



USD 234
EMPLOYEE
HANDBOOK

2022-2023

USD 234 Employee Handbook Table of Contents

Introduction	1
USD 234 Mission Statement	1
Non-Discrimination Statement	1
Recruitment and Hiring	1-2
Equal Employment Opportunity Statement.....	1
Recruitment and Hiring Process.....	2
Conditions of Employment	2-3
Background Checks.....	2
Drug and Alcohol Testing.....	2
Employment Eligibility Verification.....	3
Health Certificates.....	3
Loyalty Oath.....	3
Transcripts.....	3
Transfers.....	3
Payroll and Benefits	3-16
Direct Deposit.....	3
Compensation.....	4
Employee Development Opportunities.....	4
Employee Reimbursement and Credit Cards.....	4
Family and Medical Leave.....	4
Flexible Fringe Benefit Program.....	6
Health Insurance.....	7
Holiday Pay.....	7
Kansas Public Employees Retirement System.....	7
Leave of Absence.....	8
Leaves and Absences.....	8
Matching Retirement Plan Provisions.....	8
Military Leave.....	9
Payment Procedures Upon Termination or Retirement.....	10
Payroll Period.....	11
Release Time.....	11
Salary Deductions.....	13
Tax-Sheltered Annuity and ROTH IRA.....	14
Travel Expenses.....	14
Vacations.....	14
Withholding Tax.....	15
Workers' Compensation.....	15
Working Conditions	16-32
Breastfeeding.....	16
Classified Employee Evaluation.....	17
Work Assignments.....	17
Complaints.....	19
Complaints of Discrimination.....	21
Confidentiality.....	22
Conflict of Interest.....	22
Drug Free Schools.....	23
Gifts.....	24
Kansas Education Code of Conduct.....	24
Maintaining Proper Control.....	26
Non-School Employment.....	26
Participation in Community Activities.....	26

Personal Appearance.....	26
Personnel Records.....	26
Physical Activity.....	27
Requisitions for Supplies.....	27
Return to Work.....	27
Reduction in Force of Classified Staff.....	27
School Business Trips.....	28
Solicitations.....	29
Staff Online Activities.....	29
Staff-Student Relations.....	30
Staff Use of Communication Devices.....	30
Supervision.....	32
Suspension of Employees.....	32
Safety Policies for Staff.....	32 - 59
Acceptable Use Guidelines.....	32
ALICE Procedures.....	33
Bloodborne Pathogen Exposure Control Plan.....	34
Hazard Communication Program.....	40
Bullying by Staff.....	42
Child Abuse.....	43
Communicable Diseases.....	44
Computer and Device Use.....	45
Drug and Alcohol - Free Workplace.....	46
Evacuations and Emergencies.....	47
Hazing.....	47
Inclement Weather.....	48
Loss Prevention.....	48
Possession of Firearms.....	49
Racial and Disability Harassment.....	49
Reporting Certain Students to Administration and Staff.....	51
Sexual Harassment.....	51
Student Errands.....	59
Tobacco Free School Grounds for Staff.....	59
Miscellaneous Policies for Staff.....	60 - 61
Dismissing School for Special Events.....	60
Distributing Materials in Schools.....	60
Organizational Chart.....	60
Political Activities.....	60
Student Use of School Facilities.....	61

Introduction

This handbook is designed to provide general information about working conditions, benefits, and policies affecting employment at USD 234. Following the policies in this handbook is considered a condition of continuous employment. However, nothing in this handbook alters an employee's "at will" status for any employee not covered by the negotiated agreement. The contents of this handbook shall not constitute nor be construed as a promise of employment or as a contract between USD 234 and any of its employees. The handbook is a summary of USD 234 policies which are presented here as a matter of information.

The policies in this handbook are to be considered guidelines. USD 234, at its option, may change, delete, suspend, or discontinue any part or parts of the policies in this handbook at any time without prior notice. If any provision in this employee handbook is found to be unenforceable or invalid, it will invalidate only that portion of the book and not the entire employee handbook.

USD 234's policies, benefits, and rules as explained in this handbook may change from time to time as education, employment legislation, and economic conditions dictate. Employees will be given updates, when, provisions are changed. This version of the employee handbook supersedes all previous manuals, handbooks, letters, memoranda, and understandings, with exception to the negotiated agreement.

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

USD 234 Mission Statement

USD 234 will lead in the **SUCCESS** of **EACH** student in becoming **INDEPENDENT**, **RESPONSIBLE**, and **PRODUCTIVE** global citizens.

Non-Discrimination Statement

USD 234 does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: Superintendent, 424 S. Main Street, Fort Scott, KS 66701, telephone: 620-223-0800.

Recruitment and Hiring

Equal Employment Opportunity and Nondiscrimination -The board shall hire all employees on the basis of ability and the district's needs.

The district is an equal opportunity employer and shall not discriminate in its employment practices and policies with respect to hiring, compensation, terms, conditions, or privileges of employment because of an individual's race, color, national origin, religion, sex, age, disability, or genetic information. Discrimination on any of these characteristics will not be tolerated. The

district will make reasonable accommodations to applicants and employees who need them for medical or religious reasons, as required by law.

Inquiries regarding compliance may be directed to the Superintendent of Schools, 424 S. Main, Fort Scott, KS 66701, 620-223-0800 or to any of the following agencies:

Equal Employment Opportunity Commission
Gateway Tower II
400 State Ave., Suite 905
Kansas City, KS 66101
913-551-5655
kansascityintake@eeoc.gov

Kansas Human Rights Commission
900 SW Jackson, Suite 568-S
Topeka, KS 66612-1258
785-296-3206
khrc@ks.gov

United States Department of Education
Office for Civil Rights
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106
816-268-0550
OCR.KansasCity@ed.gov

Recruitment and Hiring Process - The board delegates recruiting authority to the superintendent. In carrying out this responsibility, the superintendent may involve administrators and other employees. The board shall approve the hiring of all employees. No staff member's employment is official until the contract or other document is signed by the candidate and approved by the board.

Hiring sequence:

- Conditional offer of employment is extended to the candidate verbally subject to revocation or, if provisional employment has already begun, termination of employment based upon unsatisfactory results of any reference and/or background checks performed;
- Verbal acceptance by the candidate is received;
- Approval of the contract or other documents by the board; and
- Candidate recommendation by the superintendent is presented to the board for approval.

Conditions of Employment

Background Checks - As a condition of initial employment, each employee will be subject to a background check.

Drug and Alcohol Testing - All district employees performing job functions which require the employee to maintain a commercial driver's license shall be tested for alcohol and drugs as

required by current federal law. Board-approved rules and regulations necessary to implement the testing program shall be on file with the clerk.

Each new employee who is required to undergo alcohol and drug testing shall be given a copy of the appropriate district regulations and shall be informed that compliance with the required elements of the testing program is a condition of employment as a driver in the district. All employees shall be informed of this policy on an annual basis.

Employment Eligibility Verification (Form I-9) - All district employees, at the time of employment, shall provide verification of identity and employment status to the superintendent.

Health Certificates - As a condition of entering or returning employment as provided by law, every employee who works directly with students is required to submit a certificate of health signed by a licensed physician at the employee's expense. Upon initial employment with the district or return to the district after an absence of three or more years, the employee must submit a current health certificate issued within the last 12 months. Additional certification of health may be required by the Superintendent.

Loyalty Oath - All employees are required by law to sign a loyalty oath as a condition of employment.

Transcripts - Each licensed employee is required to file a copy of his/her official transcript with the central office upon employment. Any classified staff with official college transcripts should also submit a copy to the central office to verify educational attainment upon employment for placement on the salary schedule. By no later than September 1 of each year, licensed and classified employees should file an official transcript of all additional college credits obtained during the previous twelve months in order to verify educational advancement for movement on the salary schedule.

Transfers - If a staff member wishes to transfer to another position in the district, they do not need to complete an application online. They will be required to complete a transfer form expressing their interest in transferring. This only applies when applying for positions within the same category of job; like, a classified employee wishes to transfer to another classified position, they only need to complete the form requesting a transfer. If a classified employee is qualified and interested in becoming a teacher, then they would need to complete an application online. The same goes for licensed staff. If they want to transfer between buildings, they need to complete a transfer form. If they wish to transfer to an administrative position, they will need to complete an online application.

If an employee is granted a transfer to another job or department, they will continue on the salary schedule in the same place they were prior to being transferred. All years of service in the district will be counted.

Payroll and Benefits

Direct Deposit - Each employee's salary will be directly deposited in the financial institution of her/his choice on or about the 20th of each month. Payroll check stubs, or the equivalent thereof, will be distributed to staff through the employee portal. If an employee does not have a

bank account for direct deposit, he/she is required to have the salary deposited onto a pay card assigned by the district.

Compensation - Classified employees shall be paid according to **their education and previous experience relating to the position they are being hired for to determine their placement on the salary schedule.** Payment shall be made at the established pay date following the end of each pay period.

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

Expense Reimbursement and Credit Cards - Non-administrative staff use of a district credit card, if authorized by the staff member's immediate supervisor, shall be confined to necessary school business. Staff members shall retain any receipt(s) for district credit card expenditure(s) and shall provide them to the central office as soon as practical following the expenditure.

The superintendent may designate administrative and other staff members to whom a district credit card will be issued. The board shall monitor monthly receipts and reimbursement expenses. In no case will credit card expenditures be authorized for any non-administrative staff member without the prior approval. If the employee travels more than 100 miles and/or an overnight stay, a credit card will be issued.

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

Family and Medical Leave (FMLA) - 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.

Leave Entitlements - Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

Benefits & Protections - While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Eligibility Requirements - An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

Requesting Leave - Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employee that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization of continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

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Employer Responsibilities - Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Enforcement - Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Flexible Fringe Benefit Program - The board has established a flexible fringe benefit program (salary reduction plan) for all employees (hereafter referred to as covered employees) of the district. All covered employees of USD 234 are eligible to participate in this program. A covered employee would be eligible for participation in the program with no minimum or maximum age requirements.

All covered employees eligible to participate in this plan must complete a fringe benefit plan election form indicating which benefits they wish to have purchased for them. This fringe benefit plan election form will be provided by the board and will be effective for the period stated in the current plan document. Enrollment for current employees must be completed by the first day of the plan year. Employees hired during the plan year will be eligible to enter the plan the first day of the month following one month of service, and this enrollment shall be effective for the remainder of that plan year.

A participant in the plan will not be allowed to revoke his/her election of coverage after the period of coverage has commenced. However, a plan participant may revoke benefit election after the period of coverage has begun and may make a new election for the remainder of the period of coverage if both the revocation and the new election are on account of and consistent with a change in family status (i.e., marriage, divorce, death of spouse or child, birth or adoption of child, and termination of employment of spouse).

Under this plan, the board will offer statutory non-taxable benefits to any participant in the plan. Upon request from a participant of the plan, a participant may choose under this plan to receive his/her full compensation for any plan year in cash or have a portion of it applied by the board toward the cost of one or more optional benefits. The amount so requested by the participant will be deducted from his/her wages and placed into the salary reduction plan fringe benefit pool under the terms and conditions of Section 125 of the Internal Revenue Service Code and all amendments thereto. Each covered employee will designate in writing the amount of the benefits to be purchased by the board. The board will provide a form for each covered employee to use in designating the combination of benefits that the covered employee wishes to be provided by the board. The covered employee will select from the following available benefit plan options:

1. Group Medical Insurance
2. Disability Income Insurance
3. Cancer Coverage
4. Dental Insurance
5. Group Life Insurance

6. Dependent Care Assistance Plan
7. Medical Expense Reimbursement Plan
8. Vision Care
9. Health Savings Account
10. Emergency Transport Insurance

Each participant shall receive the difference between the total benefit available and the total amount of non-taxable benefits in cash. This plan will require anyone who chooses cash to pay state and federal income taxes and Social Security. The statutory non-taxable benefits would not be taxed for state and federal income, Social Security, or KPERS.

The parties agree that the only fringe benefit provided for the covered employees of USD 234 shall be by and through this flexible salary reduction benefit program.

This plan is exclusively a salary reduction plan and no amount of additional compensation will be contributed by the Board over and above or in addition to the amount designated by the participant to be reduced from his/her salary on the appropriate forms provided under the terms of this agreement.

Health Insurance - All eligible employees may participate in the USD 234 group health insurance plan. An eligible employee will be determined by using the guidelines set forth under the Affordable Care Act (ACA). Employees who have qualified for KPERS retirement may elect to continue participation in the district's health insurance group until the age of 65. No board contribution will be made towards retiree's premiums, and the entire cost of the premium must be paid by the retiree.

An employee may opt to waive out of the USD group health insurance by completing an Option for Waiver of Coverage form. All employees who are eligible for health insurance must show proof of a qualified plan that meets the ACA guidelines. Employees taking the district's health insurance may apply to waive out of the group health plan anytime during the year if his/her spouse's group health plan open enrollment period does not align with the USD 234 plan year or pending Section 125 and HIPPA guidelines. An employee may opt to waive out of the group health insurance plan if that employee is covered by Medicare. Employees who opt out of the health insurance plan will not receive the board's contribution for health insurance.

Holiday Pay - Holiday pay may be granted to hourly employees depending upon the length of their contract. The following schedule will apply:

<u>Number of Days Worked</u>	<u>Number of Holidays</u>
200 to 210	10 days
211 to 220	11 days
221 to 240	12 days
260	19 days (12-month employee holiday days may be adjusted by the superintendent)

****No holiday pay will be given to any classified person working less than 199 days.**

Kansas Public Employees Retirement System - Each employee who works at least 630 hours per year or an equivalent of three and a half hours per day must become a member of

KPERS. An employee contribution of 6% of the gross pay as determined by current statute will be made each payroll period.

Leave of Absence - The board may grant a leave of absence to employees (short or long-term) for health or other reasons. Employees should submit a letter requesting a leave of absence for board approval. If an employee is granted a leave of absence, a replacement will be recommended by the principal with endorsement by the superintendent. Unless an exception is granted, a leave of absence shall not exceed the available FMLA.

Leaves and Absences -

Paid Leave - Full-time employees will be credited with paid leave in accordance with the terms of applicable employee handbooks and terms of this policy.

If paid discretionary leave is used for sick leave purposes, such leave shall be available for the personal illness of the employee or the illness of the employee's spouse, child, grandchild, ward, parent, or the parent or child of the employee's spouse. The superintendent shall have the right to receive verification of any illness or disability.

Unpaid Leave - The board may grant a period of unpaid leave as determined by the board. The board shall not be required to pay any salary or benefits during periods of unpaid leave except as may be required by law.

Jury Duty Leave - Any employee called to jury duty will be granted paid leave, and such leave will not be deducted from the employee's credited paid leave. Any payment or fees received for the performance of jury duty, outside of necessary travel expenses and meal allowances, will be paid to the district.

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

Matching Retirement Plan Provisions and Groups - USD 234 will provide a matching plan for employees who are eligible for the district's benefits. The matching plan will be provided in a salary-deducted 403(b) retirement plan through USD 234. All employees will fall into one of four employee groups.

Group 1: (Licensed personnel) Those employees eligible for early retirement in 5 years or less. This includes those employees eligible for early retirement no later than June 30, 2024.

Employees in Group 1 may stay on the early retirement plan. Employees in Group 1 elected whether to go into Group 2 by January 1, 2020. Once an employee has opted into Group 2, he/she is no longer eligible for the early retirement plan. Should the employee not opt into Group 2 and then become ineligible for the early retirement plan, the employee may opt into Group 3 and receive a 1:1 match.

Group 2: (Licensed personnel) Those eligible for early retirement in 6 to 10 years. This would be those employees eligible for early retirement no later than June 30, 2029.

Employees in Group 2 are allowed a 3:1 match. The employee contributes a minimum of \$25 per month, and then USD 234 will contribute up to \$105 per month.

Group 3: (All other licensed personnel) Employees in Group 3 are allowed a 1:1 match. The employee contributes a minimum of \$25 per month, and then USD 234 will contribute up to \$35 per month.

Group 4: (All classified personnel) Employees in Group 4 are allowed a 1:1 match. The employee contributes a minimum of \$25 per month, and then USD 234 will contribute up to \$35 per month.

VESTING SCHEDULE - The employee's 403(b) money in the account will always belong to the employee. The below vesting schedule is only for USD 234's matching 403(b) portion and is based on continued years of service for USD 234. Employees will continue to earn a percentage of USD 234's match money based on the schedule below as the employee continues to work for USD 234. Employees currently with 10 years of continuous service to USD 234 will be 100% vested immediately upon participation.

<u>Continued Years Worked for USD 234</u>	<u>USD 234's Match Money</u>
0 to 5 years	0%
Completion of 6 years	25%
Completion of 8 years	50%
Completion of 10 years	100%

If an employee leaves the district before being 100% vested, the portion of the school's match money that is not vested will be returned to the district to be put towards future matching contributions.

ENROLLMENT IN 403(b) MATCHING PLAN:

- (A) The match plan will become available October 1, 2019.
- (B) Employees from Group 2, 3, and 4 may opt into the match during the year, not just during open enrollment.
- (C) If the employee already has a Security Benefit SFR 403(b) account, the employee will not need to do anything; the employer match money will be put into the existing account.
- (D) If an employee has an existing 403(b) account with another approved plan provider, the employee will be able to continue to invest into that account, but the employee will need to set up a Security Benefit 403(b) account for the district's portion.
- (E) Employees may elect to put in more than the minimum match money.

Military Leave - 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 Corp Reserve, Air Force Reserve, or Coast Guard Reserves. 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 listed types of duty.

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

The returning employee is entitled to be reemployed in the job that they would have attained had they not been absent for military service with the same seniority, status, and pay, as well as other rights and benefits determined by law. If necessary, the employer must provide training or retraining that enables the employee to refresh or upgrade his/her skills so he/she 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 to 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 rewarded for length of service are provided.

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.

Payment Procedures on Employment Termination/Retirement - When any employee is terminated, the computation of amounts due the individual for services rendered and terminal benefits under the Released Time Regulations will be paid within 30 days of the termination. When any employee retires, all amounts due for services rendered and terminal benefits due under Released Time regulations will be paid on a schedule to provide the employee maximum retirement benefits. Employees resigning, retiring, or being terminated will complete necessary forms with the payroll office, providing address and mailing information.

Payroll Period - Salaries for all personnel are paid in twelve equal monthly installments, on or about the 20th of each month, except for December and March when salaries are paid earlier.

Release Time - The following released time rules and regulations pertain to qualifying school employees. RELEASED TIME is defined as absence from duties for illness, personal, or school business. A QUALIFYING SCHOOL EMPLOYEE is defined as all contracted/at-will employees. ANNUAL CREDIT is defined as discretionary leave granted an employee each month or portion of month which he/she performs services. Monthly credit is the daily hours of service required of an employee.

TERMINAL BENEFITS are defined as accumulative credit at termination, death, or disability, multiplied by a percentage factor of the daily gross wage. DAILY GROSS WAGE FOR TEACHERS AND ADMINISTRATORS is defined as the base pay in a contract, including advanced degrees, extra pay increments (excluding summer extended contracts, holidays, and vacations) divided by the number of working days in a contract, not including holidays or vacation days.

DAILY GROSS WAGE FOR EMPLOYEES on an hourly basis is defined as the average hours normally worked each day multiplied by the hourly rate in the work agreement or contract.

HOURLY GROSS WAGE FOR TEACHERS AND ADMINISTRATORS is defined as the base pay in a contract including advanced degrees and extra pay increments (excluding summer extended contracts and vacations) divided by the number of working hours in the contract year.

HOURLY GROSS WAGE FOR EMPLOYEES is defined as the total number of working days on the work agreement including holidays multiplied by the number of working hours in the day divided into the total salary.

LEAVE OF ABSENCE is a period of time away from contractual/work agreement service granted by the board.

AUTHORIZED SCHOOL BUSINESS IS:

- A. Performing duties of the contract
- B. Attending or presenting, at the request of the superintendent or the approval of the superintendent, one of the following:
 - 1. Educationally related workshop-type meeting or classroom observation
 - 2. Attending a funeral or other function to represent the school district
 - 3. Performing or attending non-professional meetings having a direct relationship to school and community service
 - 4. Jury duty

TERMINATION OF EMPLOYEES UNDER CONTRACT OR WORK AGREEMENT is defined as the day such person concludes his/her official status with the district.

TERMINATION FOR DISCRETIONARY LEAVE OF ABSENCE is defined as the day such person concludes his/her official status with the district.

Regulations:

Credits may be accumulated only in USD 234. Employees will be granted full released-time credit at the beginning of their contract/at-will year based on the chart below. The released time for each employee will be monitored to ensure that the amount used does not exceed the amount earned during a contract/work agreement year.

When credits are prorated due to an employee working less than his/her full contract/at-will year, the number of release time days credited will be the same ratio as the number of months worked is to the full contract/at-will period. The released time days calculated will then be multiplied by the number of hours worked by the employee per day to determine the hours posted to the employee's account.

Schedule of Annual Credits in Days

	Contract/Work Agreement Basis	Number of Days
DISCRETIONARY LEAVE	*10 months	10 days
	11 months	11 days
	12 months	12 days

*162 through 200 days

DISCRETIONARY LEAVE is defined as absence from duties for illness or personal business. Credits not used will carry forward to the sick leave credit balance. Sick leave credits cannot be used for discretionary leave.

Annual credit is converted to hours, based upon hours of assignment per day. There is no limit to the number of credits an employee may accumulate. Accumulated credits may be retained by an employee on leave of absence, but credits are not granted during this period.

Use of Accumulated Credits: Accumulated credits may be used in accordance with the Schedule of Annual Credits chart subject to the following:

- A. Except in an emergency, released time may be refused if the employee does not notify his/her immediate supervisor twenty-four (24) hours in advance that released time is desired. A supervisor's decision may be appealed to the superintendent.
- B. If extended released time is anticipated, advance notification shall be given to the employee's immediate supervisor.
- C. The minimum amount of credit that may be used shall be one-quarter hour (15 minutes).
- D. A supervisor may deny the request for released time if the employee's absence will have a detrimental effect upon the school program.

Salary Deductions When Credits Have Been Exhausted: When accumulative credits have been exhausted, deductions from salary for loss of time shall be computed on an hourly gross wage.

Terminal Benefits: At termination of employment, death, or disability, an employee will be paid terminal benefits per the schedule below. Benefits are computed on a percent of Hourly Gross Wage. Computation will be based on the highest contract year.

Years of Service	0-5	6-13	14-21	22-29	30+
Termination	0%	15%	20%	25%	30%
Death, Social Security Disability or KPERS Disability	25%	25%	25%	25%	30%

All personnel employed by the district beginning with the 1996-97 school year will be able to accumulate an unlimited amount of credit. However, hours in excess of 650 will be paid according to the following schedule:

Employed beginning with the 1996-97 school year:

Years of Service	0-13	14-21	22-29	30+
	4%	6%	8%	10%

When an employee terminates prior to the end of the contractual/work agreement period, terminal benefits accumulate at the rate of one credit for each month or portion of month in which services are performed. If an employee does not notify his/her immediate supervisor in writing at least fourteen (14) calendar days prior to termination, he/she may not be eligible for termination benefits. Terminal pay is subject to local, state, and federal payroll deductions. Employees terminating in any given month will not be paid terminal benefits until the regular payroll period the following month.

In the event of death of an employee eligible for terminal benefits, payments will be paid to the beneficiary designated to KPERS unless another beneficiary is designated in writing or on file with the board office.

Salary Deductions - Salary deductions shall be made if permitted by board policy, the negotiated agreement, or as required or authorized by law. The district shall comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). The business manager shall develop forms to provide information needed to make approved salary deductions. All requests for salary deductions shall be submitted to the business manager during enrollment periods established by the board.

The board prohibits all managers from making any improper deductions from the salaries of exempt employees. If an employee believes that an improper deduction has been made to his or her salary, the employee should immediately report this information to his or her direct supervisor or to the clerk.

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

Tax-Sheltered Annuity and Roth IRA's - All employees are offered the opportunity to participate in the Tax-Sheltered Annuity (TSA) program with salary reductions on an individual payroll withholding basis. The TSA is not part of the fringe benefit pool and must be purchased with the employee's own money. The TSA amount is sheltered from federal and state taxes.

This regulation excludes any life insurance plans. Any agent violating this regulation may be disbarred by action of the board as an authorized representative to write tax-sheltered programs for the district.

Enrollment periods for beginning a new tax-sheltered annuity contract can be initiated to be effective on any payroll date provided the necessary company authorization forms are received at the central office payroll department by the tenth of the month prior to the effective payroll date.

The amount of salary reduction may be increased or decreased any time during the year. New applications and requests to increase or decrease amounts can only be effective by a contract document signed by the employee and filed with the board office.

Any employee can request cancellation of an existing contract and, if filed before the tenth of any given month, the cancellation will become effective on the next payroll.

A list of companies currently having deductions withheld may be obtained at the board office at any time. All tax-sheltered annuity contracts will be individual policies.

Roth IRA's may be payroll deducted with the same rules applying as for the TSA's. The Roth IRA's are not sheltered from state or federal taxes.

Travel Expenses - The board shall provide reimbursement for expenses incurred in travel related to the duties of the district's employees when approved in advance by the superintendent. Mode of travel will be based on, but not limited to, the availability of transportation, distance, and number of persons traveling together. A first-class air fare will be reimbursed only when coach space is not available.

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

Vacations -Full-time classified employees may be granted a paid vacation each year (see Released Time).

A twelve-month employee who works less than full time will receive vacation based on hours worked. Vacation time will be added to the employee account monthly at the rate of 1/12 of the annual vacation allotment. At no time will the vacation credit accumulation exceed two times the annual allotment. Monthly credit will not be added to the employee allotment until the balance falls below the two-year maximum. Employees on a twelve-month contract who qualify for KPERS (630 hours) will receive vacation time and holiday pay.

A twelve-month employee who is leaving the district's employment shall plan the vacation time with his/her supervisor and complete the vacation prior to the last day of employment unless there is an agreement in advance that the district is willing to pay for the extra days to keep the employee on the job.

Employees who terminate prior to the end of their first contract year of employment will not be paid for unused vacation credits.

Employees will plan the time of their vacations with their supervisor.

Vacation time may be used in units of one-quarter hour or more at any time of the year convenient to the employee and the work supervisor.

Withholding Tax - Federal: All employees are required to have a tax exemption certificate on file at the central office. Withholding from salary for income tax purposes is based on this tax exemption information.

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

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

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

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

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

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

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

Testing

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

Choice of Physician

The board shall have the right to choose a designated health care provider to provide medical assistance to any employee who suffers an injury while performing his/her job. However, if the injured employee chooses to go to a medical provider other than the designated provider, the recovery for such expenses shall be limited to \$500.

Working Conditions

Breastfeeding - USD 234 acknowledges the worksite accommodations law in the U.S. Patient Protection and Affordable Care Act enacted in March 2010, which amends the Fair Labor Standards Act (FLSA) and therefore provides breastfeeding employees the following lactation accommodation provisions:

Reasonable Time to Express Milk at Work - Employees shall be provided reasonable time to express milk while at work for up to three years following the child's birth each time the employee has need to express milk. Employees should use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may use personal leave or may make up the time as negotiated with their supervisors.

A Private Area for Milk Expression - Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. The room can be a designated space for lactation. If this is not practical or possible, a vacant office, conference room, or other small area can be used so long as it is not accessible or visible to the public or other employees while the nursing employee is using the room to express milk. The room will:

- Be in close proximity to the employee's workstation, when possible;
- Have a door equipped with a functional lock or, if this is not possible, the room will have a sign advising that the room or location is in use and not accessible to other employees or the public;

- Be well lit;
- Ensure privacy by covering any windows with a curtain, blind, or other covering;
- Contain at a minimum a chair and a small table, counter, or other flat surface;
- Ideally include an electrical outlet and nearby access to clean water.

No employee shall be discriminated against for breastfeeding or expressing milk during the work periods, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work. This policy shall be communicated to all current employees and included in new employee orientation training.

Any act found to be intentional that invades a nursing mother's privacy shall be treated as a disciplinary offense and reported to the appropriate manager.

Employer Responsibilities - USD 234 will:

- Maintain the cleanliness of the room or location set aside for the use of employees expressing breast milk at work.
- Notify employees returning to work following the birth of a child of their rights under the national worksite lactation accommodation law in the U.S. Patient Affordable Care Act. This notice may either be provided individually to affected employees or to all employees generally through posting in a central location.

Employee Responsibilities - Breastfeeding employees utilizing lactation support service will:

- Give supervisors advance notice of the need for lactation accommodations, preferably prior to their return to work following the birth of the child. This will allow supervisors the opportunity to establish a location and work out scheduling issues.
- Maintain the designated area by wiping the pump (if provided) and surfaces with microbial wipes so the area is clean for the next user.
- Ensure the safekeeping of expressed breast milk stored in any refrigerator on the premises. Breast milk can be stored in a general company refrigerator, in a refrigerator provided in the lactation room, or in the employee's personal cooler.

Classified Employee Evaluation - All classified employees shall be evaluated annually. Evaluation documents will be on file with the superintendent. Classified employees shall be evaluated by the supervisor to whom they are assigned. Classified employees shall be evaluated on their personal qualities, their commitment to duty, and work skills related to their job description. A copy of the completed evaluation will 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.

Work Assignments - Work Schedule - Licensed personnel must be at their assigned area during each duty day. Any teacher who finds it necessary to leave while supervising students shall first secure approval from the principal. Building and playground assignments shall be made by the principal or designee.

Subject to board approval, the administration shall develop time schedules for all classified employees. Work assignments for classified employees shall be made by the administration consistent with the Fair Labor Standards Act (FLSA).

Regular attendance is required of all employees subject to leave provisions in district policy, employee handbooks, or other documents approved by the board. Excessive absences or

tardiness, unauthorized leave, or unexcused absences may result in disciplinary action including termination of employment.

For the purposes of Fair Labor Standards Act (FLSA) compliance, the workweek will be 12:00 a.m. Sunday until 11:59 p.m. Saturday. The superintendent shall ensure that all job positions are classified as exempt or nonexempt and that employees are made aware of such classifications.

Compensatory Time - No non-exempt employee shall work more than 40 hours per week without the prior oral or written permission of the appropriate supervisor. Principals and supervisors shall monitor employee's work to ensure that the overtime and compensatory time provisions of this policy and the Fair Labor Standards Act are followed. Except as otherwise provided in this policy, approved hours worked in excess of forty in any given workweek will result in the acquisition of compensatory time for nonexempt employees in lieu of receipt of overtime pay. Compensatory time may be accumulated up to 16 hours, and any compensatory time hours accrued in excess of 16 hours must be used within a reasonable time as specified by the employee's supervisor. Accumulated compensatory time must be exhausted before discretionary or vacation time is utilized if an employee is absent.

All approved hours exceeding 40 hours in a given workweek will be computed as time and a half for compensatory time purposes. If any vacation, sick leave, or holiday leave occurs within the 40-hour week, this time will be deducted from the weekly total to determine actual time worked in the week. Time and a half would then begin after 40 hours of actual work on the job.

Overtime Pay - Overtime pay will only be paid in lieu of granting compensatory time in cases when 1) there is a serious emergency during the weekend when central office personnel cannot be located for authorization, and the nonexempt staff attends to such emergency on behalf of the district; and 2) when the employee is requested by central office personnel to work on Saturday and/or Sunday. Overtime pay is only earned once the employee has exceeded 40 hours worked in a given workweek.

All nonexempt employees shall be compensated for overtime worked at a rate of one and a half times their normal rate of pay for any hours worked over 40 in a workweek.

Nonexempt employees whose workweek is less than 40 hours will be paid at the regular rate of pay for time worked up to 40 hours. Overtime pay will be provided only if an employee works more than 40 hours in a workweek due to one of the enumerated reasons above. Otherwise, compensatory time shall be granted only after the employee exceeds 40 hours worked in the workweek.

Compensation for Out-of-Town/Overnight Trips

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

Regular or overtime pay (or compensatory time) as appropriate for time away from Fort Scott minus:

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

Complaints - 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 of Schools, 424 S. Main, Fort Scott, Kansas 66701, destry.brown@usd234.org, 620-223-0800, 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, regarding discrimination on the basis of sex, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended.. Information concerning the 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, excluding complaints regarding discrimination or harassment on the basis of sex or in child nutrition programs, should be addressed to the employee's supervisor, the building principal, or the district compliance coordinator. Such complaints by a student should be addressed to the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of such discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator. Complaints by any other person alleging such discrimination should be addressed to the building principal or the district compliance coordinator. Except as otherwise provided in this policy regarding complaints of discrimination on the basis of sex or regarding child nutrition programs, complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

Informal Procedures

The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any school employee who receives a complaint of such discrimination or harassment from a student, another employee, or any other individual shall inform the individual of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. The building principal shall discuss the complaint with the individual to determine if it can be resolved. If the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint and forward this record to the district compliance coordinator. Within 20 days after the complaint is resolved in this manner, the principal shall contact the complainant to determine if the resolution of the matter remains acceptable. If the

matter is not resolved to the satisfaction of the individual in the meeting with the principal, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint. If such discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Formal Complaint Procedures

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

- If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.
- Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Complaints about Discrimination on the Basis of Sex - Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state laws regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policies GAAC and JGEC and shall be directed to the Title IX Coordinator, Superintendent of Schools, 424 S. Main, Fort Scott, KS 66701, destry.brown@usd234.org, 620-223-0800.

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

Complaints About Curriculum (See IF) - The superintendent shall report a failure to resolve any complaint about curriculum to the board at the next regularly scheduled board meeting.

Complaints About Instructional Materials - The building principal shall report any unresolved complaint about instructional materials to the superintendent immediately after receiving the complaint.

Complaints About Facilities and Services - The superintendent shall report any 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.

Complaints About Emergency Safety Intervention Use - Complaints concerning the use of emergency safety interventions by district staff shall be addressed in accordance with the local dispute resolution process outlined in board policy GAAF.

Complaints of Discrimination - The district is committed to maintaining a working and learning environment free from discrimination, insult, intimidation, or harassment due to race, color, national origin, religion, sex, age, genetic information, or disability. Except as otherwise provided in this policy and board policies GAAC, JGEC, and KNA, a Any incident of

discrimination in any form shall promptly be reported to an employee's immediate supervisor, the building principal, or the district compliance coordinator for investigation and corrective action by the building or district compliance officer. Any employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including termination.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, genetic information, or religion in the admission to, , access to, treatment, or employment in the district's programs and activities is prohibited. The Superintendent of Schools, 424 S. Main Street, KS 66701, destry.brown@usd234.org, 620-223-0800 has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI and Title VII of the Civil Rights Act of 1964, except discrimination on the basis of sex, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended.

Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state laws regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policies GAAC and JGEC and shall be directed to the Title IX Coordinator, Superintendent of Schools, 424 S. Main Street, KS 66701, destry.brown@usd234.org, 620-223-0800. More information may be obtained on discrimination on the basis of sex by contacting the Title IX Coordinator.

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

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

The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process, or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Confidentiality - All student/personnel information and materials are to be handled in a confidential manner and shall not be discussed with anyone other than the appropriate district personnel. If questioned about district policies or practices, employees shall refer a member of the public to the appropriate district personnel. Documented violations of this procedure could result in disciplinary action being taken against the employee, including termination.

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

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

Employee Conduct

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

Possession, use, and/or being under the influence of a controlled substance by an employee for the purposes of this policy shall only be permitted if such substance was:

1. Obtained directly from, or pursuant to a valid prescription or order, issued to such employee from a person licensed by the state to dispense, prescribe, or administer controlled substances, and
2. Used, if at all, in accordance with label directions.

Compliance with the terms of this policy is mandatory. Employees who are found violating the terms of this policy will be reported to the appropriate law enforcement officers. Additionally, an employee who violates the terms of this policy may be subject to any or all of the following sanctions:

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

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

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

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

Gifts - The giving of gifts between students and staff members is discouraged. Unless approved by the principal, staff members shall not give gifts to any student or class of students when the gifts arise out of a school situation, class, or school-sponsored activity.

Gifts to Staff Members - Staff members are prohibited from receiving gifts from vendors, salesmen, or other such representatives. Premiums resulting from sales projects sponsored by the school shall become the property of the school.

Gifts to Schools or District - A gift from any organization or individual to a school or the district shall be approved by the board. All gifts accepted by the board become district property. The district retains complete control of its property, including its use, placement, and disposal. Persons or organizations desiring to make a gift to a school or the district can contact the superintendent.

Kansas Educator Code of Conduct - The professional educators shall work in the best interest of their students and honor their responsibilities to their students, school district, community, state, and profession as evidenced by:

Responsibilities to Student:

- Refrain from discussing confidential or damaging information that affects the student
- Make reasonable effort to protect the student from conditions detrimental to learning, health, or safety
- Maintain professional relationships with students both inside and outside the classroom
- Refrain from soliciting, encouraging, participating or initiating inappropriate written, verbal, electronic, physical, sexual or romantic relationship with students

Appropriate conduct includes, but is not limited to the following:

- Keeping in confidence information about students that has been obtained in the course of professional service
- Creating, supporting, and maintaining a challenging learning environment for all students
- Advocating for fair and equitable opportunities for all children
- Nurturing the intellectual, physical, emotional, social, and civic potential of all students
- Embodying for students the characteristics of honesty, diplomacy, tact, and fairness
- Fulfilling all mandatory reporting requirements for child abuse
- Fulfilling the roles of mentor and advocate for students in a professional relationship. A professional relationship is one where the educator maintains a position of teacher/student authority while expressing concern, empathy, and encouragement for students
- Providing professional education services in a nondiscriminatory manner
- Maintaining a professional relationship with parents of students and establish appropriate communication related to the welfare of their children

Inappropriate conduct includes, but is not limited to the following:

- Sharing confidential information concerning student academic and disciplinary records, health and medical information, family status/income and assessment/testing results unless disclosure is required or permitted by law
- Failure to provide appropriate supervision of students and reasonable disciplinary actions
- Engaging in harassing behavior on the basis of race, gender, national origin, religion, or disability

- Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs
- Committing any act of child abuse
- Committing any act of cruelty
- Committing any act of cruelty to children or any act of child endangerment
- Committing or soliciting any unlawful sexual act

Responsibilities to District:

- Adhere to conditions of contractual obligations with professional practice
- Fulfill reporting requirements honestly and accurately
- Appropriately use funds, personnel, property, and equipment committed to his or her charge
- Refrain from falsifying any documents related to the employment process
- Conduct school district business through established procedures

Appropriate conduct includes, but is not limited to the following:

- Maximizing the positive effect of school funds through judicious use of said funds
- Modeling for students and colleagues the responsible use of public property
- Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization

Inappropriate conduct includes, but is not limited to the following:

- Revealing confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law
- Harming others by knowingly making false statements about a colleague or the school system
- Being on school premises or at a school-related activity involving students while documented as being under the influence of possessing or consuming alcoholic beverages. A school-related activity includes, but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc. which involve students
- Falsifying, misrepresenting, omitting, or erroneously reporting information submitted to local state, federal, and/or other governmental agencies
- Using school property without the approval of the local board of education/governing body
- Submitting fraudulent requests for reimbursement of expenses or for pay
- Falsifying, misrepresenting, omitting, or erroneously reporting reasons for absences or leave
- Tutoring students assigned to the educator for remuneration unless approved by the local school board
- Falsifying records or directing or coercing others to do so

Responsibilities to Profession:

- Demonstrate conduct that follows generally recognized professional standards
- Fulfill all of the terms and obligations detailed in the contract
- Maintain appropriate licensure for professional practice and employment
- Provide accurate information to state department
- Abide by all federal, state, and local laws and employing school board policies

Appropriate conduct includes, but is not limited to the following:

- Encouraging and supporting colleagues in developing and maintaining high standards
- Insuring that institutional privileges are not used for personal gain
- Maintaining diligently the security of standardized test supplies and resources
- Follow mandatory reporting requirements

Inappropriate conduct includes, but is not limited to the following:

- Harassment of colleagues
- Inappropriate language on school grounds or any school-related activity
- Accepting gifts or favors or offering gratuities that impair professional judgment or to obtain special advantage
- Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, and violating local school board or state directions for the use of tests
- Being under the influence of, possessing, using or consuming illegal or unauthorized drugs
- Falsifying, misrepresenting, omitting, or erroneously reporting employment history, professional qualification, criminal history, license/re-licensure
- A plea of guilty, nolo contendere, or having been otherwise found guilty of: any crime punishable as a felony; any crime involving a minor; any crime involving a theft; any crime involving drug-related conduct; any crime defined in any section of article 36 of chapter 21 of the Kansas statutes annotated; or any attempt as defined by K.S.A. 21-3301 and amendments thereto, to commit any crime specified in this subsection

Maintaining Proper Control - Each employee is responsible for maintaining proper control in the school. Unless otherwise specified in board policy, an employee may use reasonable force necessary to ward off an attack, to protect a student or another person, or to quell a disturbance which threatens physical injury to others.

Non-School Employment - Classified employees shall not be excused during their regularly assigned time schedule to perform outside employment. Classified employees shall not engage in outside employment which interferes with their duties.

Participation in Community Activities - Prior permission must be obtained from the superintendent or building principal for participation in any non-school community activity which takes place during duty hours.

Personal Appearance - All faculty and employees of USD 234 serve as role models for the students with whom they work and as leaders in the community. Consistent with these roles, all faculty and employees shall dress in a manner and have an appearance that is appropriate and professional in light of the environment in which they work, the duties of their jobs, and the impressionable youth they serve.

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

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

Physical Activity - USD 234 encourages all employees to engage in regular physical activity during their workday.* Employees are supported through the following:

- **Active Meeting Policy:** Long (full-shift) meetings will include a set amount of time (15 minutes minimum) for physical activity breaks that include stretching, walking, or calisthenics. All meetings will include short breaks of standing or calisthenics (for 2 to 3 minutes in duration) after each 30 minutes of sitting.

Education and Implementation:

- The physical activity policy will be posted in employee break rooms, included in the employee handbook, promoted through multiple communication channels, and presented at new employee orientations to inform all employees.
- Employees interested in engaging in physical activity may seek additional information from the district wellness coordinator(s) or access this policy at www.usd234.org.

Consequences for Noncompliance: - All employees are expected to comply with this policy and obtain supervisor approval. Failure to comply will result in disciplinary action. Compliance does not mean all employees are forced to be active; however, the listed policies are only intended for those who utilize the time to be active.

Supervisors/managers who do not allow employees to take part in policy will face disciplinary action.

*If an employee sustains an injury while engaging in physical activity related to above stated policies, it will not be considered workers compensation.

Requisitions for Supplies- To request the purchase of materials, an employee is first required to complete a requisition for such supplies. All requisitions, after being approved and signed by the proper building administrator, are then submitted to the central office for final consideration.

Return-to-Work Program - The board is committed to providing a safe and healthy working environment for all employees. As part of this commitment, the board shall make every reasonable effort to provide suitable temporary employment to any employee unable to perform his or her job duties as a result of a workplace injury or illness. This may include a modification to the employee's original position or providing an alternative position (depending on the employee's medical restrictions) if this does not create an undue hardship for the district. This program applies to all employees with work-related injuries and/or illnesses. Only work that is considered meaningful and productive shall be considered for use in the Return-to-Work program. Employees placed on a return-to-work plan will be expected to provide feedback in order to improve the program. All employees, regardless of injury or illness, will be considered for placement through the Return-to-Work-Program.

Reduction in Force for Classified Employees - Employees with a satisfactory work record who are terminated by the board from their position due to an elimination of that position and are rehired within ninety days of the date of termination will be subject to the following conditions:

1. The employee will retain his/her years of service previously earned with USD 234 as of the time of termination, unless the employee has received termination pay for his/her release time benefits. In this case, the termination pay must be paid back to the district before any previous service time is restored.
2. If the termination benefits are paid back or not withdrawn, the employee's years of service will be restored and all benefits related to length of service will be reinstated including the cash benefit, release time credits (to include sick leave and personal business), and vacation credits, if applicable.
3. The employee's hourly pay will continue at the same level as his/her previous position if the work is commensurate.

Employees who voluntarily resign or retire will not be covered under this policy and will not be eligible for reinstatement of previous service.

School Business Trips - Proper paperwork should be submitted in advance through the building principal to ensure that any registration fees, reservations, and purchase orders for expenses are completed and paid in a timely manner.

A school vehicle will be provided for all authorized school business trips. If a school vehicle is available and an employee wishes to take his/her personal vehicle, the district will not reimburse the employee for personal vehicle expenses. A violation of traffic regulations or speed limits will be at the driver's expense.

Before leaving on a trip, employees should come to the central office to check out keys, credit cards, receive tax exemption forms, etc. Vehicles are located at the district parking lot and should be returned to that lot on the day a trip is completed. Vehicles should be left in clean condition and with at least a half tank of gas for the next driver. A copy of all paperwork should be returned to the central office that includes any fuel tickets, hotel receipts, meal receipts, etc. There is a return slot at the south door of the central office for use after office hours.

A copy of an employee's driver's license is kept on file for liability purposes concerning the district insurance. When an employee renews his/her driver's license, a copy should be sent to the central office.

Meal Allowance

The current meal allowance is \$6.00 or less per meal or \$18.00 per day while on a trip. To be reimbursed for meals or other miscellaneous expenses (parking/tolls), an itemized receipt should be returned to the central office. Credit card receipts without the itemized list of purchase will not be accepted. Employees will not be reimbursed for expenses without proper receipts.

Total meal reimbursement will be based on the number of allowable meals. If an employee leaves before 5:30 a.m., a breakfast meal allowance is provided. Likewise, if a return trip has an arrival time of 7:00 p.m. or later, a dinner allowance is provided. Meals provided at the workshop, conference, seminar, or hotel (e.g. free breakfast buffet) will be deducted from the total meal allowance. No meals should be charged to the district's credit card.

Vehicle Trouble

Employees should call the central office immediately to report a problem. If students are present, it is important to make sure they are safe and secure. During evenings or weekends, employees should call the principal, business manager, or director of transportation. An information letter with the phone numbers are in the glove box of every district vehicle.

Accident

If students are present, make sure they are safe and secure. Report the accident, however minor, to the local police. A vehicle insurance card is in every vehicle. Note the circumstances of the accident, the students aboard, the other driver's name, insurance company, passengers in the other vehicle, and any other circumstances that might be vital. Call the central office or during evenings and weekends, call the principal, business manager, or the transportation director to report the accident.

Solicitations - All solicitations of and by staff members during duty hours are prohibited without prior approval of the appropriate supervisor.

Staff Online Activities - Employees are encouraged to use district electronic mail and other district technology resources to promote student learning and communication with parents of students and education-related entities. If those resources are used, they shall be used for purposes directly related to work-related activities. Technology-based materials, activities, and communication tools shall be appropriate for and within the range of the knowledge, understanding, age, and maturity of students with whom they are used.

District employees, including but not limited to, classroom teachers and extracurricular activity coaches and sponsors, may set up blogs and other social networking accounts using district technological resources and following district policy and guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction. Social networking sites and other online communication options offering instructional benefits may be used for the purpose of supplementing classroom instruction and to promote communications with students and parents concerning school-related activities.

In order for district employees and activity sponsors to utilize a social networking site for instructional, administrative, or other work-related communication purposes, they shall comply with the following:

1. They shall request prior permission from the superintendent.
2. If permission is granted, staff members will set up the site following any district guidelines developed by the superintendent and approved by the board. If the expenditure of district funds is required to complete set-up or maintenance of the site, the requesting staff member shall present an itemized summary of such costs to the superintendent. Superintendent approval shall be required prior to the expenditure of district funds for such purpose.
3. Guidelines shall specify whether access to the site must be given to school/district administrators and technology staff.
4. If written parental consent is not otherwise granted through acceptable use policy forms provided by the district, staff shall notify parents of the site and obtain written permission

- for students to become “friends” of the site prior to the students being granted access. This permission shall be kept on file at the school as determined by the principal.
5. Once the site has been created, the sponsoring staff member is responsible for the following:
 - a. Monitoring and managing the site to promote safe and acceptable use and compliance with district policies; and
 - b. Observing confidentiality restrictions concerning release of personally identifiable student information under state and federal law.

Staff members are discouraged from creating personal social networking accounts to which they invite current or future students to be friends. Employees taking such action do so at their own risk. All employees shall be subject to disciplinary action if their conduct relating to use of technology or online resources violates this policy or other applicable board policy, statutory, or regulatory provisions governing employee conduct or the protection of student record information; or if it impairs the staff member’s job performance or effectiveness in the work setting. District staff shall endeavor to protect the health, safety, and emotional well-being of students and confidentiality of student record information both in the school setting and in their online actions. Conduct in violation of this policy, including but not limited to, conduct relating to the use of technology, social networking, or online resources may form the basis for disciplinary action up to and including termination from employment.

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 bullying, harassment, or discrimination prohibited by board policy. Staff members shall not have any interaction of a romantic and/or sexual nature with any student at any time regardless of the student’s age or consent.

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

Definitions

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

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

General Use

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

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

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

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

Use in Vehicles

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

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

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

Use of District-Provided Communication Devices

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

Employees are expected to exercise reasonable care to protect district-provided communication devices from damage or theft and must report any such incidents immediately. The district may

require employees to reimburse the district for any damage or theft that was the result of the employee's negligence. Users of district-provided communication devices must abide by any use limitations included in the district's service contract.

Personal Use of District-Provided Communication Devices

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

Staff Bring-Your-Own-Device Policy

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

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

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

Safety Policies for Employees

Acceptable Use of Technology Guidelines - Purpose - The district provides computer network and internet access for its students and employees. This service allows employees and students to share information, learn new concepts, research diverse subjects, and create and maintain school-based websites. The district has adopted the following Acceptable Use Guidelines to govern the conduct of those who elect to access the computer network or district Internet.

Acceptable Use Guidelines - Users shall adhere to the following guidelines of acceptable use:

- All use of the Internet will be in support of educational activities.
- Users will report misuse and breaches of network security.
- Users shall not access, delete, copy, modify, nor forge other users' e-mails, files, or data.
- Users shall not use other users' passwords nor disclose their password to others.
- Users shall not pursue unauthorized access, disruptive activities, nor other actions commonly referred to as "hacking," internally or externally to the district.
- Users shall not disclose confidential information about themselves or others.
- Users shall not utilize unlicensed software.
- Users shall not access or permit access to pornography, obscene depictions, or other materials harmful to minors.

- Students shall not disable or attempt to disable Internet filtering software.

Prohibitions - Although the district reserves the right to determine what use of the district network is appropriate, the following actions are specifically prohibited:

- Transferring copyrighted materials to or from any district network without the express consent of the owner of the copyright.
- Use of the network for creation, dissemination, or viewing of defamatory, factually inaccurate, abusive, obscene, profane, sexually oriented, threatening, harassing, or other material prohibited by law or district policy.
- Dissemination of personnel or student information via the network when such information is protected by law, including the Family and Education Rights Act or Student Data Privacy Act.
- Utilization of the network to disseminate non-work-related material.
- Utilization of the network as a means for advertising or solicitation.

Monitoring - The school district reserves the right to monitor, without prior notice, any and all usage of the computer network and district Internet access including, but not by way of limitation, to e-mail transmissions and receptions. Any information gathered during monitoring may be copied, reviewed, and stored. All such information files shall be and remain the property of the school district, and no user shall have any expectation of privacy regarding his/her use of the computer network or the district Internet.

Internet Safety - In compliance with the Children's Internet Protection Act (CIPA) and the Kansas Children's Internet Protection Act, the school district will implement filtering and/or blocking software to restrict access to Internet sites containing child pornography, obscene depictions, or other materials harmful to minors. The school district, however, cannot and does not guarantee the effectiveness of filtering software. Any student who connects to such a site must immediately disconnect from the site and notify a teacher. An employee who accidentally connects to such a site must immediately disconnect from the site and notify a supervisor. If a user sees another user is accessing inappropriate sites, he or she should notify a teacher or supervisor immediately. The school district administration reserves the right to prohibit access to any network of Internet it deems inappropriate or harmful. The school district shall instruct students regarding appropriate online behavior including cyberbullying.

Penalties for Improper Use - Access to the network and Internet is a privilege, not a right, and inappropriate use will result in the restriction or cancellation of the access. The school district has the right to make the determination of what constitutes inappropriate use and use as an educational tool. Inappropriate use may lead to any disciplinary and/or legal action, up to and including suspension and/or expulsion of district students and suspension and/or termination of employees. Law enforcement shall be notified of inappropriate use which may constitute a violation of federal or state law, and such use may result in criminal prosecution.

ALICE Procedures - Purpose - An active shooter or armed intruder on school property involves one or more individual's intent on causing physical harm and/or death to students and staff. Such intruders may also possess a gun, a knife, a bomb, or other harmful device. An active shooter or armed intruder will result in law enforcement and other safety and emergency services responding to the scene as quickly as possible.

Once law enforcement arrives, it is critical to follow the instructions of, and cooperate with, law enforcement officers. The School Incident Commander/Principal will be relieved by a law enforcement official as soon as possible. The law enforcement official will now be the Incident Commander with complete jurisdiction over the scene. The school is a crime scene and will require a thorough search and processing.

A-Alert, L-Lockdown, I-Inform, C-Counter, E-Evacuate

Responsibilities

- A. School Incident Commander/Principal - Upon notification of an active shooter or armed intruder on campus, immediately direct staff to call 911 as it is unknown if 911 notification has already taken place. The 911 call should provide the name and exact location of the school, the nature of the emergency, number and description of intruders (if known), type of weapon(s), area of the school where last seen, actions taken by the school, and whether there are on-site security or law enforcement officers (School Resource Officer). The caller will remain on the line to provide updates.

Initiate **ALERT** protocols. Notification to the building occupants will be made using all available means. Notification shall provide any information regarding the ongoing situation that will assist the building occupants in making a good decision as to their best survival response option. Typically, information that answers the basic questions of "Who? What? Where? When? How?" will provide the necessary details to make an informed decision.

Secure the administration office as a command post and retrieve the critical information and data about the school's emergency systems including communications, staff and student's locations, detailed floor plans, and other important information, documents, items, and supplies that are prepared and readily available for use during the incident. If the incident is occurring at the administration office, designate an alternate command post.

Direct command post staff to maintain contact with teachers reporting pertinent emergency information via intercom, e-mail, and/or text. All information received via eyewitnesses or through the in-house surveillance camera system will be used to **INFORM** the building occupants of the event in as real-time as possible.

Notify the Superintendent's office and request activation of the communications plan for media and parent notification protocols.

Staff and students outside the building will **EVACUATE** to an off-site relocation center/Rally Point.

Direct support staff outside to stop pedestrians and vehicles from entering the school grounds until law enforcement arrives.

Ensure that any buses in route to the school are redirected to a designated relocation site.

- B. Teachers and Staff - As soon as it is safe to do so, the first person to note indication of an active shooter or armed intruder should call 911; then notify the School Incident Commander/Principal.

If in close proximity to the danger, assess the situation for the best survival option. **EVACUATE**, if possible. If not, gather assistance and engage in conducting a **LOCKDOWN** of the area. If the active shooter or armed intruder has made contact, immediately begin **COUNTER** strategies and then **EVACUATE** or take control of the intruder.

Individuals who are not in the immediate danger area should gather information about their classroom's immediate situation. Account for all students or other individuals sheltered in their room.

Assess the ability to safely **EVACUATE** the building.

If there is no safe manner to **EVACUATE** the building, have others assist in conducting a **LOCKDOWN** of the room.

Rooms in **LOCKDOWN** shall pay attention to all announcements providing event details. If the circumstances change and **EVACUATION** becomes a viable option, a decision can be made to leave the location and **EVACUATE** to the Rally Point.

Unless evacuating, rooms in **LOCKDOWN** shall remain secured until personally given the all clear by the Incident Commander or a law enforcement officer in uniform.

If an active shooter or armed intruder enters the classroom, individuals are to use whatever **COUNTER** strategies necessary to keep the students safe. This may include any and all forms of resistance to the threat.

If an active shooter or armed intruder enters and begins shooting, any and all actions to stop the shooter are justified. This includes making noise, moving about the room to lessen accuracy, throwing items (books, computers, phones, book bags) to interfere with the ability to shoot accurately, safely exiting out windows, and taking control of the intruder. Anyone not involved in **COUNTER** strategies should get out any way possible and move to another location.

Other Procedures - After the active shooter or armed intruder(s) has been subdued, the School Incident Commander/ Principal, in consultation with the law enforcement Incident Commander, will announce an all clear and **EVACUATION** and relocation to an alternate site for family reunification.

If staff or students are injured, assist them out of the building to the nearest emergency medical personnel.

The School Incident Commander/Principal will notify officials at the relocation site of the **EVACUATION** and to activate family reunification protocols.

The School Incident Commander/Principal will request bus transportation or alternate transportation to the relocation site.

The School Incident Commander/Principal will activate the communications plan to deal with media and parent notification protocols and direct parents to go to the relocation site.

Those who remain secured in **LOCKDOWN** will **EVACUATE** the building using the designated exit routes and alternate routes to the assigned assembly areas, take attendance, and move to the buses for transport.

The School Incident Commander/Principal will activate the crisis response team and active mental health and healing procedures and/or notify area mental health agencies to provide counseling and mental health services at the relocation site.

The School Incident Commander/Principal will debrief appropriate school personnel.

The Superintendent or designee, in consultation with law enforcement officials, will determine when the school can resume normal activities and communicate the information to parents and the public.

Bloodborne Pathogen Exposure Control Plan - The USD 234 School District is committed to providing a safe and healthful work environment for our entire staff. In pursuit of this goal, the following exposure control plan (ECP) is provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA standard 29 *CFR* 1910.1030, "Occupational Exposure to Bloodborne Pathogens."

The ECP is a key document to assist our organization in implementing and ensuring compliance with the standard, thereby protecting our employees. This ECP includes:

- Determination of employee exposure
- Implementation of various methods of exposure control, including:
 - Universal precautions
 - Engineering and work practice controls
 - Personal protective equipment
 - Housekeeping
- Hepatitis B vaccination
- Post-exposure evaluation and follow-up
- Communication of hazards to employees and training
- Recordkeeping
- Procedures for evaluating circumstances surrounding exposure incidents

Implementation methods for these elements of the standard are discussed in the subsequent pages of this ECP.

- Building designees in each school are responsible for implementation of the ECP. The Superintendent of Schools will maintain, review, and update the ECP at least annually, and whenever necessary to include new or modified tasks and procedures. Contact location/phone number: USD 234 Board of Education Office, 620-223-0800.
- Those employees who are determined to have occupational exposure to blood or other potentially infectious materials (OPIM) must comply with the procedures and work practices outlined in this ECP.

- Each building designee will provide and maintain all necessary personal protective equipment (PPE), labels, and red bags as required by the standard. Each building designee will ensure that adequate supplies of the aforementioned equipment are available in the appropriate sizes. Contact location/phone number: USD 234 Board of Education Office/620-223-0800.
- Each building designee will be responsible for ensuring that all medical actions required by the standard are performed and that appropriate employee health and OSHA records are maintained. Contact location/phone number: USD 234 Board of Education Office/620-223-0800.
- Each building designee will be responsible for training, documentation of training, and making the written ECP available to employees, OSHA, and NIOSH representatives. Contact location/phone number: USD 234 Board of Education Office/620-223-0800.

Methods of Implementation and Control:

Universal Precautions - All employees will utilize precautions.

Exposure Control Plan - All employees can review this plan at any time on the district website, www.usd234.org. If requested, we will provide an employee with a copy of the ECP free of charge and within 15 days of the request.

The Superintendent of Schools is responsible for reviewing and updating the ECP annually or more frequently, if necessary, to reflect any new or modified tasks and procedures that affect occupational exposure and to reflect new or revised employee positions with occupational exposure.

Personal Protective Equipment (PPE) - PPE is provided to our employees at no cost to them. Training in the use of the appropriate PPE for specific tasks or procedures is provided by each building designee.

All employees using PPE must observe the following precautions:

- Wash hands immediately or as soon as feasible after removing gloves or other PPE.
- Remove PPE after it becomes contaminated and before leaving the work area.
- Used PPE may be disposed
- Wear appropriate gloves when it is reasonably anticipated that there may be hand contact with blood or OPIM and when handling or touching contaminated items or surfaces; replace gloves if torn, punctured, or contaminated or if their ability to function as a barrier is compromised.
- Utility gloves may be decontaminated for reuse if their integrity is not compromised; discard utility gloves if they show signs of cracking, peeling, tearing, puncturing, or deterioration.
- Never wash or decontaminate disposable gloves for reuse.
- Wear appropriate face and eye protection when splashes, sprays, spatters, or droplets of blood or OPIM pose a hazard to the eye, nose, or mouth.
- Remove immediately or as soon as feasible any garment contaminated by blood or OPIM in such a way as to avoid contact with the outer surface.

Housekeeping - Regulated waste is placed in containers which are closable, constructed to contain all contents and prevent leakage, appropriately labeled or color-coded, and closed prior to removal to prevent spillage or protrusion of contents during handling.

Bins and pails are cleaned and decontaminated as soon as feasible after visible contamination.

Broken glassware that may be contaminated is only picked up using mechanical means, such as a brush and dustpan.

Laundry - Contaminated articles will be laundered. The following laundering requirements must be met:

- Handle contaminated laundry as little as possible, with minimal agitation.
- Place wet, contaminated laundry in leak-proof, labeled, or color-coded containers before transport.
- Wear PPE when handling and/or sorting contaminated laundry.

Each building designee is responsible for ensuring that warning labels are affixed or red bags are used as required if regulated waste or contaminated equipment is brought into the facility. Employees are to notify their building designee if they discover regulated waste containers, contaminated equipment, etc., without proper labels.

Hepatitis B Vaccination - The hepatitis B vaccination series is available at no cost to exposure-identified employees. Vaccination is encouraged unless: 1) documentation exists that the employee has previously received the series; 2) antibody testing reveals that the employee is immune; or 3) medical evaluation shows that vaccination is contraindicated.

However, if an employee declines the vaccination, the employee must sign a declination form. Employees who decline may request and obtain the vaccination at a later date at no cost. Documentation of refusal of the vaccination is kept at the USD 234 Board of Education office.

Post-Exposure Evaluation and Follow-Up - Should an exposure incident occur, contact the USD 234 Board of Education office at 620-223-0800

An immediately available confidential medical evaluation and follow-up will be conducted. Following initial first aid (clean the wound, flush eyes or other mucous membrane, etc.), the following activities will be performed:

- Document the routes of exposure and how the exposure occurred.
- Identify and document the source individual (unless the employer can establish that identification is infeasible or prohibited by state or local law).
- Obtain consent and make arrangements to have the source individual tested as soon as possible to determine HIV, HCV, and HBV infectivity; document that the source individual's test results were conveyed to the employee's health care provider.
- If the source individual is already known to be HIV, HCV, and/or HBV positive, new testing need not be performed.
- Assure that the exposed employee is provided with the source individual's test results and with information about applicable disclosure laws and regulations concerning the identity and infectious status of the source individual (e.g., laws protecting confidentiality).
- After obtaining consent, collect exposed employee's blood as soon as feasible after exposure incident and test blood for HBV and HIV serological status.
- If the employee does not give consent for HIV serological testing during collection of blood for baseline testing, preserve the baseline blood sample for at least 90 days; if the

exposed employee elects to have the baseline sample tested during this waiting period, perform testing as soon as feasible.

Administration of Post-Exposure Evaluation and Follow-Up - USD 234 Board Office building designee ensures that the health care professional(s) responsible for employee's hepatitis B vaccination and post-exposure evaluation and follow-up are given a copy of OSHA's bloodborne pathogens standard.

USD 234 Board Office building designee ensures that the health care professional evaluating an employee after an exposure incident receives the following:

- a description of the employee's job duties relevant to the exposure incident
- route(s) of exposure
- circumstances of exposure
- if possible, results of the source individual's blood test
- relevant employee medical records, including vaccination status

The USD 234 Board Office building designee will provide the employee with a copy of the evaluating health care professional's written opinion within 15 days after completion of the evaluation.

Procedures for Evaluating the Circumstances Surrounding An Exposure Incident - The USD 234 Board Office building designee will review the circumstances of all exposure incidents to determine:

- work practices followed
- a description of the device being used (including type and brand)
- protective equipment or clothing that was used at the time of the exposure incident (gloves, eye shields, etc.)
- location of the incident
- procedure being performed when the incident occurred
- employee's training

If revisions to this ECP are necessary, the building designee will ensure that appropriate changes are made. (Changes may include an evaluation of safer devices, etc.)

Employee Training - All employees who have occupational exposure to bloodborne pathogens will receive initial and annual training.

All employees who have occupational exposure to bloodborne pathogens will receive training on the epidemiology, symptoms, and transmission of bloodborne pathogen diseases.

Recordkeeping - Training records are completed for each employee upon completion of training.

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

potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signed: _____ Date: _____
(Employee Name)

Hazard Communication Program - To ensure that information about the dangers of all hazardous chemicals used by USD 234 is known by all affected employees, the following hazardous information program has been established. Under this program, you will be informed of the contents of the OSHA Hazard Communications standard, the hazardous properties of chemicals with which you work, and safe handling procedures and measures to take to protect yourself from these chemicals.

This program applies to all work operations in our school district where you may be exposed to hazardous chemicals under normal working conditions or during an emergency situation. All buildings of the school district will participate in the Hazard Communication Program. Copies of the Hazard Communication Program are available at the Board of Education office for review by any interested employee.

The Facilities Director is the program communicator with overall responsibility for the program, including reviewing and updating this plan as necessary.

1. Container Labeling - The Facilities Director will verify that all containers received for use will be clearly labeled as to the contents, note the appropriate hazard warning, and list the manufacturer's name and address.

The Facilities Director will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with labels marked with the identity and the appropriate hazard warning. For help with labeling, communicate with the Facilities Director.

2. Material Safety Data Sheets (MSDSs) - The Facilities Director is responsible for establishing and monitoring the district's MSDS program. He/she will ensure that procedures are developed to obtain the necessary MSDSs and will review incoming MSDSs for new or significant health and safety information. He/she will see that any new information is communicated to affected employees.

Copies of MSDSs for all hazardous chemicals to which employees are exposed or are potentially exposed will be kept at the USD 234 Board of Education office.

MSDSs will be readily available to employees in each work area.

3. Employee Training and Information - The Director of Facilities is responsible for the Hazard Communication Program and will ensure that all program elements are carried out.

Everyone who works with or is potentially exposed to hazardous chemicals will receive initial training on the hazard communication standard and this plan before starting work.

Each new employee will receive a health and safety orientation that includes the following information and training:

- An overview of the OSHA hazard communication standard
- The hazardous chemicals present at his/her work area
- The physical and health risks of the hazardous chemicals
- Symptoms of overexposure
- How to determine the presence or release of hazardous chemicals in the work area
- How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices, and personal protective equipment
- Steps the district has taken to reduce or prevent exposure to hazardous chemicals
- Procedures to follow if employees are overexposed to hazardous chemicals
- How to read labels and MSDSs to obtain hazard information
- Location of the MSDS file and written Hazard Communication program

Prior to introducing a new chemical hazard into any building in the district, each employee who may be affected by the chemical hazard will be given information and training as outlined above for the new chemical hazard.

4. Hazardous Non-Routine Tasks - Periodically, employees are required to perform non-routine tasks that are hazardous. Prior to starting work on such projects, each affected employee will be given information by the Facilities Director about the hazardous chemicals he or she may encounter during such activity. This information will include specific chemical hazards, protective and safety measures the employee should use, and steps the district is taking to reduce the hazards including ventilation, respirators, the presence of another employee (buddy systems), and emergency procedures.
5. Informing Other Employers/Contractors - It is the responsibility of the Facilities Director to provide other employers and contractors with information about hazardous chemicals that their employees may be exposed to on a job site and suggested precautions for employees. It is the responsibility of the Facilities Director to obtain information about hazardous chemicals used by other employers to which employees of the district may be exposed.

Other employers and contractors will be provided with MSDSs for hazardous chemicals generated by the district's operations.

In addition to providing a copy of an MSDS to other employers, other employers will be informed of necessary precautionary measures to protect employees exposed to operations performed by the district.

Also, other employers will be informed of the hazard labels used by the district. If symbolic or numerical labeling systems are used, the other employees will be provided with information to understand the labels used for hazardous chemicals for which their employees may have exposure.

6. List of Hazardous Chemicals - Information on each chemical used by our employees may be obtained from the MSDSs, located at the USD 234 Board of Education office.

When new chemicals are received, this list is updated (including date the chemicals were introduced) within 30 days.

The hazardous chemical inventory is compiled and maintained by the Facilities Director.

7. Chemicals in Unlabeled Pipes - Work activities are sometimes performed by employees in areas where chemicals are transferred through unlabeled pipes. Prior to starting work in these areas, the employee shall contact the Facilities Director for information regarding:
 - The chemical in the pipes
 - Potential hazards
 - Required safety precautions
8. Program Availability - A copy of this program is available on the district website, www.usd234.org,

Bullying by Staff - The board prohibits bullying in any form either by any student, staff member, or parent towards a student or by a student, staff member, or parent towards a staff member on or while using school property, in a school vehicle, or at a school-sponsored activity or event. For the purposes of this policy, the term "bullying" shall have the meaning ascribed to it in Kansas law.

72-8256. Bullying, school district policies.

(1) "Bullying" means:

- A. Any intentional gesture or any intentional written, verbal, electronic, or physical act or threat either by any student, staff member, or parent towards a student or by any student, staff member or parent towards a staff member that is sufficiently severe, persistent, or pervasive that such gesture, act, or threat creates an intimidating, threatening, or abusive educational environment that a reasonable person, under the circumstances, knows or should know will have the effect of:
 - Harming a student or staff member, whether physically or mentally;
 - damaging a student's or staff member's property;
 - placing a student or staff member in reasonable fear of harm to the student or staff member; or
 - placing a student or staff member in reasonable fear of damage to the student's or staff member's property;
- B. cyberbullying; or
- C. any form of intimidation or harassment prohibited by the Board of Education of USD 234 in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 2017 Supp. 72-1138k, and amendments thereto.

(2) "Cyberbullying" means bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, pagers, online games, and websites.

(3) "Parent" includes a guardian, custodian, or other person with authority to act on behalf of the child.

(4) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(5) "School vehicle" means any school bus, school van, other school vehicle, and private vehicle used to transport students or staff members to and from school or any school-sponsored activity or event.

(6) "Staff member" means any person employed by a school district.

Training concerning identifying, reporting, investigating, and preventing bullying behaviors as outlined in district policies and this plan shall be provided to students and staff members using district resources available for such purpose and shall be provided through school assemblies, staff development, or other appropriate forums.

Retaliation against a victim, good faith reporter, or a witness to bullying is prohibited. A student or staff member who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying shall be subject to discipline in accordance with school district policy and procedures. The school administration and/or board may take into account the following factors when determining an appropriate disciplinary action for such prohibited conduct: the ages of the parties involved; the developmental and maturity levels, special education needs of the parties involved, and the severity of the behavior.

Offenses over time or single offenses which are severe in nature may result in discipline up to and including suspension and/or expulsion or termination from employment. Parents participating in prohibited bullying conduct aimed at district students and/or staff members may jeopardize their access to district facilities; district property; school-sponsored activities, programs, and events; and/or district students and or staff members through the district's communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors.

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 Kansas Department for Children and Families (DCF) office or to the local law enforcement agency if the DCF office is not open. Employees may file a report of suspected abuse anonymously to either DCF by phoning 1-800-922-5330 or to local law enforcement officials. The Code for Care of Children also provides civil immunity from prosecution if the report is made in good faith.

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

DCF or Law Enforcement Access to Students on School Premises - The building principal shall allow a student to be interviewed by DCF or law enforcement representatives on school premises to investigate suspected child abuse and shall act appropriately to facilitate the agency's access to the child and to protect the student's interests during the process. State law grants the investigating agency the authority to determine whether a school employee may be

present while the interview is being conducted, taking into account the child's best interest. If asked to sit in on the interview by the agency representative conducting it, the building principal or designee thereof shall oblige such request in order to provide comfort to the child throughout the process and to facilitate the investigation.

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

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

If the building principal has been notified, the principal shall immediately notify the superintendent that the initial report to DCF has been made. If appropriate, the principal may confer with the school's social workers, 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 good faith and without malice shall be immune from any civil liability that might otherwise be incurred or imposed.

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

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

An employee afflicted with a communicable disease dangerous to the public health shall be suspended from duty for the duration of the contagiousness in order to give maximum health protection to other school employees and to students.

The employee shall be allowed to return to duty upon recovery from the illness or when the employee is no longer contagious as authorized by the employee's physician.

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

If a school employee has been diagnosed as having a communicable disease and the superintendent has been notified by the employee, the superintendent or the superintendent's designee shall determine whether a release shall be obtained from the employee's physician before the employee returns to duty.

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

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

No information regarding employees with communicable diseases shall be released by school personnel without the employee's consent except to comply with state or federal law.

Additional Certifications of Health - If at any time the board has reason to believe that an employee is suffering from an illness detrimental to the health of pupils, the board reserves the right to require such employee to provide the board with a new certificate of health in order to protect the health, safety, and welfare of the school's students.

Computer and Device Use - Use of District Computers and Devices/Privacy Rights - District-issued computer systems and electronic devices (including but not limited to Smartboards, iPads, iTouches, iPhones, eReaders, and eBooks) are for educational and professional use only. All information created by staff or stored thereon shall be considered district property and shall be subject to unannounced monitoring by district administrators. Unauthorized access to and/or unauthorized use of the district server or security system (including but not limited to, surveillance footage) is also prohibited. The district retains the right to discipline any student, up to and including expulsion, and any employee, up to and including termination, for violation of this policy.

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

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

Hardware - Staff shall not install unapproved hardware on district computers or make changes to software settings that support district hardware.

Audits - The administration may conduct periodic audits of software and applications installed on district equipment to verify legitimate use.

Email Privacy Rights - Employees and/or students shall have no expectation of privacy when using district e-mail or other official communication systems. Any email or computer application or information in district computers, computer systems, or electronic devices is subject to monitoring by the administration.

Ownership of Employee Computer and Device Materials - Computer materials, devices, software, or applications created as part of any assigned district responsibility of classroom activity undertaken on school time shall be the property of the board.

Lost, Stolen, or Damaged Computers and/or Equipment - Students and staff members shall be responsible for reimbursing the district for replacement of, or repair to, district-issued computers or electronic devices which are lost, stolen, or damaged while in the student's or staff members' possession.

Drug and Alcohol-Free Workplace - Maintaining a drug-free workplace is important in establishing an appropriate learning environment for the students of the district. Unless otherwise specified in this policy, unlawful manufacture, distribution, sale, dispensation, possession, or use of a controlled substance is prohibited at school, on or in school district property, or at school-sponsored activities, programs, and events. Possession and/or use of a controlled substance by an employee for the purposes of this policy shall only be permitted if such substance was obtained directly or pursuant to a valid prescription or order issued thereto from a person licensed by the state to dispense, prescribe, or administer controlled substances, and any use is in accordance with label directions.

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

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

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

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

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

Maintaining a drug-free workplace is important in establishing an appropriate learning environment for the students of the district. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the district.

Evacuations and Emergencies - If an emergency interferes with the normal conduct of school affairs, students may be dismissed from school only by the superintendent. A plan for emergency dismissal of students during the school day shall be developed by the superintendent and approved by the board. A copy shall be filed with the clerk and procedures for dismissal shall be posted on the district website.

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

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

School-Closing Announcements - When the superintendent believes the safety of students is threatened by severe weather or other circumstances, parents and students shall be notified of school closings or cancellations by announcements made over radio/TV station(s), text message, e-mail, or phone.

Bomb Threats - If there is a bomb threat or similar emergency, the principal shall see that students are escorted to a safe place. The principal shall notify law enforcement agencies of the threat and request a thorough inspection of the buildings and grounds. Other contingencies, as noted in the crisis plan, shall be followed. If it is determined that no danger exists to the students' safety and if there is time remaining in the school day, school shall be resumed.

Planning for Emergencies - Each building principal shall develop appropriate emergency procedures which shall be included in the district's crisis plans. As appropriate, portions of the crisis plan developed shall be held in strict confidence by staff members having direct responsibility for implementing the plan.

Hazing - "Hazing" is recklessly coercing, demanding, or encouraging another person to perform, as a condition of membership in a social, academic, athletic, or other school-sponsored activity or group, any act which could reasonably be expected to result in great bodily harm, disfigurement, or death, or which is done in a manner whereby great bodily harm, disfigurement, or death could be inflicted.

Hazing is prohibited on school property, in school vehicles, and at school-sponsored activities or events. Permission, consent, or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

No administrator, teacher, or other employee of the district shall encourage, permit, condone, or tolerate any hazing activities. No students, including leaders of student organizations, are permitted to plan, encourage, or engage in any hazing.

Administrators, teachers, and all other district employees shall be particularly alert to possible conditions, circumstances, or events that might include hazing. If any of the prohibited behaviors are planned or discovered, involved students shall be informed by the discovering district employee of the prohibition contained in this policy and shall be required to end all such activities immediately. All hazing incidents are to be reported immediately to the superintendent or building principal, and appropriate discipline shall be administered.

Administrators, teachers, other employees, and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties under state and/or federal law.

No one is permitted to retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding, or hearing regarding a charge of hazing of an individual.

Inclement Weather - The following stations will provide school dismissal announcements at 6:00 a.m. on the inclement weather day:

Radio:	Television:	Websites:
KMDO (AM 1600)	KOAM (channel 7)	usd234.org
KOMB (FM 103.9)	KSNF (channel 16)	KOAMTV.com
KNEW (AM 1240)	KTFX (channel 14)	fourstateshomepage.com
		Facebook

On any day that school is dismissed because of snow or inclement weather, the following procedure will be used:

- A. All central office personnel (administrators, secretaries, maintenance), all building administrators, all building custodians, and all building clerical staff are scheduled to work. Release time must be taken if staff is unable to report to duty.
- B. Building teachers and all other certified personnel at the building level will not report to duty.
- C. Cooks, bus drivers, paraprofessionals, and aides will not report to duty.

Loss Prevention - The personal safety and health of each employee of the district is of primary importance.

To the extent practical, the administration will endeavor to provide equipment and facilities required to promote employee safety and health on the job.

The district will maintain a safety and health program promoting best practices. To be successful, this program must rely on teaching proper attitudes toward injury and illness prevention on the part of all employees. Only through such a cooperative effort can a safe workplace be established and maintained.

The board's objective is a loss control program that will hold the number of employee injuries and illnesses to a minimum. This program will include the following:

- Conducting a program of safety and health awareness to find and attempt to eliminate unsafe working conditions or practices and to comply with safety and health standards;
- Training all employees in good safety and health practices and requesting the assistance of employees in identifying areas of concern regarding safety;
- Providing necessary personal protective equipment and instructions for its use; and
- Investigating, promptly and thoroughly, accidents at work to determine the causes and attempt to prevent a recurrence.

The responsibilities for this loss control program must be shared. District employees are responsible for complete cooperation with all aspects of the safety and health program, including compliance with all rules and regulations, and for continuously performing duties in a safe manner.

All employees are responsible for developing the proper work attitudes as well as ensuring that all operations are performed with absolute regard for the safety and health of all personnel.

The board accepts responsibility for leadership in the loss control program, for its effectiveness and improvement, and for providing the necessary safeguards required.

Possession of Firearms - USD 234 employees shall not possess firearms on school property except for law enforcement officers employed in that capacity.

Racial and Disability Harassment - The board is committed to providing a positive and productive learning and working environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Discrimination or harassment on the basis of race, color, or national origin ("racial harassment") or on the basis of disability ("disability harassment") shall not be tolerated in the school district. Racial or disability harassment of employees or students of the district in any district education program or activity is strictly prohibited.

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

No student, employee, or third party is to racially harass any student, employee, or other individual associated with the school. No school employee should discourage a student from filing a complaint or to fail to investigate or refer for investigation any complaint lodged under provision of this policy.

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

Prohibited conduct under this policy includes racially or disability-motivated conduct which:

- Affords a student different treatment, solely on the basis of race, color, national origin, or disability, in a manner which interferes with or limits the ability to participate in or benefit from the services, activities, or programs of the school;

- Is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile academic environment; or
- Is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of interfering with a student's academic performance or ability to participate in or benefit from the services, activities or programs of the school.

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

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

Any student who believes he or she has been subject to racial or disability harassment or has witnessed an act of alleged racial or disability harassment should discuss the alleged harassment with the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of racial or disability harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator. The building principal shall discuss the complaint with the student to determine if it can be resolved. If the matter is not resolved to the satisfaction of the student in the 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 or disability harassment under the definition outlined above. Unacceptable student conduct may or may not constitute racial or disability harassment, depending on the nature of the conduct and its severity, pervasiveness, and persistence. Behaviors which are unacceptable but do not constitute harassment may provide grounds for discipline under the code of student conduct. The discipline of a student for violation of any provision of the code of student conduct may be enhanced if the conduct is racially or disability motivated.

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

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

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

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the district's obligation to

conduct a thorough investigation, to take appropriate corrective action, or to provide due process to the accused.

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

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

Reporting Certain Students to Administrators and Staff - Administrative, professional or classified employees of a school who have information that any of the following has occurred shall report the information and the identity of the student responsible to the superintendent.

Security and Safety - Reportable events include:

- A student being expelled for conduct which endangers the safety of others;
- A student being expelled for commission of felony-type offenses;
- A student being expelled for possession of a weapon;
- A student being adjudged to be a juvenile offender for an offense, which if committed by an adult, would constitute a felony, except a felony theft offense involving no direct threat to human life;
- A student being tried and convicted as an adult for any felony, except theft involving no direct threat to human life.

The superintendent shall investigate the matter and, if it is confirmed, the superintendent shall provide appropriate information and the identity of the student responsible to all employees who are involved in, or likely to be directly involved in, teaching or providing related services to the student.

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

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events within the United States..

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

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

Sexual harassment shall include conduct on the basis of sex involving one or more of the following: (1) A district employee conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or

Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include, but is not limited to: verbal harassment or abuse of a sexual nature;; pressure for sexual activity; repeated remarks to a person with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning an employee's job status.

The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and resolved. Any person may make a verbal or written report of sex discrimination by any means and at any time.

The Superintendent of Schools, 424 S. Main Street, Fort Scott, KS 66701, destry.brown@usd234.org, 620-223-0800 has been designated to coordinate compliance with nondiscrimination requirements contained in Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, regarding discrimination on the basis of sex, and the Kansas Act Against Discrimination information concerning the provision of these acts, and the rights provided thereunder, are available from the Title IX Coordinator.

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

Response to Harassment Complaints - The district takes all reports of sexual harassment seriously and will respond meaningfully to every report of discrimination based on sex, including sexual harassment, of which the district has actual knowledge.

Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building administrator or the Title IX Coordinator. All employees receiving reports of alleged sexual harassment shall notify the Title IX Coordinator.

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

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

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

The “decision-maker” reviews all the evidence and prepares an impartial written responsibility determination as to whether the alleged conduct occurred and provides an opportunity for the parties and their representatives to prepare written questions to be answered by the other party. The decision-maker shall not be the Title IX Coordinator or investigator.

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

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

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

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

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

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

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

The Title IX Coordinator, any investigator, decision-maker, or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence.

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

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

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence. The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge, as follows:

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

Supportive Measures - The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or the respondent. Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. "Supportive Measures" shall include, but not be limited to, measures designed to protect the safety of all parties, to protect the district's educational environment, or to deter sexual harassment.

These measures may include counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security

and monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

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

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

- At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district concerning which the formal complaint is filed.
- A formal complaint shall be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. Filing of the complaint with the Title IX describe the alleged violation. Filing of the complaint with the Title IX Coordinator may be done in person, by mail, or by email. If an individual does not wish to file a written complaint and the matter has not been does not wish to file a written complaint and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint.

Forms for filing written complaints are available in each school building office and the central office. Forms for filing written complaints are available in each school building office and the central office.

- A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing. of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- An investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by an officer. In other instances, the investigation shall be conducted by a qualified individual designated by the Title IX Coordinator or another individual appointed by the board. The individual appointed by the board. The investigation shall be thorough. All interested persons, including the All interested persons, including the complainant and the respondent, will be afforded an opportunity to\ submit written or oral evidence relevant to the complaint.

Formal Complaint Notice Requirements - Upon filing of a formal complaint, the district shall provide written notice to the known parties including:

- Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including:
- The identities of the parties involved, if known; the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.
- The district's investigation procedures, including any informal resolution process;

- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
- Notice to the parties they may have an advisor of their choice and may inspect and review any evidence; and
- Notice to the parties of any provision in the district's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

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

Formal Complaint Investigation Procedures - To ensure a complete and thorough investigation and to protect the parties, the investigator shall:

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

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

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

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

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

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

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

The range of disciplinary sanctions and remedies may include, but may not be limited to: supportive measures, short-term suspension, long-term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

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

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

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

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

- Procedural irregularity that affected the outcomes,
- New evidence that was not reasonably available at the time that could affect the outcome, and/or The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome.
- The request to appeal shall be made in writing to the Title IX Coordinator within 10 days after the date of the written determination. Appeals shall be a review of the record by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.
- The appeal decision-maker will issue a written decision within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result.

The Appeal Decision-Maker shall:

- Review the evidence gathered by the investigator, the investigator's report, and the original decision-maker's determination;
- Notify both parties in writing of the filing of an appeal and give them an opportunity to submit further evidence in writing; respondent and receive the required training;
- Issue a written decision and the rationale for the decision within 30 days after the appeal is filed;
- Describe the result of the appeal and the rationale for the result in the decision, and Provide the written decision simultaneously to both parties and to the Title IX Coordinator.

Informal Resolution Process

- At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility.
- The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:
- The parties are provided a written notice disclosing the allegations, the requirement of the informal resolution process, information on when it may preclude the parties from resuming a formal complaint arising from the same allegations;
- At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the investigation of the formal complaint and be informed of any consequences resulting from participating in the informal resolution process;
 - The parties voluntarily and in writing consent to the informal resolution process; and
 - The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

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

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

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of

Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

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

To the extent possible while still following the above procedures, confidentiality will be maintained throughout the investigation and resolution of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to provide supportive measures to both parties, to take appropriate corrective action, and to provide due process to the complainant and the respondent. False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant.

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

Student Errands - Students shall not be sent on personal errands off school grounds for employees during school hours without the permission of the building principal.

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

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

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

"Electronic nicotine delivery system" or "(ENDS)" means any device that delivers a vaporized solution (including nicotine, THC, or any other substance) by means of cartridges or other

chemical delivery systems. Such definition shall include, but not be limited to, any electronic cigarette, vape pen, hookah pen, cigar, cigarillo, pipe, or personal vaporizer. ENDS are not FDA-approved nicotine replacement therapy devices.

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

Miscellaneous Policies Concerning Employees

Dismissing School for Special Events - School is not dismissed for special events such as concerts, fairs, state athletic events, funerals, etc. If the teachers in a building attend a funeral in large enough numbers to limit the availability of substitutes, the principal may not be able to continue regular classes but will provide a study hall for students remaining in the building. Special circumstances may necessitate the dismissal of school by the superintendent.

Distributing Material in Schools - In accordance with rules adopted by the board, the superintendent reserves the right to refuse distribution to students any material by outside individuals or groups which creates a material or substantial interference with normal school activity or appropriate discipline in the operation of the school.

Materials Produced by Outside Groups-Including Religious Materials - The principal may establish rules and regulations which control the time, place, and manner in which non-school/educational materials are displayed and disseminated in the building or on school property. No student shall be forced to participate in the distribution or receipt of any non-school materials in the schools.

Political Campaign Materials - The board encourages responsible care of political materials as part of the board-approved curriculum. No student shall be forced to participate in the distribution or receipt of any political materials.

Advertising in the Schools - No advertising for commercial purposes shall be permitted in the school buildings or on the grounds of the district without prior board approval. Advertising in student publications shall be regulated by rules and regulations approved by the superintendent. Advertising in the student publications may promote products by brand name. Ads promoting the sale of any controlled substance, drug paraphernalia, or any other illegal material or activity are prohibited.

Organizational Chart - The Organizational Chart can be found on the district website, www.usd234.org.

Political Activities - Holding Public Office - Staff members elected or appointed to a public office which restricts the employee’s ability to complete contractual obligations may be required to take unpaid leave for a period determined by the board or may be terminated. Staff members holding a public office, which in the judgment of the board is less than full-time, shall request unpaid leave from the superintendent at least one week in advance. An employee who must be absent from school to carry out the duties of a public office must take a leave of absence without pay for the duration of the public office.

Political Activity in the Schools - Staff members shall not use school time, school property, or school equipment for the purpose of furthering the interests of any political party, the campaign

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

Student Use of School Facilities - Students are not to be permitted the use of school facilities unless a teacher or school employee is present and in charge at all times. Employees shall not allow students to enter the building when school is not in session unless they are accompanied by an employee of the district or unless they have specific instructions from the building principal. Employees shall not give or lend outside door keys to students.