroom Observations**

Parental involvement with school activities is encouraged, and the district provides opportunities for such involvement. However, because classroom visits can be disruptive to the educational process, the district does not permit parents/guardians or others to visit classrooms during instructional time for the purpose of observing students unless the principal has approved the visit in advance after consulting with the teacher.

### **Service Providers**

The district does not permit outside entities to provide services to students on district property unless the service providers are working with the students in conjunction with the district's student health services program or pursuant to an agreement with the district.

### **Prohibited Items**

Visitors to district property may not possess weapons, including concealed weapons, on district property, on district transportation or at any district function or activity sponsored or sanctioned by the district unless the visitor is an authorized law enforcement official or is otherwise authorized by Board policy.

Visitors to district property may not possess or use alcohol or any substances that are illegal under state or federal law on district property, on district transportation or at any district function or activity sponsored or sanctioned by the district.

### **Appropriate Behavior**

The Lone Jack C-6 School District believes that district events are a vital part of the total educational program and should be used as a means for developing positive social interaction, good sportsmanship and appropriate behavior, in addition to knowledge and skills. Well-organized and well-conducted programs contribute to the morale of the student body and strengthen school-community relations.

To this end, the Board encourages district patrons to exhibit good sportsmanship, citizenship, ethics and integrity at all district events and at all times while on district grounds. The district will work with the Missouri State High School Activities Association (MSHSAA) and other organizations to promote good behavior by patrons at athletic and other events. The Board will work with parents/guardians, alumni associations and local service organizations to keep appropriate behavior a top priority. The superintendent will establish procedures for crowd control at district events consistent with this policy.

### **Registered Sex Offenders and Persons Prohibited on or Near District Property**

Sex offenders required to be listed on the Missouri Highway Patrol's sex offender registry, or who have pled guilty, pled *nolo contendere* or been convicted of crimes for which the law currently requires offenders to be listed, regardless of when those crimes were committed, are not allowed on district property or transportation or at district activities, regardless of whether those activities are held on or off district property, unless access is required by law.

In accordance with law, the district also prohibits all persons who have pled guilty or *nolo contendere* to or who have been convicted of or found guilty of violating the following provisions from being on or within 500 feet of any school building, district property, district activity or any vehicle used to transport students:

1. Any of the provisions in Chapter 566 of the Missouri Revised Statutes.
2. Incest, § 568.020, RSMo.

3. Endangering the welfare of a child in the first degree, § 568.045, RSMo.
4. Use of a child in a sexual performance, § 573.200, RSMo.
5. Promoting a sexual performance by a child, § 573.205, RSMo.
6. Sexual exploitation of a minor, § 573.023, RSMo.
7. Promoting child pornography in the first degree, § 573.025, RSMo.
8. Furnishing pornographic material to minors, § 573.040, RSMo.
9. Any offense committed in another state, a foreign country, or under tribal, federal or military jurisdiction that, if committed in this state, would be a violation listed above.

Despite the prohibitions in this section, the superintendent may grant permission for a parent, guardian or custodian of a student to be on district property for the limited purpose of attending meetings with district staff or in other situations where the student may benefit. Permission will be granted sparingly, if ever, and only in situations where the parent, guardian or custodian will be supervised at all times or will not be alone with a child. If the superintendent does not grant permission, the parent, guardian or custodian may seek permission from the Board. The superintendent will inform the principal and other relevant district staff of the scope of the permission granted.

This section may not apply to a student entitled by law to be on district property for educational services if the student's presence is necessary to obtain those services and the student is not otherwise prohibited by law from being on district property. The exceptions cited in this section do not apply if the person is otherwise prohibited or banned from district property by other sections of this policy.

### **Disruptive Conduct**

If a visitor's conduct becomes disruptive, threatening or violent, the superintendent, principal or a designee of either may require the visitor to leave. The superintendent or designee may inform the visitor that he or she is not welcome back on district property or at district events indefinitely or for a specific period of time. During any period of prohibition, the visitor will not be allowed on district property. The superintendent may make exceptions for parents, guardians or custodians of students enrolled in the district if the person's presence is necessary to transport the student or may benefit the student educationally, or in situations where the parent, guardian or custodian will be supervised at all times. The superintendent may make an exception for visitors to attend a meeting of the Board or its committees but is not obligated to do so. This paragraph does not apply if the person is otherwise prohibited or banned from district property by other sections of this policy.

## **Enforcement**

If a visitor prohibited from district property or events under this policy is on district property, district staff will contact law enforcement and/or escort the person from district grounds and inform the person of the district policy prohibiting his or her presence.

The superintendent, principal or a designee of either may file a report or sign a complaint with law enforcement on behalf of the district. The Board grants the superintendent or designee the authority to consult an attorney for guidance or to seek a court order banning the visitor from district property. A visitor denied access to district property may communicate with the Board in writing but will not be allowed back onto district property unless allowed by the Board.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 12, 2001

Revised: December 12, 2006  
December 14, 2009  
October 8, 2012  
February 15, 2017  
November 18<sup>th</sup>, 2019

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
AH, Use of Tobacco Products and Imitation Tobacco Products  
BDDH, Public Participation at Board Meetings  
ECA, Building and Grounds Security  
ECD, Traffic and Parking Controls  
ECG, Animals on District Property  
INC, Speakers at District Events  
JEDB, Student Dismissal Precautions  
JHCD, Administration of Medication to Students

Legal Refs: Mo. Const. art. IX, § 1(a), art. XVI § 1  
§§ 566.149, 589.400, RSMo.  
*U.S. Postal Serv. v. Greenburgh Civic Ass'ns.*, 453 U.S. 114 (1981)  
*Embry v. Lewis*, 215 F.3d 884 (8th Cir. 2000)  
*Lovern v. Edwards*, 190 F.3d 648 (4th Cir. 1999)  
*Vukadinovich v. Board of Sch. Trustees of Mich. City*, 978 F.2d 403 (7th Cir. 1992)

**FILE: KK**  
**Critical**

*Miller v. Montgomery County R-II Sch. Dist.*, 2011 WL 1299536 (April 1, 2011)

## **AUDIO AND VISUAL RECORDING**

Because the district predominantly serves minors, is subject to a number of confidentiality laws, respects parent/guardian and community concerns about privacy, and seeks to minimize disruption to the education environment, the district prohibits audio and visual recordings on district property, district transportation or at a district activity unless authorized in this policy.

Any recording activity, even activity permitted under this policy, will be prohibited if the activity creates a disruption to the education environment. No recording equipment will be used or placed in areas of the building where the occupant would have a reasonable expectation of privacy, such as restroom facilities or locker rooms.

### **Definitions**

*Audio Recording* - Registering sounds on tape, digitally or by other mechanical or electronic means.

*Outside Entity* - Any individual, group, organization or corporation other than the administration, officers, staff or students of the Lone Jack C-6 School District or individuals authorized to act for the district.

*Visual Recording* - Registering visual images on film, tape, digitally or by other mechanical or electronic means.

### **Recording by Outside Entities**

The Lone Jack C-6 School District prohibits the use of visual or audio recording equipment on district property or at district activities by outside entities without permission from the superintendent or designee unless otherwise authorized by law. This prohibition shall not apply to:

1. Performances or activities to which the general public is invited such as athletic competitions, concerts and plays.
2. Recording of staff for the sole purpose of professional training or development.
3. Open meetings of the Lone Jack C-6 School District Board of Education or committees appointed by or at the direction of the Board.
4. Recording of an event sponsored by an outside entity using or renting district facilities in accordance with Board policies and established administrative procedures.

### **Recording by District Personnel or District Agents**

The district or designated agents of the district may make audio or visual recordings to provide security, to maintain order, for professional staff development use, for educational purposes or for other purposes related to furthering the educational mission of the district. This may include the use of visual recording equipment in district buildings and on district transportation. Recordings by or on behalf of district personnel that include students will be considered student records and will be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and other applicable laws.

### **Pre-Service and Student Teachers**

The district may allow student teachers or pre-service teachers to record themselves teaching or otherwise interacting with students when the recording is used for educational purposes in the student teacher or pre-service teacher preparation program. The student teacher or pre-service teacher must obtain permission to do so from the cooperating teacher and the building principal and must have signed Missouri Pre-Service Teacher Assessment permission forms from all students and adults who will appear in the recordings if those recordings will be viewed by any person who is not employed by the district. The district reserves the right to refuse to allow recording or to limit the time and place for such recordings in order to minimize disruption to the educational process.

### **Recording by Students**

The Lone Jack C-6 School District prohibits the use of visual or audio recording equipment on district property or at district activities by students except:

1. If required by a district-sponsored class or activity.
2. At performances or activities to which the general public is invited, such as athletic competitions, concerts and plays.
3. At open meetings of the Board of Education or committees appointed by or at the direction of the Board.
4. As otherwise permitted by the building principal.

### **Recording of Meetings**

The Board of Education prohibits the use of audio, visual or other recording devices at meetings held pursuant to the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, as well as other meetings among district employees and between district employees and parents/guardians. Exceptions to this prohibition will be made only in accordance with Board policy and law. Requests for such exceptions must be made within a reasonable period of time prior to the scheduled meetings. This prohibition does not apply to conversations held within view of district security cameras.



## **Secretive Recording or Transmission**

The district prohibits secretive recordings where persons involved do not consent to the recording and it is not otherwise obvious that recording equipment is present or being used, unless the superintendent or designee determines in rare circumstances that such recordings are necessary for educational or security reasons. The district prohibits the simultaneous electronic transmission of any conversation by any person to a third party without the consent of all involved in the conversation, even if the conversation is not recorded.

## **Use of Unmanned Aircraft Systems**

All unmanned aircraft systems (UAS) operators seeking to operate a UAS on or over district property or at a district event must receive authorization from the superintendent or designee. Authorization will be granted only when such operation is on behalf of the district, supports the mission of the district or otherwise serves a public purpose.

All UAS with the potential to capture or produce visual images of district property or district events must be operated in accordance with applicable Federal Aviation Administration regulations or safety guidelines.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: December 8, 2008

Revised: June 11, 2016

Cross Refs: BDA, Board Meetings  
BDC, Closed Meetings, Records and Votes  
BDDL, Release of Information  
ECA, Buildings and Grounds Security  
IGDA, Student-Initiated Group Use of District Facilities  
JO, Student Records

Legal Refs: §§ 610.010 - .035, RSMo.  
The Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
34 C.F.R. Part 300  
The Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g  
34 C.F.R. Part 99

## **PUBLIC CONCERNS AND COMPLAINTS**

The Lone Jack C-6 School District is interested in resolving concerns and hearing complaints from the public regarding district programs and services so that they may be improved and better meet the needs of the students and the community.

The district encourages parents/guardians, students and other members of the public to first discuss concerns with the appropriate district staff prior to bringing the issue to the Board so that the issue may be thoroughly investigated and addressed in a timely fashion. The Board will not act on an issue without input from the appropriate district staff and may require a parent/guardian, patron or student to meet with or discuss an issue with district staff prior to hearing a complaint or making a decision on the matter.

All district employees are expected to answer questions, receive input and professionally address concerns and complaints of parents/guardians, students and other members of the public. If an employee is unable to answer a question or resolve an issue, the employee must direct the person or the question to the appropriate district employee.

### **Complaint Process**

Complaints regarding district compliance with nondiscrimination laws will be processed according to policy AC. Employee grievances will be processed in accordance with the established employee grievance procedure or as otherwise required by law. Complaints involving federal programs will be processed in accordance with policy KLA. Other grievances or complaints for which there is a specific policy or procedure will be addressed pursuant to that policy or procedure. If no other policy or procedure applies, the complaint may be brought as described below.

### **Process for Resolving a Concern or Complaint**

The following steps are to be followed by parents/guardians, students or the public when concerns or complaints arise regarding the operation of the school district that cannot be addressed through other established policies or procedures.

1. Concerns or complaints should first be addressed to the teacher or employee directly involved.
2. Unsettled matters from (1) above or concerns or complaints regarding individual schools should be presented in writing to the principal of the school. The principal will provide a written response to the individual raising the concern ("complainant") within five business days of receiving the complaint or concern unless additional time is necessary to investigate or extenuating circumstances exist.
3. Unsettled matters from (2) above or concerns or complaints regarding the school district in general should be presented to the superintendent or designee in writing. The superintendent or designee will provide a written response to the complainant within five business days of receiving the concern or complaint, unless additional time is necessary to investigate or extenuating circumstances exist.

4. If the matter cannot be settled satisfactorily by the superintendent or designee, a member of the public may request that the issue be put on the Board agenda, using the process outlined in Board policy. In addition, written comments submitted to the superintendent or the secretary of the Board that are directed to the Board will be provided to the entire Board. The Board is not obligated to address a complaint. If the Board decides to hear the issue, the Board's decision is final. Otherwise, the superintendent's decision on the issue is final.

### **Prohibition against Retaliation**

The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: October 9, 2000

Revised: December 14, 2015  
December 11, 2017

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
BDDH, Public Participation at Board Meetings  
GBM, Staff Grievances  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
IGBCA, Programs for Homeless Students  
IGDBA, Distribution of Noncurricular Student Publications

Legal Refs: The Elementary and Secondary Education Act, 20 U.S.C. §§ 6301 - 7941

## **CONCERNS AND COMPLAINTS REGARDING FEDERAL PROGRAMS**

The Lone Jack C-6 School District receives funds under the federal Elementary and Secondary Education Act (ESEA) and is required to follow federal statutes and regulations regarding the programs governed by the ESEA. If any individual or organization (person) has a complaint or is concerned that the district may be violating these laws, the Board wants the superintendent or designee to immediately investigate and address the issue. For that reason, the Board has adopted this policy to address specific allegations of violations of federal statutes and regulations governing Title I, Parts A, B, C, D; Title II; Title III; Title IV, Part A; or Title V of the ESEA.

### **Process**

The district will use the following process to address specific allegations that the district has violated a federal statute or regulation regarding a program under the ESEA:

1. The person with the complaint ("complainant") must present a written complaint to the superintendent or designee that specifies the federal law or regulation alleged to have been violated and the facts supporting the allegation. Alternatively, the Department of Elementary and Secondary Education (DESE) will forward a complaint from a complainant to the district for resolution.

The superintendent or designee will investigate and provide a written response to the complainant within five business days of receiving the complaint unless additional time is necessary to investigate or extenuating circumstances exist. The superintendent or designee is authorized to contact the district's private attorney for assistance in determining whether a violation has occurred.

2. If the complainant is not satisfied, he or she may request that the issue be placed on the Board agenda at the next Board meeting, using the process outlined in Board policy.

The superintendent or designee will notify the complainant of the Board's decision and will provide the complainant a copy of DESE's Every Student Succeeds Act of 2015 (ESSA) Complaint Procedures.

3. If the Board does not hear the issue or if the complainant is not satisfied with the Board's response, the complainant may appeal the issue to DESE in accordance with DESE's complaint procedures.

### **Documentation and Release of Information**

The district will maintain a copy of the complaint, a written record of the investigation and documentation of any written resolution, when applicable, in accordance with law. The superintendent or designee will complete a written summary of the investigation and, if a violation has occurred, a description of how the matter was resolved. If the complaint was first filed with DESE, the written summary must be completed within 35 calendar days of the complaint being filed with DESE and must be submitted to DESE.

The summary will be released upon request when required by law. The superintendent or designee will have the district's attorney review the documents before they are released to DESE, the complainant or any other person to protect the confidentiality of legal advice.

### **Prohibition against Retaliation**

The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.

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*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted: December 11, 2017

Revised:

Cross Refs: IGBC, Parent/Family Involvement in Instructional and Other Programs  
IGBCA, Programs for Homeless Students  
IGDBA, Distribution of Noncurricular Student Publications

Legal Refs: The Elementary and Secondary Education Act, 20 U.S.C. §§ 6301 - 7941

**PUBLIC QUESTIONS, COMMENTS OR CONCERNS REGARDING  
DISTRICT INSTRUCTIONAL/MEDIA/LIBRARY MATERIALS**

The Lone Jack C-6 School District Board of Education has the ultimate responsibility for establishing the curriculum and for purchasing instructional, media and library materials to be used by the district. However, the Board recognizes that its authority to remove or censor materials because of ideological or religious content may be limited pursuant to state and federal law.

The Board encourages community input and comments regarding the district's instructional, media and library materials and directs the district staff to answer all questions regarding the selection of the materials. The superintendent or designee will create procedures to efficiently address community member questions or concerns and to provide for an adequate review of the materials, if necessary.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: February 10, 2003

Revised:

Cross Refs: BDDH, Public Participation at Board Meetings  
IIA, Instructional Materials  
IIAC, Instructional Media Centers/School Libraries

Legal Refs: *Board of Education, Island Trees Union Free School District v. Pico*, 457 U.S. 853, 871 (1982)

## **RELATIONS WITH LAW ENFORCEMENT AUTHORITIES**

It shall be the policy of the school district to cooperate with law enforcement agencies in the interest of the larger welfare of all citizens of the community and for the welfare of the student population.

Relationships between the schools and officials of law enforcement agencies in investigative matters concerning pupils will take into consideration the respective roles of the schools and law enforcement agencies in assisting and protecting the interests of the community, and ensuring the rights of all concerned.

Districts may work with local law enforcement agencies to develop drug and alcohol use prevention and drug and alcohol trafficking suppression programs. School staff will fully cooperate in the prosecution of any crime or threat affecting the school district, to the extent allowed by law.

School districts 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 20 U.S.C. § 1232g (b)(1)(E).

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: March 12, 2001

Revised:

Cross Refs: JFG, Interrogations, Interviews and Searches  
JO, Student Records  
JO-R, Student Records

Legal Refs: §§ 161.504, 167.020, .115, RSMo.