

SECTION XII -- PERSONNEL POLICIES

- A. Unified School District No. 332 is an equal opportunity employer.
1. The board shall hire all employees on the basis of ability and the district's needs.
 2. The district is an equal opportunity employer and shall not discriminate in its employment practices and policies with respect to hiring, compensation, terms, conditions, or privileges or employment because of an individual's race, color, religion, sex, age, disability or national origin.
 3. Inquiries regarding compliance may be directed to the Superintendent of Schools. (District Compliance Coordinator), 117 North Main, Cunningham, KS 67035. 620-298-3271 or to: 1). Equal Employment Opportunity Commission, 400 State Ave., 9th Floor, Kansas city, Ks 66101, 913-551-5655; 2). Kansas Human Rights Commission, 900 SW Jackson, Suite 568-S, Topeka, KS 66612-1258 or 785-296-3206; 3). United States Department of Education, Office for Civil Rights, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114-3302, 816-268-0555.
- B. RETIREMENT: **(Revised July 13, 2009)**
1. All employees who have reached the age of seventy (70) by September 1 of any year shall not be employed beyond that date until they have submitted to a physical examination and the results evaluated by the Board of Education. (In compliance with KPERS)
 2. All employees who have reached the age of seventy (70) by September 1 of any year shall be retired, unless a decision to retain an employee past the age of seventy (70) is made by the Board of Education.
 3. The district will comply with KPERS policies and state law in regards to withholding and remitting KPERS contributions.
- C. EMPLOYMENT AND VACATION PRACTICES: Classified Employees under Contract for Twelve Months per Year and work a minimum of (15) fifteen hours per week will receive a paid vacation on the following schedule: (June 8, 1998)
1. New Employees will receive Ten (10) Days of Paid Vacation per Year. The days will accumulate at a rate of (1) one-day per month to the (10) ten day maximum.
 2. After Seven (7) Years of Employment, Employees will receive Fifteen (15) Days of Paid Vacation per Year

3. After Fifteen (15) Years Employment, Employees will receive Twenty (20) Days of Paid Vacation per Year

D. HEALTH CERTIFICATES:

1. When first employed all employees will be required to submit a certification of health signed by a person licensed to practice medicine and surgery under the laws of any state on a form provided by the district. The certification shall include a statement that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established by chest x-ray or negative tuberculin skin test. This certification of health will be at the expense of the employee.
2. If at any time there is reasonable cause to believe that any such person is suffering from an illness detrimental to the health of the pupils, the school board may require a new certification of health. The expense of obtaining the requested certification of health will be borne by the board of education.
3. All bus drivers will be required to submit to an annual physical. The Board will assign the provider of the physical and will be responsible for the expense of the physical.

E. VACCINATIONS: If at any time the board of education or government regulation requires an employee to receive a vaccination the cost of the vaccination will be borne by the board of education.

F. COMMUNICATIONS BY EMPLOYEES TO BOARD: All communications concerning school business from the board to employees and from employees to the board shall be made through the superintendent and/or building principal. (8/14/00)

G. POLITICAL ACTIVITY: No partisan political activity or agitation shall be permitted on the part of any school employee at anytime during regular school hours.

H. CHURCH NIGHT: The board will honor the night selected by the majority of churches in each community as "church night". The school will make every effort to avoid scheduling activities in Unified School District No. 332 on this night. It may be necessary to schedule activities away from Unified School District No. 332 schools due to other communities' "church nights".

I. VACATION: Vacation time shall be arranged with the superintendent and must be completed at least two weeks prior to the opening of school. Holidays are not charged against an employee's vacation time when they occur during the vacation. (June 8, 1998)

J. OVERTIME: All overtime must be authorized by the employee's supervisor and will be paid at a rate of time and one half. Overtime is defined as all on the job work time in excess of forty hours per week. (Saturday through Friday)

K. DISTRIBUTION OF SALARY CHECKS:

1. The superintendent will be paid on the tenth day of each month beginning on July 10.
2. The principals will be paid on the tenth day of the month beginning on September 10.
3. Non certified employees will be paid on the tenth day of the month.
4. Rated non-certified employees will be paid on the tenth day of the month.
5. Substitute teachers will be paid on the tenth day of the month.

L. FEDERAL WITHHOLDING TAX: In compliance with federal income tax laws, deductions shall be made from each salary warrant in amounts prescribed by law. The federal government supplies income tax tables for the purpose of computing withholding tax.

M. STATE INCOME TAX: In compliance with state income tax laws, deductions shall be made from each salary warrant in amounts prescribed by law. The state government supplies income tax tables for the purpose of computing State withholding tax.

N. SOCIAL SECURITY (F.I.C.A.): In compliance with F.I.C.A., deductions shall be made from each salary warrant as required by law.

O. SALARY REDUCTION UNDER SECTION 125 OF THE INTERNAL REVENUE CODE OF 1954 AS AMENDED: Any employee may reduce his/her salary by an amount up to the statutory limit on non taxable benefits set forth in the program. Once the annual allocation for each selected benefit is made, the only change which will be allowed is for a fluctuation in health care premiums.

The employee shall make any salary reduction request within ten (10) days after commencing work in Unified School District No. 332. That reduction shall remain in force throughout the twelve (12) ensuing months or through the August pay period or upon termination of employment with the district, which ever occurs first.

Items by which the employee may reduce his/her contract are as follows:

1. Health Insurance.
2. Cancer Insurance.
3. Life Insurance (50,000.00) Maximum.
4. Salary Protection Insurance.

5. Vision Care.

If none of these options are chosen, the employee shall receive his/her salary in cash.

A plan participant will be allowed to change health care insurance status if the change is due to a change in family status. (e.g., marriage, divorce, death of spouse or child, or birth or adoption of a child).

P. TAX SHELTERED ANNUITY: Employee authorized deductions in compensation, and the contribution, at least \$10.00 per month, in multiples of \$5.00, be used to purchase tax sheltered annuities as permitted under the United States Internal Revenue code, for the benefit of such employees will be allowed. Any employee desiring to contract under the provisions of this act shall express his/her desires, in writing, to the clerk of the board in either or both of the semi-annual (30 day) enrollment periods. The enrollment periods are: First - August 1 to August 30 and Second - February 1 to March 2.

Q. OTHER PAYROLL DEDUCTIONS: Other payroll deductions that are authorized by law may be deducted upon written signed applications of the applicant.

R. REIMBURSEMENT OF EMPLOYEE BUSINESS EXPENSES:

1. All amounts reimbursed must be in connection with the employee's performance of service as an employee.
2. The expense reimbursement request must show the amount, time, place and business purpose or use for travel, meals, lunch, entertainment, gifts, auto expenses, mileage, etc. The reimbursement expense request for business periodicals and office/classroom supplies must show enough information to identify the expense and conclude it relates to the employee's job assignment.
3. Advance payment of reimbursable expenses will not be made except in extreme circumstances. Should this happen, all advances will be made no earlier than 30 days of when an expense is expected to be incurred. These expenses must be substantiated within 30 days after they are incurred and all unspent advances must be returned by the employee within 30 days after the planned expenditure.
4. All employees will be reimbursed for business miles driven with their personal cars. All miles must be reported on a mileage report which states the date, distance, purpose, contact, and number of miles. The reimbursement will be paid at the per mile rate allowed by the State of Kansas.
5. In the event of overnight travel, an employee can be reimbursed for the actual expenses if all is substantiated as noted above.

S. EMPLOYEE INSURANCE:

1. The Board of Education has a liability policy for Unified School District No. 332 that covers bodily injury and property damage that occurs within a school building or on any school premise in the school district. This policy also has been broadened to include personal injury liability for the following groups of offenses:
 - a. False arrest, detention or imprisonment, or malicious prosecution.
 - b. Libel, slander, defamation or violation of right of privacy.
 - c. Wrongful entry or eviction or other invasion of right of private occupancy.

The school district also carries insurance on all school district vehicles. Any operator of any vehicle owned by Unified School District No. 332 would automatically have these liability coverages and would be protected by the insurance policy in case he/she was the operator of the vehicle that was involved in an accident. Most of the vehicles are also covered in case the vehicle itself is damaged in an accident. Again, the insurance would pay for the damage to the vehicle if it were insured for damage other than liability and no reimbursement would be asked of the operator of the vehicle.

The board also maintains a liability policy called a Board of Education Liability including School District Reimbursement Policy. This policy covers the school district and all persons who are or shall be employed by the school district during the policy period for an act defined as a "wrongful act". The policy defines a wrongful act as follows: "Any actual or alleged errors or misstatement or misleading statement or act or omission or neglect or breach of duty by the assured in discharge of their duties, individually or collectively, or any matter claimed against them solely by reason of their being or having been assured during this policy period". An example of an area where wrongful act claim might originate is in the ruling by the school on busing plan, use of school facilities, school curriculum, censorship or not allowing student activities, rules on athletic participation, failure of students and things of this nature.

2. WORKMEN'S COMPENSATION (HB-1715): Workmen's compensation coverage is mandatory for all state and local government employees including school districts, effective January 1, 1975.
 - a. Employees will notify their assigned building principal immediately if they incur a work related injury.

T. MEETINGS, ETC. (NON-CERTIFIED PERSONNEL): Non certified personnel shall attend conferences, workshops, or meetings relative to their positions at the request of the superintendent or the board.

U. DEFINED BENEFIT HEALTH INSURANCE: This policy applies to Certified Administrators:

The Board of Education shall contribute \$330.93 per month to each full-time Certified Administrator or a proportional amount if less than full time towards a single membership in the Board of Education selected health insurance program. If both husband and wife are employed in a covered position in the district, the \$330.93 contribution for each one may be applied toward the purchase of a family or employee/spouse membership.

In the event that a Certified Administrator employed by Unified School District No. 332 has health coverage provided by a qualifying group plan (Covered by a Spouse plan that is an Employer provided group plan) the Board of Education will contribute \$305.62 per month, in lieu of the \$330.93 stated in paragraph one, to each full time Certified Administrator or a proportioned amount if less than full time towards the salary of the employee.

V. SICK LEAVE: This policy applies to administrators, secretaries, custodians, aides, bus drivers, and cooks.

1. Each employee will be allowed ten (10) days sick leave per year accumulative to seventy (70) days. Experienced employees new to Unified School District No 332 may transfer (not to exceed) fifteen (15) days of accumulated sick leave from the year immediately preceding employment by Unified School District No. 332. Written verification is required by October 1 during the first year of employment.
2. Sick leave shall cover absences for the employee and members of the employee's immediate family. Immediate family is defined as father, mother, sister, brother, husband, wife, son, daughter, grandparents, grandchildren, the employee's in laws of the fore mentioned classifications, and foster parents. Any other relative may be included, if such person makes his or her home permanently in the household of the employee.
3. Absences due to death in the immediate family shall be deducted from the employee's sick leave. Anything beyond three (3) days bereavement shall have the approval of the Superintendent of Schools.
4. The Board will pay each classified staff member/administrator 40 % percent of their contracted daily salary not to exceed (30.00) thirty dollars per day for each day of sick leave over (60) sixty days at the end of each contract year. Payment will be made when final bills for the fiscal year is approved by the Board of Education.

W. PERSONAL LEAVE: This policy applies to administrators, secretaries, custodians, aides, bus drivers, and cooks.

1. Each full time employee is granted two (2) days per year for personal business accumulative to five (5) days. The employee shall notify the administration 24 hours in advance, unless time does not warrant it. Additional days may be allowed in emergency situations, but these additional days must have the prior approval of the superintendent.
(September 2003)

2. The Board will pay each classified staff member/administrator 40 percent of their contracted daily salary not to exceed thirty (30.00) dollars per day for each day of personal leave over three (3) days at the end of each contract year. Payment will be made when final bills for the fiscal year is approved by the Board of Education.
(September 2003)

3. Leave for personal business may not be taken during the pre school duty days, the first week of school, the last week of school, the post-school duty day, or the day before or after any regularly scheduled vacation period. Personal leave may be granted on these days in some emergency situations, but must have prior approval of the superintendent.

X. PROFESSIONAL LEAVE: This policy applies to administrators, secretaries, custodians, aides, cooks, and bus drivers.

1. Employees may be granted temporary leave with pay to attend conventions and conferences related to their specific assignments, or to observe programs in action in another school either within or outside the district. Such leaves must be approved by the superintendent at least one week in advance of their occurrence after having discussed it with the principal. All requests for such leave shall be in writing.

Y. JURY DUTY LEAVE: Employees summoned for jury duty should fulfill this responsibility, if possible, with no loss in pay while serving. Payment received, excluding mileage, for such service by the employee shall be submitted to the school district clerk upon its receipt by the employee.

Z. GRIEVANCE PROCEDURE:

1. The Board of Education recognizes the right of employees and students to express their grievances and to seek a solution concerning disagreements arising from working conditions, employment practices or differences of interpretation of policy which might arise between the Unified School District and its employees.
2. The procedures for processing grievances shall be as follows:
 - a. Should a grievant or the representative feel, after oral discussion with the supervising principal, that the grievant's rights under Unified School District No. 332 policy have been violated, they may originate a grievance. The grievant and/or the representative shall, within 180 days of the date the grievance occurred, present the facts, in writing, to the supervising principal. The decision of such official shall be made, in writing, to the grievant within ten (10) working days.
 - b. Should the grievant decide that the reply of the supervising principal is unsatisfactory, the grievant shall, within ten (10) working days, submit an appeal to the

superintendent of schools. The decision of the Superintendent of Schools shall be made, in writing, to the grievant or the representative within ten (10) working days.

- c. Should the grievant decide that the reply of the Superintendent of Schools is unsatisfactory; the matter may be appealed within ten (10) working days to a grievance committee which shall be established as follows:
 1. The grievant or the representative may designate one (1) member.
 2. The Superintendent of Schools shall appoint one (1) member.
 3. The two members appointed, as provided in one and two above shall agree upon a third member.
 4. In the event the grievant representative and the Unified School District representative cannot agree upon a third member of the grievance committee within a period of ten (10) working days, the President of the Unified School District No. 332 Board of Education shall designate a third member.
 5. The grievance committee, as provided in four above shall meet within a period of ten (10) working days after the appointment of the third member of the committee and set the matter for hearing and shall render its decision as promptly as possible. A decision of the grievance committee may be reached upon the concurrence of any two (2) of the three members.
 6. The grievance committee shall keep a complete record of any hearing before it, including any exhibits or papers submitted to it in connection with the hearing and a complete transcript of any testimony taken. Upon rendering its decision, the complete record shall be filed in the office of the Superintendent of Schools and shall be available to the grievant; the grievant's representative or the Unified School District representative.
- d. In the event the decision of the grievance committee is unsatisfactory either the grievant or the Superintendent of Schools may within ten (10) working days after receipt of the decision of the grievance committee, file a written notice of appeal to the Board of Education.
- e. Upon receipt of the notice of appeal, the President of the Unified School District No. 332 Board of Education shall cause the transcript of the hearing before the Grievance Committee to be filed with the local Board of Education who shall review such record. The decision of the Board of Education upon such review shall be final.

AA. TIME CLOCK PROCEDURES: Custodians, lunchroom personnel, aides, and all other employees who are required to use the district time clock system to verify hours worked will follow the following regulations:

1. Each time card will cover a period of one-week (Saturday through Friday)
2. Each employee will use the time card to clock in and out. Breaks are paid time. Lunchtime is not paid time. The employee is required to clock out for lunch and clock in upon his/her return to work.
3. Each employee should clock in or out as close to exact time as possible (must be within five minutes, plus or minus, of the assigned time).
4. Each employee must clock in or out in person. Do not clock in or out for a fellow employee.
5. Each employee will receive a fifteen-minute break during each four hours worked.
6. Reporting time, break time, lunchtime, and quitting time will be scheduled by the appropriate supervisor. All schedule changes must be authorized by the supervisor.
7. Paid holidays will not be logged on the time cards. The regular scheduled time will be counted as time worked during that week.
8. In case of emergency, broken time clock, wrong time, and any other situation making it impossible to clock in or out with a correct time, the employee will write the time in on the appropriate place on the time card. The employee will notify the building principal of the problem, who in turn will verify the written times on the time card.
9. The last Friday of each month will be the cut off date for the monthly salary adjustment for any deductions or overtime.

BB. TIME SHEETS: Bus drivers and other part time help, where it is a hardship to use the time clocks, will fill out time sheets. Any extra hours must be verified by the building principal.

CC. CONFLICT OF INTEREST: District employees are prohibited from engaging in any activity which may be construed as a conflict of interest and detract from the effective performance of their duties. No employee will attempt, during the school day or on school property, to sell or endeavor to influence any student to buy any product, article, instrument, or service to benefit said school employee. No school employee will enter into a contract with the district other than a contract for employment unless the contract is awarded on the basis of competitive bidding.

DD. SEXUAL HARASSMENT: Sexual harassment shall not be tolerated in the school district. Sexual harassment of employees or students of the district by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

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

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

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

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

When there is reason to believe there has been a violation of this policy, appropriate action shall be taken by the administration.

EE. DISTRICT CREDIT CARD USE: The use of district motor vehicle and district credit cards shall be confined to school expenses. The superintendent shall prescribe limits and restrictions on the use of credit cards by district employees. In no case shall credit card expenditures by any district employee exceed \$2,000.00 in any one month. The superintendent shall provide for maintenance of a public record of all expenditures for payment of charges incurred by the school district through the use of motor vehicles or credit cards by district employees. The Board shall monitor expenditures for payment of motor vehicle or credit card charges at least once per month. Each employee who uses a District issued motor vehicle or credit card shall sign an agreement that describes procedures for use and penalties for misuse of said cards.

FF. STAFF-STUDENT RELATIONS: Staff members shall maintain professional relationships with students, which are conducive to an effective educational environment. Staff members shall not submit students to sexual harassment or racial harassment. Staff members shall not have any interaction of a sexual nature with any student at any time regardless of the student's age or status or consent.

GG: CHILD ABUSE: Any district employee who has reason to know or suspect a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, shall promptly report the matter to the local Social Rehabilitation Services (SRS) office or to the local law enforcement agency if the SRS office is not open.

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

1. SRS Access to Students on School Premises: The building principal shall allow a student to be interviewed by SRS or law enforcement representatives on school premises and shall act as appropriate to protect the student's interests during the interview.
2. Cooperation between School and Agencies: Principals shall work with SRS and law enforcement agencies to develop a plan of cooperation for investigating reports or suspected child abuse or neglect. To the extent that safety is not compromised, law enforcement officers investigating complaints of suspected child abuse or neglect on school property shall not be in uniform.
3. Reporting Procedure: The employee shall promptly report to the local SRS office or law enforcement if SRS is closed. It is recommended the building administrator also be notified after the report is made.

If the building principal has been notified, the principal shall immediately notify the superintendent that the initial report to SRS has been made.

If appropriate, the principal may confer with the School's social worker, guidance counselor or psychologist. At no time shall the principal or any other staff member prevent or interfere with the making of a suspected child abuse report.

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

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

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

HH: INJURED ON THE JOB: Employees who incur an injury on the job will not receive pay from the district in lieu of time missed at work, unless personal sick leave is taken.
(11/10/2008)

WORKERS COMPENSATION (Adopted: October 12, 2009)

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

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

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

Any employee who is off work and drawing workers compensation shall be required to provide the clerk of the board with a written doctor's release before the employee is allowed to return to work. In addition, should the employee be released to return to work by a doctor and fail to do so, all benefits under sick leave shall be ended and those benefits under workers compensation shall be restricted as provided by current statute.

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

In no event shall the employee be entitled to a combination of workers compensation benefits, district paid disability insurance, and salary in excess of his/her full salary. Available paid sick leave may be used for this purpose until 1) available paid sick leave benefits are exhausted; 2) the employee returns to work; or 3) employment is terminated. Sick leave shall be deducted on a prorata amount equal to the percentage of salary paid by the district.

Choice of Physician

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

FAMILY AND MEDICAL LEAVE (Adopted: October 12, 2009)

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

MILITARY LEAVE (Adopted: October 12, 2009)

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

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

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

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

Army National Guard or Air National Guard.

Commissioned corps of the Public Health Service.

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

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

Active duty.

Active duty for training.

Initial active duty for training.

Inactive duty training.

Full-time National Guard duty.

Absence from work for an examination to determine a person's fitness for any of the above types of duty.

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

The returning employee is entitled to be reemployed in the job that they would have attained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority. If necessary, the employer must provide training or retraining that enables the employee to refresh or upgrade their skills so they can qualify for reemployment. While the individual is performing military service, he or she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights accorded other individuals on non-military leaves of absence. Individuals performing military duty of more than 30 days may elect to continue employer sponsored health care for up to 18 months at a cost of up to 102 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if the individual had never left. All pensions which are a reward for length of service are protected.

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

Notice is not required if military necessity prevents the giving of notice; or, if the giving of notice is otherwise impossible or unreasonable.

Accrued vacation or annual leave may be used (but is not required) while performing military duty. The individual's timeframe for returning to work is based upon the time spent on military duty.

TIME SPENT ON MILITARY DUTY	RETURN TO WORK OR APPLICATION FOR REEMPLOYMENT
Less than 31 days:	Must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight (8) hour rest period.
More than 30 but less than 181 days:	Must submit an application for reemployment within 14 days of release from service.
More than 180 days:	Must submit an application for reemployment within 90 days of release from service.

The individual's separation from service must be under honorable conditions in order for the person to be entitled to reemployment rights. Documentation showing eligibility for reemployment can be required. The employer has the right to request that an individual who is absent for a period of service of 31 days or more provide documentation showing:

- the application for reemployment is timely;
- the five-year service limitation has not been exceeded; and,
- separation from service was under honorable conditions.

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

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

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

EVALUATION OF COACHES AND SPONSORS (Adopted: October 12, 2009)

All employees contracted to coach or sponsor an activity shall be evaluated (at least once a year/on a schedule approved by the board). Evaluation documents will be on file with the clerk of the board.

Coaches and sponsors shall be evaluated by the supervisor to whom they are assigned. Evaluations shall be based on the employee's personal qualities, their commitment to duty, their work skills, and other appropriate issues related to the activity sponsor/coach job description. A copy of the completed evaluation shall be given to the employee after it is signed by the employee and the evaluator and will be placed in the employee's personnel file.

SECTION XIII -- GENERAL POLICIES

- A. **STUDENT HEALTH ASSESSMENTS:** The district shall endeavor to maintain a healthful environment for students during the school day and at school sponsored activities.
1. **HEALTH ASSESSMENTS:** As required by current law all students shall submit evidence that they have undergone an appropriate health assessment prior to entering kindergarten or before enrolling in the district for the first time. (8/14/96)
 2. **INOCULATIONS:** All students enrolling in any district school shall provide the building principal with proof of immunization of certain diseases or furnish documents to satisfy statutory requirements. Booster shots required by the Secretary of the Department of Health and Environment are also required. A copy of this policy and the applicable state law shall be distributed to students or their parents each fall and spring. Students who fail to provide the documentation required by law may be excluded from school until statutory requirements are satisfied. Notice of exclusion shall be given to the parents/guardians as prescribed by law. Each principal shall forward evidence of compliance with the inoculation law to other schools or school districts when requested by the school or by the student's parents/guardians. (8/14/96)
 3. **PHYSICALS FOR ACTIVITIES:** The building principal shall require proof of physical examination for any student engaged in activities covered by the Kansas State High School Activities Association rules and/or board policy. (8/14/96)
- B. **ILLEGAL DRUGS/ALCOHOL/TOBACCO:**
1. The possession, use, or distribution of illicit drugs, drug paraphernalia, tobacco, and/or alcohol by students or school employees on school premises or as a part of any school activity is prohibited. This policy is required by the 1989 amendments to the Drug Free Schools and Communities Act. P.L. 102-226. This policy, and any curriculum used in conjunction with it, shall be evaluated at least every other year using criteria developed by the superintendent and approved by the board of education. The board of education shall receive a report after each of these reviews is conducted.
 2. **CURRICULUM:** All students shall be made aware of the legal, social and health consequences of drugs, tobacco products, and alcohol use. Students shall be instructed on effective techniques for resisting peer pressure to use illicit drugs, tobacco products, or alcohol. Students shall also be informed that the use of illicit drugs, possession of drug paraphernalia, and the possession and use of tobacco products, and alcohol is both wrong and harmful. The board has adopted a comprehensive drug and alcohol abuse and prevention program as part of the district's curriculum. The curriculum is age appropriate and developmentally based to reach students at all ages and levels of education within the district.

3. **STUDENT CONDUCT:** As a condition of continued enrollment in the district, students shall abide by the terms of this policy. Students shall not possess drug paraphernalia, manufacture, distribute, dispense, possess, use or be under the influence of illicit drugs, controlled substances, tobacco products, or alcoholic beverages on school district property, or at any school activity. Any student violating the terms of this policy will be reported to the appropriate law enforcement officials by the school administration and will be subject to the following sanctions:

Drug And Alcohol-

Students/Athletes that are determined, to be or had been in possession of alcohol, tobacco, or drugs will receive suspensions from school/sports that corresponds to the level of infraction:

Minimum consequences by level of infraction

Level of Infraction	Prohibited substances or actions	Minimum Consequence If <u>at School or school event</u>	Minimum Consequence Athletes/Extracurricular Participants <u>off campus</u>
Level One	Tobacco (any form), Alcohol Abuse of over the counter medications	3 day suspension from school 14 days suspension from extracurricular activities (10 must be school days)	14 days suspension from extracurricular activities (10 must be school days)
Level Two	Marijuana, possession or use of controlled substances (not classified illegal) without a proper prescription	10 day school suspension 21 days suspension from extracurricular activities (10 days must be school days)	21 days suspension from extracurricular activities (10 days must be school days)
Level Three	Illegal Drugs (not noted in level 2)	Long-term Suspension (11+ days) With Recommendation for expulsion (remainder of year or up to 186 school days)	30 days suspension from extracurricular activities (10 days must be school days) to remainder of year
Level Four	Severe Disruption or threat of disruption (Distribution, injury, or other action deemed severe by administration)	Long-term Suspension (11+ days) With Recommendation for expulsion (end of year or up to 186 school days)	Suspension from extracurricular activities for remainder of the year

(11/10/2008)

A student who is expelled from school under the terms of this policy may be readmitted during the term of the expulsion only if the student agrees to complete an acceptable drug, tobacco, and/or alcohol education rehabilitation program. Written certification of enrollment in an acceptable drug, tobacco, and/or alcohol rehabilitation program will be required. Names of acceptable programs are on file in the principal's office.

If at any time the student fails to make satisfactory progress in the program, the suspension/expulsion shall be reimposed.

These offenses are based on one school year and do not carry over to the next school year.

Students who are suspended or expelled under the terms of this policy will be afforded the due process rights contained in board policies and Kansas statutes, K.S.A. 72-8901. et seq. Nothing in this policy is intended to diminish the ability of the district to take other disciplinary action against the student in accordance with other policies governing student discipline. In the event a student agrees to enter into and complete a drug, tobacco, and alcohol education or rehabilitation program, the cost of such program will be borne by the student and his or her parents. Drug, tobacco, and alcohol counseling and rehabilitation programs are available for students of the district. A list of available programs along with names and addresses of contact persons for the program is on file with the board clerk. Parents or students should contact the directors of the programs to determine the cost and length of the program.

A copy of this policy and available counseling and rehabilitation programs will be provided to all students and the parents of all students. Parents of all students will be notified that compliance with this policy is mandatory.

4. EMPLOYEE CONDUCT:

As a condition of continued employment in the district, all employees shall abide by the terms of this policy. Employees shall not manufacture, distribute, dispense, possess, use or be under the influence of illicit drugs, controlled substances, or alcoholic beverages, or possess drug paraphernalia, on district property or at any school activity. Compliance with the terms of this policy is mandatory. Employees who are found violating the terms of this policy will be reported to the appropriate law enforcement officers. An employee who violates the terms of this policy will be subject to any or all of the following sanctions:

- a. Short term suspension with pay.
- b. Short term suspension without pay.

- c. Long term suspension without pay.
- d. Required participation in a drug and alcohol education, treatment, counseling or rehabilitation program.
- e. Termination or dismissal from employment.

Prior to applying sanctions under this policy, employees will be afforded all due process rights to which they are entitled under their contracts or the provisions of Kansas law. Nothing in this policy is intended to diminish the right of the district to take any other disciplinary action, which is provided for in district policies or the negotiated agreement.

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

Employees are responsible for contacting the directors of the programs to determine the cost and length of the program, and for enrolling in the program.

A copy of this policy and drug and alcohol counseling and rehabilitation programs shall be provided to all employees.

C. **SMOKING IN SCHOOL BUILDINGS:** Smoking and other use of tobacco products is prohibited at anytime in the district's buildings (HB 2412).

D. **CHEWING GUM IN SCHOOL BUILDINGS:**

1. **GRADE SCHOOL:** Students in grades kindergarten through grade eight are forbidden to chew gum in Unified School District No. 332 School Buildings.
2. **HIGH SCHOOL:** Student in grades nine through twelve are forbidden to chew gum in Unified School District No. 332 School Buildings. (8/14/00)

E. **SENIOR TRIPS:** The seniors of all high schools in Unified School District No. 332 will be limited to one (1) skip day, during the senior year of high school. The principal, in cooperation with the class sponsors assigned to the trip should take all necessary precautions in instructing students about the possibility of theft of articles left on school buses.

F. **EIGHT GRADE TRIPS:** The eighth graders of Unified School District No. 332 will have an eighth grade trip for one day, to be sponsored by the district, using school buses for transportation. The principal, in cooperation with the sponsor assigned to the trip, should

take all necessary precautions in instructing students about the possibility of theft of articles left on school buses.

- G. CLASS MONEY -- CLOSED SCHOOLS: It is the feeling of the Board of Education of Unified School District No. 332, that if classes have money on hand and the school is disbanded, the money will follow the children to the school they attend within the Unified School District No. 332.
- H. AWARDS NIGHT: Each elementary school in Unified School District No. 332 will have an awards program at which time diplomas and awards will be given to students deserving of the honors.
- I. EARLY WITHDRAWAL FROM SCHOOL -- ELEMENTARY: Students who withdraw from elementary school any earlier than the last week of school will be given report cards showing only completed work as of the day of withdrawal. These report cards will not include automatic promotion.
- J. KEYS: Keys should be assigned to school personnel by administrators, as necessary. Keys shall not be duplicated without an order from the superintendent.
- K. BOOK RENTAL: All textbook rentals are to be on a cash basis beginning with the 1974-1975 school year. Book rental fees will be set each year by the Board of Education at the July meeting.
- L. FREE TEXTBOOKS: Free textbook applications (72-4107A) will be considered by the building principal and approved if the student meets the federal guidelines for free or reduced lunches.
- M. RETIRING EMPLOYEES: Employees who leave the district and have worked ten years or more in Unified School District No. 332, will be awarded plaques at the end of their last year of employment. The plaque will show the total number of years employed by Unified School District No. 332.
- N. COMMUNITY USE OF SCHOOL FACILITIES:
 - 1. The Board of Education subscribes to the notion that the public schools are owned and operated by and for its patrons and that the schools become an integral part of the community in terms of its intellectual and social expression and development. To this end the board encourages the use of school facilities.
 - 2. Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity group or organization nor the purposes they represent.
 - 3. School sponsored activities shall have first priority. The right to authorize use of school facilities shall be retained by the Board of Education and/or the Superintendent of

Schools through the appointed school personnel. Such use will be determined by the district policy and will be only at such times as the facilities required are free from district curricular and extracurricular activities.

4. GENERAL PROCEDURES AND BOARD REGULATIONS:

- a. Application to use the school facilities shall be made with the Superintendent of Schools. Application for the use of school facilities shall normally be made at least fourteen (14) days in advance.
- b. Factors such as size of the group and nature of the activity will be carefully considered in determining whether an activity will be approved.
- c. Building usage by individuals or groups realizing personal or commercial profit will not be allowed.
- d. The use of school buildings, property, or grounds shall be granted only in cases where a majority of the members of the group or organization making application reside within Unified School District No. 332.
- e. Private individuals or family affairs will not be permitted.
- f. No building will be used for any money raising activity unless the proceeds are approved for local charitable, educational, or other community welfare purposes.
- g. No out of school group will begin with its activities until school is dismissed in the afternoon and the pupils have left the building.
- h. On days when school is closed because of snow or other calamity, all activities scheduled for that day will be canceled or postponed, unless other arrangements are made with the superintendent.
- i. A school employee must supervise any setting up procedure, which involves the use of school equipment.
- j. Buildings will always be opened and closed by school employees.
- k. The building principal will inform the Superintendent of Schools in writing of any damage created during the time the building was in use by an outside group.
- l. Use of a kitchen will be restricted to only unique circumstances. When permission is granted, a member of the kitchen staff must be in attendance.
- m. The use of school buildings, property, or grounds shall be granted free of charge when staff is normally present, to public agencies, or to other organizations organized

for cultural and educational activities when no admission fee is charged or contributions solicited.

- n. Free use is limited to a meeting, utilities, and normal custodial service. An employee of the board must be on duty whenever a school building is used by an organization or group. When the building is used without the services of the custodial staff, the principal will be responsible for the care and security of the building.
 - o. When staff is not normally present, a fee will be charged for the use of school buildings, property, or grounds. The fee will be computed upon the basis of the cost of salaries, cost of utilities, and normal custodial services.
 - p. All bills for building usage will be issued by the Superintendent of Schools on the first of each month. All billing for extra personnel (custodial, kitchen or supervisory) will be billed by the Superintendent of Schools. Under no circumstances will an organization pay any school personnel directly.
 - q. Sponsoring organizations shall provide sufficient competent adult and/or special supervision, and the amount of adequate supervision will be agreed upon at the time the authorization is issued.
 - r. Authorization to use school buildings, property or grounds will be in writing and signed by a representative of the requesting group and the Superintendent of Schools.
 - s. There will be no smoking in school facilities at any time.
 - t. Alcoholic beverages will not be permitted in school facilities or on school property at anytime.
 - u. All applicants for use of district facilities shall hold Unified School District No. 332 free and without harm, from any loss or damage, liability or expenses that may arise during or be caused in anyway by such use or occupancy of district facilities. In the event that property loss or damage is incurred during such use or occupancy of district facilities, the amount of damage shall be decided by the superintendent and approved by the board of education and a bill for damages will be presented to the group using or occupying the facilities during the time the loss or damage was sustained.
- O. HEAD LICE: Students infested with lice shall be excluded from school until treated with an anti parasitic drug and until all nits have been removed. The school may require certification by a registered nurse or licensed physician stating them to be clear of all nits.
- P. SUPERVISION OF MEDICATIONS: The supervision of medications shall be in strict compliance with the rules and regulations of the board as carried out by district personnel.

1. **DIAGNOSIS AND TREATMENT:** Diagnosis and treatment of illness and the prescribing of drugs and medicines are not the responsibility of the public schools and are not to be practiced by any school personnel, including school nurses, unless authorized.

In certain circumstances when medication is necessary in order that the student remain in school, the school may cooperate with parents in the supervision of medication that the student will use. However, the medical person authorized to prescribe medication or the parent if it is a non-prescription medication must send a written order to the building administrator who may supervise the administration of the medication or treatment. The parents must submit a written request to the building administrator requesting the schools cooperation in such supervision and releasing the school district and personnel from liability.

School personnel shall not be required to be custodians of any medication except as required by a written order of a licensed medical person or in the case of non-prescription medication when requested in writing by the parents.

2. **ADMINISTRATION OF DRUGS:** The medication shall be examined by the school employee administering the medication to determine that it appears to be in the original container, to be properly labeled and to be properly authorized by the written order of licensed medical person. Two containers, one for home and one for school should be requested from the pharmacist.

Any changes in type of drugs, dosage and/or time of administration should be accompanied by new physician and parent permission signatures and a newly labeled pharmacy container.

All medication maintained in the school setting should be kept in a locked container. This includes medication requiring refrigeration.

Medications will be inventoried every semester. Out of date stock should be returned to the parent or destroyed.

Over the counter medications should not be maintained on any school premise, including athletic areas, unless written parent permission to administer is obtained.

The building administrator may choose to discontinue the administration of medication provided that the parents or medical person are notified in advance of the date and reasons for the discontinuance.

After medication is administered, students should be observed for possible reactions to the medication. The observation may occur at the site of administration or the classroom as part of the normal routine.

This policy shall be shared with all local physicians and dentists where practicable. Forms should also be made available to the health care providers in the community.

An individual record should be kept of each medication administered. The record should include student identification, date prescribed, name of medication, time and date (s) administered, signature of person administering and section for comments.

In the administration of medication, the school employee shall not be deemed to have assumed any legal responsibility other than acting as a duly authorized employee of the school district.

- Q. **CROWD CONTROL AT SCHOOL SPONSORED ACTIVITIES:** Disorder and disruption of school activities will not be tolerated, and persons attempting to endanger the safety of students, school personnel or other adults; to damage school property; to interfere with school activities or the educational process; shall be held accountable.

The school administration and staff are responsible for handling any problem caused by adults or students. The final decision for determining if assistance is needed at a disturbance, disorder or demonstration is the responsibility of the school principal. In the absence of the principal, the person designated to be in charge of the building or activity shall make the determination.

- R. **STUDENT SELF-ADMINISTRATION OF MEDICATIONS:** The self-administration of medication is allowed for eligible students in grades K-12. As used in this policy medication means a medicine for the treatment of anaphylaxis or asthma including, but not limited to, any medication defined in current federal regulation as an inhaled bronchodilator or auto-injectible epinephrine. Self-administration is the student's discretionary use of an approved medication for which the student has a prescription or written direction from a health care provider.

As used in this policy health care provider means a physician licensed to practice medicine and surgery; an advanced registered nurse practitioner, or a licensed physician assistant who has authority to prescribe drugs under the supervision of a responsible physician.

1. **STUDENT ELIGIBILITY: AN ELIGIBLE STUDENT SHALL MEET ALL THE FOLLOWING REQUIREMENTS:**

- a. A written statement from the student's health care provider stating the name and purpose of the medication/s.
- b. The prescribed dosage.
- c. The time the medication is to be regularly administered.
- d. Any additional special circumstances under which the medication is to be administered.
- e. The length of time for which the medication is prescribed.
- f. The student shall also demonstrate to the health care provider or the provider's designee and the school nurse or the nurse's designee the skill level necessary to use the

medication and any device that is necessary to administer the medication as prescribed. In the absence of a school nurse, the school shall designate a person who is trained to witness the demonstration.

2. **AUTHORIZATION REQUIRED:** The health care provider shall prepare a written treatment plan for managing the student's asthma or anaphylaxis episodes and for medication use by the student during school hours. The student's parent or guardian shall annually complete and submit to the school any written documentation required by the school, including the treatment plan prepared by the student's health care provider.
3. **EMPLOYEE IMMUNITY:** All teachers responsible for the student's supervision shall be notified that permission to carry medications and self-administer has been granted. The school district shall provide written notification to the parent or guardian of a student that the school district and its officers, employees and agents are not liable for damage, injury or death resulting directly or indirectly from the self-administration of medication.
4. **WAIVER OF LIABILITY:** The student's parent or guardian shall sign a statement acknowledging that the school district and its officers, employees or agents incur no liability for damage, injury or death resulting directly or indirectly from the self-administration of medication and agreeing to release, indemnify and hold the schools and its officers, employees and agents, harmless from and against any claims relating to the self-administration of medication allowed by this policy.
5. **ADDITIONAL REQUIREMENTS:**
 - a. The school district shall require that any back-up medication provided by the student's parent or guardian be kept at the student's school in a location to which the student has immediate access if there is an asthma or anaphylaxis emergency.
 - b. The school district shall require that all necessary and pertinent information be kept on file at the student's school in a location easily accessible if there is an asthma or anaphylaxis emergency.
 - c. Eligible students shall be allowed to possess and use approved medications at any place where the student is subject to the jurisdiction or supervision of the school district, its officers, employees or agents.

S. **CRIMINAL POSSESSION OF A FIREARM:** It shall be illegal for any person, other than a law enforcement officer, to possess a weapon in or on any school property, school grounds, or any district building or structure used for student instruction or attendance or extracurricular activities of pupils, or at any regularly scheduled school sponsored activity or event.

Refusal to surrender or immediately remove from school property or grounds, or any regularly scheduled school sponsored activity or event, any firearm in the possession of any person, when so requested or directed by an authorized school employee or any law enforcement officer shall be reported to law enforcement.

T. RECORDS: The board shall designate a Freedom of Information Officer with the authority to establish and maintain a system of records in accordance with the Kansas Open Records Act and may assign other district employees to handle requests for records and serve as the custodian of the records. The custodian shall prominently display and distribute or otherwise make available to the public a brochure in the form prescribed by the local Freedom of Information Officer. **(8/14/00)**

1. TYPES:

A. PUBLIC RECORD: public record means any recorded information, regardless of form or characteristics, which are made, maintained or kept by or are in the possession of the district, including those exhibited at public board meetings. **(8/14/00)**

B. CENTRAL OFFICE RECORDS: Records maintained by the superintendent shall include, but not be limited to, the following: financial, personnel, property (both real and personal) owned by the district. **(8/14/00)**

C. BUILDING RECORDS: Records maintained by the building principals shall include, but not be limited to, the following: activity funds and student records. **(8/14/00)**

2. PUBLIC ACCESS: All records except those subject to exception by the Kansas Open Records Act shall be open to inspection by the general public during regular office hours of any school or the district office. The superintendent will establish procedures for making records available on normal business days when district offices are closed. Copies of open records shall be available on written request.

Requests for access to open records shall be made in writing to an official custodian of district records. The official custodian shall examine each request to determine whether the record requested is an open record or is subject to an exception by the Kansas Open Records Act. The custodian shall either grant or deny the request.

If the custodian does not grant the request, the person requesting the record shall receive a written explanation of the reason for the denial within three days of the request, if an explanation is requested. If the requester disagrees with the explanation, the freedom of information officer shall settle the dispute.

To the extent possible, requests for access to records shall be acted on immediately. If the request is not acted on immediately, the custodian shall inform the requester of when and where the open record will be made available. The record shall be made available within three business days of the request. Each custodian shall file all requests and their dispositions in the appropriate office and make reports as requested by the superintendent or the board.

The board shall annually set a fee for copies of records. Advance payment of the expense of copying open records shall be borne by the individual requesting the copy. Under no circumstances shall the documents be allowed out of their usual building location without approval of the official custodian.

Revenue from copying open records will be deposited in the district's general fund.
(8/14/00)

3. **DISPOSITION:** All district office records shall be kept for a least the minimum length of time required by law.

The clerk is designated as the official custodian of all board records maintained by the district and all district office records maintained by the district.

Each building principal is designated as official custodian of all records established and maintained at the building level.

In addition to those records required by law, the clerk shall be responsible for preparing and keeping other records necessary for the district's efficient operation.

District employees shall follow the guidelines found in the student records policies. **(8/14/00)**

U. **DEBT COLLECTION:** Building principals shall attempt to collect over due accounts. If, after the attempt to collect and the amount remains unpaid, the principal shall report the matter to the superintendent who shall consult with the school board attorney, and they shall jointly recommend a course of action to the board. The use of the procedure set out in Chapter 75 Sub Section 62 of the Kansas Statutes Annotated Debt setoff will be considered.

V. **WELLNESS POLICY:** Unified School District No. 332 is committed to providing school environments that promote and protect children's health, well-being and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of Unified School District No. 332 that:

1. Wellness guidelines will be implemented as specified in the Kansas State Department of Education's Wellness Policy Report for each school level.
2. Students, parents, teachers, food service professionals, health professionals and other interested community members will be engaged in developing, implementing, monitoring and reviewing district-wide nutrition and physical activity policies.
3. All students in grades K-12 will have opportunities, support and encouragement to be physically active on a regular basis.
4. Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
5. Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students.

6. Students will be provided with adequate time to eat in settings that are clean, safe, and pleasant.
7. To the maximum extent practicable, all schools in our district will participate in available federal school nutrition programs.
8. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education, school nutrition programs and related community services.

COMPLAINTS OF DISCRIMINATION (Adopted: October 12, 2009)

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

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

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

Complaints of discrimination will be resolved using the district's discrimination complaint procedures.

AUTOMATED EXTERNAL DEFIBRILLATORS (Adopted: October 12, 2009)

If the board approves their use in district schools and other facilities, automated external defibrillators shall be used only by qualified persons as required by law.

To be qualified, a district employee shall have completed all training, and have demonstrated proficiency in the use of the AED as required by current law.

BULLYING (Adopted: October 12, 2009)

The board of education prohibits bullying in any form, including electronic means, on or while using school property, in a school vehicle or at a school-sponsored activity or event. The administration shall propose, and the board shall review and approve a plan to address bullying on school property, in a school vehicle or at a school-sponsored activity or event.

The plan shall include provisions for the training and education of staff members and students and shall include appropriate community involvement as approved by the board. Students who have bullied others in violation of this policy may be subject to disciplinary action, up to and including suspension and expulsion. If appropriate, students who violate the bullying prohibition shall be reported to local law enforcement.

RACIAL HARASSMENT (Adopted: October 12, 2009)

The board of education is committed to providing a positive and productive learning and working environment, free from discrimination, including harassment, on the basis of race, color or national origin. Discrimination or harassment on the basis of race, color or national origin ("racial harassment") shall not be tolerated in the school district. Racial harassment of employees or students of the district by board members, administrators, certificated and support personnel, student, vendors, and any others having business or other contact with the school district is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of racial harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events. Racial harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

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

Racial Harassment is racially motivated conduct which:

1. Affords a student different treatment, solely on the basis of race, color or national origin, in a manner which interferes with or limits the ability of the student to participate in or benefit from the services, activities or programs of the school;
2. Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of creating a hostile academic environment; or
3. Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of interfering with a student's academic performance or ability to participate in or benefit from the services, activities or programs of the school.

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

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

Any student who believes he or she has been subject to racial harassment or has witnessed an act of alleged racial harassment, should discuss the alleged harassment with the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of racial harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator. The building

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

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

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

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

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

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

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

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

COMPLAINTS (Adopted: October 12, 2009)

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

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. Harassment of an individual on any of these grounds is also prohibited. The superintendent, whose address is 117 N. Main, P.O. Box 67, Cunningham, KS 67035, has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.

Complaints About Discrimination or Discriminatory Harassment

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

Informal Procedures

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

Complaints

Formal Complaint Procedures

- A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the building principal may initiate the complaint. Forms for filing written complaints are available in each building office and the central office.
- A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.
- A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant no later than 30 days after the filing of the complaint.
 - ◊ If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.
 - ◊ If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement or state law will be followed.
- Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.
- The complainant may appeal the determination of the complaint. Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report, and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 days after the appeal is filed.

- Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Complaints About Policy

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

Complaints About Curriculum

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

Complaints About Instructional Materials

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

Complaints About Facilities and Services

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

Complaints About Personnel

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

ACCESS TO ELECTRONIC MEDIA: ACCEPTABLE USE POLICY **(Adopted: October 12, 2009)**

The Board supports reasonable access to various information formats for students, employees and the community and believes it is essential for users to use this privilege in an appropriate and responsible manner.

Safety Procedures and Guidelines

The Superintendent shall develop and implement appropriate procedures to provide guidance for access to electronic media. Guidelines shall address teacher supervision of student computer use, ethical use of electronic media (including, but not limited to, the Internet, e-mail, and other District technological resources), and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit use of networks for prohibited or illegal activities, the intentional spreading of embedded messages, or the use of other programs with the potential of damaging or destroying programs or data.

Students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Internet safety measures shall be implemented that effectively address the following: controlling access by minors to inappropriate matter on the Internet and World Wide Web; safety and security of minors when they are using electronic mail, chat rooms, and other forms of direct electronic communications; preventing unauthorized access, including "hacking" and other unlawful activities by minors online; unauthorized disclosure, use and dissemination of personal information regarding minors; and restricting minor's access to materials harmful to them.

Specific expectations for appropriate Internet use shall be reflected in the District's code of acceptable behavior and discipline including appropriate orientation for staff and students.

Permission/Agreement Form

A written parental request shall be required prior to the student being granted independent access to electronic media involving District technological resources.

The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges, and penalties for policy/procedural violations, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

Employee Use

Employees shall use electronic mail primarily for purposes directly related to work-related activities. Each employee is responsible for the security of his/her own password.

Community Use

On recommendation of the Superintendent, the Board shall determine when and which computer equipment, software, and information access systems will be available to the community.

Upon request to the Principal/designee, community members may have access to the Internet and other electronic information sources and programs available through the District's technology system, provided they attend any required training and abide by the rules of usage established by the Superintendent/designee.

Disregard of Rules

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, or other computing and telecommunications technologies. Employees and students shall be subject to disciplinary action, up to and including termination (employees) and expulsion (students) for violating this policy and acceptable use rules and regulations established by the school or District.

Responsibility for Damages

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care. Students or staff members who deface a District web site or otherwise make unauthorized changes to a web site shall be subject to disciplinary action, up to and including expulsion and termination, as appropriate.

Responding to Concerns

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

Administrative Audits

The administration reserves the right to monitor used of all electronic communications devices, files and accounts. Staff and students and members of the public granted permission to use district equipment shall have no expectation of privacy while using district equipment on or off school premises.

SECTION XIV -- MISCELLANEOUS POLICIES

- A. SOLICITATION OF FUNDS: No solicitation of funds for any purpose, except for the United Way of Kingman County, shall be permitted in any of the schools of Unified School District No. 332, except by the approval of the superintendent.
- B. FIRE AND TORNADO DRILLS: Each school shall have one fire drill per month and three tornado drills per year.
- C. AGENTS AND SOLICITORS: No agents, salesmen, saleswomen, or solicitors shall be permitted to interview teachers or pupils in the school buildings or on the school grounds, nor shall any handbills, pamphlets or other advertising materials or posters be distributed on or placed on the school premises, or announcements made, without the permission of the board of education or superintendent.
- D. SPONSORED SHOWS AND ENTERTAINMENT: Groups, other than school groups, who desire to sponsor shows and entertainment for school children, and sell tickets for these entertainments, shall not be permitted to use school time or personnel for selling these tickets, nor school time for the show or entertainment.
- E. SALE OF TICKETS: Sale of tickets in the schools to events or entertainment sponsored by other than the schools themselves shall be permitted only upon the express permission of the superintendent.
- F. LISTS OF STUDENTS OR TEACHERS: Lists of students or teachers are not to be made available to any individual, agency or establishment for commercial purposes or other purposes contrary to the best interests of the schools.
- G. FRATERNITIES: Fraternities and secret organizations are prohibited in high school, and the board of education has authority to expel any student who violates this statute, or becomes a member of such an organization while a student.
- H. TEXTBOOKS: Grade school and high schools are authorized to set up rental systems for textbooks and are authorized to procure these textbooks at the most economical cost. Fees should be authorized by the board upon the recommendation of the administrators concerned. Textbook committees made up of teachers from all attendance centers shall meet periodically during the school year to study textbooks and make recommendations for new adoptions.
- I. POLICY REGARDING RETAIL SALES: Unified School District No. 332 school representatives shall refrain from the sales of goods, supplies, and services which are regularly supplied by or available from the retail merchants of Unified School District No. 332. The board will allow specific exceptions to this policy.
 - 1. EXCEPTIONS PERMITTED: The superintendent may grant permission for the following: Snack bar and school lunch meals, pencils, paper, textbooks, paperbound

books and dictionaries, school sweatshirts, decals, license plates, soft drinks, concession goods, fire extinguishers, concessions at school activities, magazine sales, a pop and snack vending machine at Cunningham High School to be used at the discretion of the administration. (10/8/84)

- J. **ADVERTISING:** It is generally understood that the school cannot be used as an agency through which commercial advertising can be permitted. Free materials, supplies, services, and equipment may, however, be accepted for classrooms and school purposes under criteria as follows:
1. The initiative for securing the materials, supplies or equipment should come from the school.
 2. The material should fulfill a legitimate purpose of the school and its curriculum and activities.
 3. The selfish or private purpose of the sponsor should not be prominent or dominant in the material.
 4. The advertising feature should not be blatant.
 5. No materials should be used that violate the attitudes which are recognized as ideals of the school system or of our society.
- K. **PURCHASE ORDERS:** All Board of Education purchases must be authorized by purchase order. See instructions regarding purchase orders and requisitions under Financial and Business Management.
- L. **OUTSIDE ACTIVITIES:** The board does not approve of employees engaging in activities which necessitate their being off their job for a period of time. Tutoring of any kind for pay is not allowed on school property or on school time. Teaching in night school and classes outside of, and in addition to the regular teaching schedule must not interfere with the regular teaching schedule duties or meetings of a teacher.
- M. **INVENTORIES:** All teachers, school employees, and administrators are to keep continuous inventories of supplies and equipment on a form as prescribed by the superintendent. These inventories are to be brought up to date and turned into the office of the superintendent each fall. Inventories shall be submitted each spring and brought up to date.
- N. **MONEY RAISING PROJECTS:** No money raising projects by outside organizations are to be conducted in the schools without the permission of the superintendent and/or board. This will include ticket sales and all types of money raising drives. Neither may any outside agency sponsor any pay entertainment for school children during school hours in any of the public schools.

- O. CHRISTMAS: There will be no school sponsored gift exchanges in Unified School District No. 332 schools.
- P. DRINKING OF INTOXICATING BEVERAGES: Drinking of intoxicating liquor or cereal malt beverages is not allowed on any school property owned or leased by Unified School District No. 332.
- Q. SEAT BELTS: All individuals driving or riding in the front seat of district owned vehicles shall use the provided seat belts at all times while the vehicle is in motion as required by Kansas law.
- R. SEAT BELTS: All individuals under the age of 14 riding in district vehicles other than school buses must use the proper safety restraining system. For a child age 4 to 14 the proper restraining system is the safety belt and applies to both front and rear seats of the vehicle. For a child under age 4 the proper restraining system is a padded restraining seat.
- S. VIDEO DUBBING: The district librarian and building principals will establish a procedure for video dubbing for district patrons. The procedure will include reasonable guidelines including a charge to defray the cost involved. The plan will be presented to the Board of Education for approval prior to its adoption or amendment.
- T. MEMORIALS: All memorials must be approved by the Board of Education. Memorials will be restricted to the following criteria:
- 1) Any message associated with the memorial will have a positive connotation.
 - 2) Memorials will not be in a location or size that would impede or disrupt the school.
 - 3) Memorials will not detract from the learning environment.
 - 4) Memorials will not be designed in a manner that would promote competition in memorial designs, promote or glorify student loss of life, or act as a constant reminder to pain and suffering.
 - 5) Memorials will not be designed in a manner that involves the names or represents other students, staff, or families without unanimous consent from all associated.
 - 6) Memorials cannot cause added expense to the district at installation or during normal operations, maintenance and custodial work unless specifically approved by the board on a case by case basis.
 - 7) Memorials that would require a naming of a facility, portion thereof or other location will be considered by the BOE and proposals must be approved by the board.
- (11/10/2008)**