

REFERENCE COPY

FILE: IGBD
Critical

EXPLANATION: AT-RISK STUDENTS (K–12 Districts)

This policy has been updated to address the following requirements:

1) Pursuant to § 167.905, RSMo., the district must adopt a policy for identifying ninth-grade students and students who transfer to the district after their ninth-grade year who may not be on track to graduate from high school college- or career-ready. The policy must be adopted by July 1, 2018. In determining whether a student is at risk of not being college- or career-ready, the statute requires the district to minimally use the following information:

- ▶ The student's performance on the Missouri Assessment Program test in eighth grade in English language arts and mathematics.
- ▶ The student's comparable statewide assessment performance if such student transferred from another state.
- ▶ The number of district students taking remedial courses at the college level as reported by the Department of Higher Education.
- ▶ The student's attendance rate.

MSBA has added district (not just statewide) assessments, student behavior and discipline, and credits earned toward graduation as indicators, but the district is not required to use these measures and may remove them. The district may also decide to add other indicators.

The statute also requires the policy to include academic and career counseling (see policy JHD in this update) and has a provision allowing an individualized education program (IEP) team to determine whether the policy will apply to students with IEPs.

2) Section 167.275, RSMo., requires districts to report certain students who drop out of school to the literacy hotline, which is a division of the Department of Elementary and Secondary Education. MSBA has moved this requirement from IGBD-AP to this policy.

3) Finally, MSBA has added a statement authorizing the superintendent to implement other programs to assist at-risk students. This is not required by law, but it allows for such programs at multiple grade levels should the district determine there is a need.

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	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services	X	Counselor	X	Special Education
	Transportation		Public Info/Communications		Technology

AT-RISK STUDENTS

(K–12 Districts)

The Board of Education recognizes that academic failure by students can be directly associated with personal, social, emotional or behavioral problems beyond the traditional jurisdiction of the regular classroom. Therefore, the Board is committed to working in conjunction with a committee of faculty members, administrators and community members to implement a program which will serve to increase self-esteem, pride and academic excellence in potential at-risk students. With the understanding that there is no single solution to the at-risk problem, the district's program will be implemented through a series of activities within the classroom, small group counseling, individual counseling, and awareness and prevention efforts. The goal of the Center School District #58 is to ensure that all high school graduates are college- or career-ready. In furtherance of that goal, the superintendent or designee will implement K–12 programs designed to identify students who are not performing to their potential and assist those students in graduating with their peers with the skills and knowledge necessary to be successful in college or a career upon graduation.

If a student is receiving special education services, the student's individualized education program (IEP) team may explicitly waive or exempt the student from any part of this policy.

Identification of Ninth-Grade Students at Risk

In accordance with law, the principal or designee will identify all current ninth-grade students and all students who transfer to the district after ninth grade who are at risk of not being ready for college-level work or entry-level career positions. The identification will be made based on the following information, in addition to other information the principal considers relevant:

1. The student's performance on the Missouri Assessment Program (MAP) test in eighth grade in English language arts and mathematics. The district may also consider the results of other assessments in English language arts and mathematics. If the student transferred from another state or country, the district will consider the student's performance on comparable assessments taken in the other state or country.
2. The number of district students taking remedial courses at the college level as reported by the Department of Higher Education.
3. The student's attendance rate.
4. The number of credits the student has earned toward graduation at the end of the first semester of high school and at the end of the student's first year of high school.
5. Student behavior and discipline.

Once a student is identified as at risk, the district will provide appropriate academic and career counseling to attempt to provide the student with opportunities to graduate on time and college- or career-ready.

Other Programs

The superintendent or designee is authorized to create and implement other programs designed to assist students of any grade level who appear to be at risk of dropping out of school or failing to graduate from high school college- or career-ready.

Students Leaving School Prior to Graduation

Students 16 years of age or older who leave school for any reason other than to attend another school, college or university or enlist in the armed services will be reported to the state literacy hotline at the Department of Elementary and Secondary Education, as required by law. In addition, students who drop out of school will be offered follow-up counseling and services to facilitate their return to school and the completion of their education.

* * * * *

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

Adopted: 01/19/2000

Revised: 06/24/2002;

Cross Refs: JEA, Compulsory and Part-Time Attendance
JED, Student Absences and Excuses
JFCL, A+ Schools Program
JG, Student Discipline
JHD, Student Guidance and Counseling

Legal Refs: §§ 167.275, .273, .275, .280, .903, .905, RSMo.
6 C.S.R. 10-4.040

MSIP Refs: I-6

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: IGBD-R1
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EXPLANATION: AT-RISK STUDENTS

District should **RESCIND** this regulation. This procedure is old and no longer includes any legally required material now that reporting to the literacy hotline has been moved to policy IGBD.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

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~~AT-RISK STUDENTS~~

~~Program Overview~~

~~The district's at-risk program will assist students by:~~

- ~~▶ Providing services and support through identification, resources, referral and intervention to students who exhibit a wide range of problems.~~
- ~~▶ Fostering an atmosphere of acceptance for students and staff to work toward resolution of student problems.~~
- ~~▶ Initiating and maintaining a cooperative alliance in which the school, community, families and students work together.~~
- ~~▶ Providing comprehensive ongoing intervention, evaluation and services to meet the needs of the at-risk students.~~

~~Program Components~~

~~The at-risk program is a comprehensive, ongoing program of student assessment and identification as well as the coordination of services and resources. The program's components will include:~~

- ~~▶ Prevention services, education and activities that promote, support and reinforce a healthy lifestyle;~~
- ~~▶ Written procedures for the identification of students at all levels whose problems are inhibiting or disrupting their educational process and performance, as well as procedures for handling crisis situations involving students.~~
- ~~▶ Intervention, including action where warranted, to motivate troubled students and families to seek help.~~
- ~~▶ Assessment of the nature and severity of the problem.~~
- ~~▶ Referrals to appropriate community services/resources.~~
- ~~▶ Support to encourage and devise methods that reduce destructive behavior and encourage healthy choices.~~

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- ▶ ~~Follow up counseling and services to those students who drop out of school to facilitate their return to school and/or the completion of their education.~~
- ▶ ~~Report dropouts to the Missouri Literacy Hot Line at 800-521-7323 pursuant to § 167.275, RSMo.~~

~~*****~~

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

~~Adopted: 01/19/2000~~

~~Revised: 06/24/2002~~

~~Legal Refs: §§ 167.270, .273, .275, .280, RSMo.~~

~~Center School District #58, Kansas City, Missouri~~

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FILE: JHDF
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EXPLANATION: SUICIDE AWARENESS AND PREVENTION

This is a NEW policy required pursuant to § 170.048, RSMo. MSBA based this policy on the model policy created for the Department of Elementary and Secondary Education (DESE) by a committee of attorneys, policy writers and mental health professionals. Much of the content of this policy is from resources recommended by the committee. These resources can be found on the DESE website referenced below.

Pursuant to statute, each district must have a youth suicide awareness and prevention policy adopted by July 1, 2018, that includes:

- 1) Strategies that can help identify students who are at possible risk of suicide,**
- 2) Strategies and protocols for helping students at possible risk of suicide, and**
- 3) Protocols for responding to a suicide death.**

NOTE: Districts are not required to use the model policy released by DESE or any other model and are free to create their own policy as long as it includes the strategies and protocols listed above.

Beginning in July 2021, and at least every three years thereafter, DESE will solicit information from districts about their experiences with youth suicide awareness and prevention. That information will be posted on the DESE website, but no confidential information about students or employees will be included. DESE may also use this information to revise the model policy.

Resources

MSBA recommends that districts access the DESE website for information and resources that will assist schools in implementing this policy, including:

- 1) A list of risk factors for suicide,**
- 2) A chart of evidence- and research-based programs for suicide prevention, including training options,**
- 3) Resources for customizing this policy, and**
- 4) An extensive list of definitions.**

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<https://dese.mo.gov/college-career-readiness/school-counseling/youth-suicide-awareness-and-prevention>

MSBA will be creating a module for our online Essential Staff Training program about the requirements of the suicide awareness and prevention policy.

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SUICIDE AWARENESS AND PREVENTION

Purpose

Suicide is a leading cause of death among youths in Missouri and is a public health concern impacting all Missouri citizens. The Center School District #58 is committed to maintaining a safe environment to protect the health, safety and welfare of students.

This policy will outline key protocols and procedures the district will use to educate employees and students on the resources and actions necessary to promote suicide awareness and prevent suicide. The goal of the district is to help students who may be at risk of suicide without stigmatizing or excluding students from school. No student will be excluded from school based solely on the district's belief that the student is at risk of suicide.

Definitions

Crisis Response Team (CRT) – A team of district employees trained in suicide awareness and prevention.

Student at Risk of Suicide – A student who is demonstrating individual, relationship, community or societal factors that are associated with suicide and that in combination indicate that an individual might be contemplating suicide.

Suicide Crisis – A situation in which a person is attempting to kill him- or herself or is seriously contemplating or planning suicide. Planning may include, but is not limited to, a timeframe and method for attempting suicide or obtaining or attempting to obtain the means to attempt suicide. A suicide crisis is considered a medical emergency requiring immediate intervention.

Crisis Response Team

The district will establish a district-level CRT and, if practical, a team in each building. CRT members will include administrators, counselors and the school nurse and may also include school social workers, school resource officers, teachers and community members as appropriate. The CRT will be responsible for implementation of the district's response plan.

The district will use an evidence-based/informed tool for determining whether a student is at risk of suicide or is having a suicide crisis. The CRT members, the building administrator and a designee will receive training and coaching in using this tool to assist in making these determinations and appropriately responding.

Response Plan

District employees will respond immediately in situations where they have a reasonable belief that a student may be at risk of suicide or may be having a suicide crisis.

Students Who May Be at Risk of Suicide

Any district employee who has a reasonable belief that a student may be at risk of suicide, even though the student is not having a suicide crisis as defined in this policy, will take the following steps:

1. Make every effort to locate the student immediately, and do not leave the student alone.
2. Notify a CRT member or the building administrator or designee. If the employee cannot reach the building administrator, designee or any of the CRT members, the employee will contact the student's parent/guardian. If the parent/guardian is also unavailable, or at the parent's/guardian's request, the employee will contact emergency services.

When a CRT member or the building administrator or designee receives notification that a student may be at risk of suicide, he or she will take the following steps:

1. If the student cannot be located or leaves after being located, a CRT member or the building administrator or designee will contact the parent/guardian to explain the district's concern.
2. If the student has been located, a CRT member or the building administrator or designee will use an evidence-based/informed tool to determine whether the student is at risk of suicide and the appropriate response. Regardless of the determination, the building administrator or designee will contact the student's parent/guardian to discuss the concern.
3. If it is determined that the student may be at risk of suicide, a school counselor and a CRT member will meet with the student and his or her parents/guardians to discuss support and safety systems, available resources, coping skills and collaborative ways to support the student.

Students Who May Be Having a Suicide Crisis

If an employee reasonably believes that a student is having a suicide crisis, the employee will take the following steps:

1. Make every effort to locate the student immediately, and do not leave the student alone.

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2. Immediately report the situation to a CRT member or the building administrator or designee. If the employee cannot reach the building administrator, designee or any of the CRT members, the employee will notify the student's parent/guardian and contact emergency services. The employee may also contact the National Suicide Prevention Lifeline (800-273-8255) for assistance. As soon as practical, the employee will notify the building administrator or designee.

When a CRT member or the building administrator or designee receives notification that a student is believed to be having a suicide crisis, he or she will take the following steps:

1. If the student cannot be located or leaves after being located, a CRT member or the building administrator or designee will contact the parent/guardian to explain the district's concern.
2. If the student has been located, the CRT member or the building administrator or designee will, based on his or her training and an assessment of the student, determine the appropriate action, including whether to call emergency services, and implement the appropriate response.
3. At an appropriate time after the crisis has passed, a school counselor and a CRT member will meet with the student and his or her parents/guardians to discuss support and safety systems, available resources, coping skills and collaborative ways to support the student.

Confidentiality

Employees are required to share with the CRT and administrators or their designees any information that may be relevant in determining whether a student is at risk of suicide, is having a suicide crisis or is otherwise at risk of harm. Employees are prohibited from promising students that information shared by the student will be kept secret when the information is relevant to the student's safety or the safety of another person.

Release of a student's individually identifiable education records will be made in accordance with the Family Educational Rights and Privacy Act (FERPA). In accordance with FERPA, information contained in a student's education records may be revealed at any time to the student's parents/guardians and school personnel who have a legitimate interest in the information. Education records may be shared with other appropriate persons when necessary to protect the health or safety of the student or others.

Abuse and Neglect

If any employee of the district has reasonable cause to believe a student has been or may be subjected to abuse or neglect or observes the student being subjected to conditions or circumstances that would

reasonably result in abuse or neglect, the employee will contact the Child Abuse and Neglect Hotline in accordance with law and Board policy.

Accommodating a Disability

If at any time a parent/guardian informs the district that a student has a medical condition or impairment that could require accommodation, district employees will contact the district's compliance coordinator to determine whether the student has a disability.

School and Community Resources

The district will, in collaboration with local organizations and the Missouri Department of Mental Health, identify local, state and national resources and organizations that can provide information or support to students and families. Copies of or links to resources will be available to all students and families on the district's website and in all district schools.

A school counselor or a CRT member will periodically follow up with students and parents/guardians of students who have been identified as being at risk of suicide or who have had a suicide crisis to offer additional assistance.

Response to Incidents Impacting the School

When the school community is impacted by the attempted suicide or death by suicide of a student, staff member or other person in the school community, the superintendent or designee will confer with the district-level CRT and, when appropriate, confer with local community resources and professionals to identify and make available supports that may help the school community understand and process the behavior or death.

The CRT and the superintendent or designee will determine appropriate procedures for informing the school community of an attempted suicide or death by suicide and the supports that will be offered. Staff and students who need immediate attention following an attempted suicide or death by suicide will be provided support and resources available through the district and will be given information about other resources.

Staff Education on Suicide Prevention and Response Protocol

All district employees will receive information regarding this policy and the district's protocol for suicide awareness, prevention and response. This information will be provided to current employees and each new employee hired. The information will focus on the importance of suicide prevention, recognition of suicide risk factors, strategies to strengthen school connectedness, and response procedures.

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The district will also provide opportunities for district staff to participate in professional development regarding suicide awareness and prevention. Opportunities may include district-led training, access to web-based training, or training provided in other school districts or by local organizations or health professionals.

Suicide Prevention Education for Students

Starting no later than fifth grade, students will receive age-appropriate information and instruction on suicide awareness and prevention. Information and instruction may be offered in health education, by the counseling staff or in other curricula as may be appropriate.

Policy Publication

The district will notify employees, students and parents/guardians of this policy by posting this policy on the district's website and providing information about the policy to district employees. The district may also include information about the policy in appropriate district publications and student handbooks.

* * * * *

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

Adopted:

Cross Refs: EBCA, Crisis Intervention Plan

Legal Refs: § 170.048, RSMo.

Center School District #58, Kansas City, Missouri

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EXPLANATION: STUDENT GUIDANCE AND COUNSELING

Pursuant to § 167.903, RSMo., students may, prior to the first year of high school, work with district counselors to develop a personal plan of study, which needs to be updated regularly. The plan must include a "sequence of courses and experiences that conclude with the student reaching his or her postsecondary goals." If a plan is created, the plan must minimally include:

1. Requirements for graduation from the school district or charter school;
2. Career or postsecondary goals;
3. Coursework or program of study related to career and postsecondary goals, which shall include, if relevant, opportunities that the district may not directly offer;
4. Grade-appropriate and career-related experiences, as outlined in the grade-level expectations of the Missouri Comprehensive School Counseling Program; and
5. Student assessments, interest inventories or academic results needed to develop, review and revise the personal plan of study, which shall include, if relevant, assessments, inventories or academic results that the school district may not offer.

If a student is receiving special education services, the student's individualized education program (IEP) team can waive this requirement for the student.

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STUDENT GUIDANCE AND COUNSELING

Definitions

Counselor – For the purposes of this policy, a counselor is a school counselor as defined by the Department of Elementary and Secondary Education (DESE).

Guidance Advisory Committee (GAC) – A committee composed of at least one counselor from each grade level, a principal, teachers and others as determined by the superintendent.

General

The Center School District #58's comprehensive guidance program provides important benefits to all students at all grade levels by addressing their personal/social, academic and career development needs. Research indicates that a fully implemented comprehensive guidance program has a positive impact on student achievement and has the potential to increase attendance, reduce discipline referrals and improve Missouri Assessment Program (MAP) scores. In support of the district's efforts to improve student achievement, the Board requires full implementation of the Missouri Comprehensive Guidance School Counseling Program and will adhere to all of its standards. The program shall be implemented in each attendance area and is considered an integral part of each school's educational program. Guidance program objectives will be aligned with the district's Comprehensive School Improvement Plan (CSIP) and student performance data. The program shall be implemented by certified school counselors with the support of district staff, students and external organizations and agencies.

Guidance Curriculum

Counselors will create and implement a written guidance curriculum that promotes students' academic, career and personal/social development. The Board will provide resources and support activities for implementation of a K-12 guidance curriculum. The guidance curriculum will be systematically reviewed and revised, and modifications to the guidance curriculum will be based on student data, school data and needs-assessment data collected at least every three years.

Individual Planning

Individual planning activities help all students plan, monitor and manage their academic achievement as well as their personal/social and career development. The foundation for individual planning will be established during the elementary school years through guidance activities. Building on this foundation, the individual planning component of the guidance program will assist middle school students as they begin to plan for the future and will continue to support students in their planning endeavors until graduation. A four- to six-year Personal Plan of Study (PPS) will be initiated for

~~students no later than the eighth grade and will minimally include assessment and advisement activities, collaboration with parents/guardians, and identification of long- and short-range educational career goals. The PPS will be reviewed annually and revised as needed.~~

Academic and Career Counseling

School counselors will work with students prior to their ninth-grade year to identify college and career goals and create a plan of study that includes courses and experiences designed to assist students with meeting those goals. The plan will include, but is not necessarily limited to, requirements for graduation; career or postsecondary goals and coursework or a program of study related to those goals, which shall include relevant opportunities that the district may not directly offer; grade-appropriate and career-related experiences as outlined in the grade-level expectations of the Missouri Comprehensive School Counseling Program; and student assessments, interest inventories or academic results needed to develop, review and revise the plan of study, which shall include relevant assessments, inventories or academic results that the district may not offer.

School counselors will continue to work with students throughout high school to evaluate and, if necessary, amend the plan in order to facilitate on-time graduation of college- or career-ready students.

Students identified as at risk of not graduating from high school college- or career-ready will receive additional support in accordance with law and policy IGBD.

If a student is receiving special education services, the student's IEP team may explicitly waive or exempt the student from the provisions of this section.

Responsive Services

Responsive services are referrals and other actions taken by the district in response to the immediate needs and concerns of a particular student or identified needs and concerns of groups of students. The purpose of the responsive services component of the comprehensive guidance program is to work with students whose personal circumstances, concerns or problems are interfering or threatening to interfere with their academic, career or personal/social development. Responsive services will be implemented through individual counseling, small group counseling, consultation and referral.

Referrals shall be made in accordance with Board policies and district procedures. The superintendent, with the assistance of the GAC, will develop procedures for staff to use to identify students who may need a referral for assistance beyond that regularly provided by the counseling staff. All staff members who, in the course of their duties, have contact with students on a regular basis will receive annual training on these procedures.

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In the event of a pandemic or other emergency, school counseling staff will assist students with personal and emotional issues. The district's emergency response crisis intervention plan (ERIP) will include methods for continuing counseling support even in the event of a long-term school closure.

System Support

The Board recognizes system support as a crucial component in the full implementation of a comprehensive guidance program. System support of the comprehensive guidance program includes administration and management activities that support the program. The Board directs the administration to implement activities that support the guidance program, such as program management, fair-share responsibilities, professional development, staff-community relations, consultation, committee participation, community outreach, and research and development.

Program Goals

The district will strive to meet the program goals in each of the following areas:

1. Personal/Social Development

- ▶ Assist students in gaining an understanding of self as an individual and as a member of diverse local and global communities by emphasizing knowledge that leads to the recognition and understanding of the interrelationship of thoughts, feelings and actions in students' daily lives.
- ▶ Provide students with a solid foundation for interacting with others in ways that respect individual and group differences.
- ▶ Aid students in learning to apply physical and psychological safety and promoting the student's ability to advocate for him- or herself.

2. Academic Development

- ▶ Guide students to apply the skills needed for educational achievement by focusing on self-management, study and test-taking skills.
- ▶ Teach students skills to aid them as they transition between grade levels or schools.
- ▶ Focus on developing and monitoring personal education plans, emphasizing the understanding, knowledge and skills students need to develop meaningful personal plans of study.

3. Career Development

- ▶ Enable students to apply career exploration and planning skills in the achievement of life career goals.
- ▶ Educate students about where and how to obtain information about the world of work and postsecondary training and education.
- ▶ Provide students the opportunity to learn employment readiness skills and skills for on-the-job success, including responsibility, dependability, punctuality, integrity, self-management and effort.

Confidentiality

It is necessary for counselors to build trusting relationships with students and district staff; however, counselors are not permitted to promise students complete confidentiality. Counselors may at times be required to disclose information to parents/guardians, to report child abuse or neglect, to convey to district staff information necessary to better serve a student, or to report to supervisors as appropriate.

Care should be taken in explaining to students, in a developmentally appropriate manner, the limits of confidentiality. Notice of the limits of confidentiality may be made by a variety of methods including classroom lessons, student handbooks, the district website and guidance counseling brochures in addition to oral notification of individual students.

District counselors have the responsibility to protect the confidentiality of student records and only release information in accordance with state and federal law and Board policy. Information transmitted or stored electronically must maintain the same level of confidentiality as traditional paper records. Care shall be taken to send sensitive information by a means that protects student identity.

Guidance Advisory Committee and Evaluation

The GAC will systematically review the district's comprehensive guidance program, including the K-12 guidance curriculum. The comprehensive guidance program will be systematically evaluated through the development and use of a comprehensive evaluation plan. The comprehensive evaluation plan will minimally assess the impact of the comprehensive guidance program on the Missouri School Improvement Plan (MSIP) performance standards and other relevant criteria including, but not limited to, attendance, grades and behaviors.

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Adopted: 01/19/2000

Revised: 07/24/2006; 09/26/2011;

Cross Refs: EBCA, Crisis Intervention Plan
ECG, Animals on District Property
IGBD, At-Risk Students
IL, Assessment Program

Legal Refs: §§ 167.903, .905, 170.048, RSMo.

MSIP Refs: ~~6.9, 7.7, 8.8~~I-6

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: DJF
Critical

EXPLANATION: PURCHASING

MSBA has made changes to this policy for clarification purposes.

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PURCHASING

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

All funds deposited with the district, regardless of source, are considered district funds and are subject to this policy. No contract will be entered into or bill paid without the proper documentation and without an affirmative vote from a majority of the whole Board. Purchases that may exceed \$25,000 must have prior Board approval unless this policy's emergency provisions are applicable.

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

Purchasing Supervision

The chief financial officer will serve as the district's purchasing officer or will designate a purchasing officer. The purchasing officer will supervise district purchases of products and services and may authorize purchases on behalf of the district that comply with the Board-adopted budget and this policy. The Board will approve all contracts and the payment of all bills. The staff will maintain appropriate documentation of these transactions for audit purposes.

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

Competitive Purchasing

District staff will research all purchases and compare prices prior to making decisions regarding the expenditure of district funds, unless a purchase is covered by an exception pursuant to this policy. Employees are expected to contact multiple providers before making a decision regarding purchases under \$3,500. Purchases of \$3,500 or more will be directed to the purchasing officer for appropriate disposition. The competitive pricing worksheet (DJF-AF5) will need to be completed for all

purchases of \$3,500 or more and will need the purchasing officer's approval prior to making the purchase. Sealed bids will be required for purchases that may exceed \$15,000.

The district will select the lowest or best bid. The district reserves the right to waive minor technical defects in a bid, reject any and all bids, reject any part of a bid, advertise for new bids, or make the purchase on the open market if the product or service can be obtained at a better price.

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

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

Purchases Involving Federal Funds

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

Emergency Situations

Unless ~~prohibited competitive bidding is required~~ by law, the superintendent may waive the requirement for competitive bids or proposals when he or she ~~has determined~~ **determines** that there exists a threat to life, property, public health or public safety or when immediate expenditure is necessary ~~in order to~~ protect against further loss of or damage to property; or ~~to prevent or minimize~~ a serious disruption in services. Emergency purchases shall be made with as much competition as is practical under the circumstances and ~~will only be utilized for purchases that are~~ **when** necessary to alleviate the emergency.

Debarred or Suspended Providers

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

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Confidentiality

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

Credit and Purchasing Cards

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

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

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

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

Any employee or Board member using a district card shall sign a card usage agreement and will receive training on applicable procedures for card use. District employees and Board members issued a card must provide documentation, such as receipts and applicable budget codes, justifying expenditures. The purchasing officer will examine all documentation prior to payment and will

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notify the superintendent or designee immediately if any purchase was made in violation of law or district policies or procedures.

All employees and Board members issued a district card must take all reasonable measures to protect the cards against damage, loss, theft or misuse. Any damage, loss, theft or misuse of the card must be reported to the superintendent immediately. District employees and Board members will surrender all cards upon completion of their employment or term with the district or upon demand by the district.

Prohibited Activity and Reporting Requirements

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

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

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

* * * * *

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

Adopted: 05/28/2002

Revised: 03/29/2004; 09/24/2007; 10/25/2010; 08/24/2015; 12/19/2016

Cross Refs: ADF, District Wellness Program
BBFA, Board Member Conflict of Interest and Financial Disclosure
EHBC, Data Governance and Security
FEB, Selection of Architectural/Engineering and/or Land Surveying Services
FEC, Selection of Construction Management Services
FED, Selection of a Construction Manager at Risk

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FILE: DJF
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FEE, Selection of a Design-Build Contractor

FEF, Construction Contracts Bidding and Awards

GBCA, Staff Conflict of Interest

Legal Refs: §§ 8.285 - .291, .675 - .687, 34.073 - .080, .350 - .359, .375, 105.458, 162.301,
170.041, 171.181, 177.082 - .086, 285.530, 292.675, 393.310, 432.070 - .080,
RSMo.

5 C.S.R. 30-4.030, 680.010

2 C.F.R. §§ 200.317 - .322

7 C.F.R. §§ 210.16, .21, 220.16

40 C.F.R. Part 247

47 C.F.R. § 54.503

Mercantile Bank of Illinois v. School Dist. of Osceola, 834 S.W.2d 737 (1992)

Center School District #58, Kansas City, Missouri

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EXPLANATION: SELECTION OF A CONSTRUCTION MANAGER AT RISK

House Bill 2376 (2016) created § 67.5050, RSMo., which authorizes political subdivisions such as school districts to use the construction manager at risk model of construction delivery for construction projects that exceed \$3,000,000. MSBA has created this NEW policy to outline the detailed process required in this new statute for the selection of a construction manager at risk.

A construction manager at risk is defined as a construction manager who not only manages the district's construction project and acts as a consultant to the district, but contractually agrees that the project will be completed within an agreed-upon price. Therefore, the construction manager assumes some of the financial risk for the project and is "at risk." Unlike the traditional construction management model, a construction manager at risk may also perform some of the work on the project.

This new statute applies to "civil works" projects that exceed \$2,000,000, such as roads, streets and bridges commonly designed by engineers. It also applies to "noncivil works" projects in excess of \$3,000,000, such as buildings, site improvements and other structures commonly designed by architects. It is unclear whether school districts can use the construction manager at risk model for projects that cost less than the minimums stated in this statute. However, if the district uses this model for construction projects that exceed these amounts, the statute is clear that the statutory process must be followed.

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X	Facility Maintenance		Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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SELECTION OF A CONSTRUCTION MANAGER AT RISK

The Board may, at its discretion and in accordance with law, use the construction manager at risk method for construction of civil works projects in excess of \$2,000,000 and noncivil works projects in excess of \$3,000,000.

Definitions

Civil Works Projects – Construction projects such as roads, streets, bridges, utilities, storm drainage and flood control projects that are in excess of \$2,000,000 and commonly designed by professional engineers.

Construction Manager at Risk (CMAR) – For the purposes of this policy, a construction manager at risk is a sole proprietorship, partnership, corporation or other legal entity that assumes the risk for the construction, rehabilitation, alteration or repair of a project at the contracted price as a general contractor and provides consultation to a political subdivision regarding construction during and after the design of the project.

Noncivil Works Projects – Construction projects, such as buildings, site improvements and other structures, in excess of \$3,000,000 and commonly designed by architects.

Process

In accordance with law, a CMAR will be selected using the following process:

1. Unless the district employs an engineer or architect, the district will select an engineer or architect using the process outlined in policy FEB to prepare the construction documents for the project. The engineer or architect for a project may not serve as the CMAR alone or in combination with others.
2. At least one week prior to publishing the request for qualifications, the Board will publicly disclose at a regular meeting its intent to use the construction management at risk method and the criteria it will use to select a CMAR.
3. The superintendent or designee will prepare a request for proposals or qualifications for a CMAR that includes:
 - ▶ General information on the project site, scope and schedule.
 - ▶ Selection criteria. The selection criteria may include the CMAR's experience, past performance, safety record, proposed personnel and methodology, and other

appropriate factors that demonstrate the capability of the construction manager at risk.

- ▶ The time and place for receipt of proposals or qualifications.
- ▶ Other information that may assist the district in its selection of a CMAR.

The district will not request fees or prices in the initial request for proposals or qualifications.

4. Prior to opening the proposals or qualifications, the district will publish the request for proposals or qualifications once a week for two consecutive weeks in a newspaper of general circulation published in a county where the district is located. Alternatively, the district will publish the request for proposals or qualifications by a virtual notice procedure. In accordance with law, the district will use the virtual notice procedure only if the district uses virtual notice for at least 20 various purchases, design contracts, construction contracts or other contracts each year.
5. The superintendent or designee will publicly open and read aloud the names of the CMARs from whom the district received a response.
6. Within 45 days of opening the proposals or qualification submissions, the superintendent or designee will evaluate and rank each proposal or qualification submitted. The Board, superintendent or designee will select, based solely on qualifications, five or fewer CMARs to submit additional information, including the proposed fee and price for fulfilling the general conditions.
7. The superintendent or designee will publicly open the submissions from the CMARs regarding fees. A CMAR's qualifications will account for a minimum of 40 percent of the evaluation, and cost will account for a maximum of 60 percent of the evaluation. The Board shall interview, in open session, at least two of the top-qualified offerors as part of the final selection.
8. The Board will select the CMAR that submits the proposal offering the best value for the district based on the published selection criteria and on its ranking evaluation.
9. The superintendent or designee will negotiate a contract with the selected CMAR. If the superintendent or designee is unable to negotiate a satisfactory contract, the superintendent or designee shall end negotiations by sending a written notice to the CMAR. The superintendent or designee will then proceed to negotiate with the next CMAR in order of ranking. The Board must approve the final contract with a vote of the majority of the whole Board.

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Bidding and Selecting Contractors and Subcontractors

The district's CMAR will publicly advertise and receive bids or proposals from contractors or subcontractors for the performance of all major elements of the work, other than the minor work that may be included in the general conditions.

CMARs may seek to perform portions of the work themselves if they submit sealed bids or sealed proposals for those portions of the work in the same manner as other contractors or subcontractors. However, the district has the authority to restrict CMARs from submitting bids. A CMAR will be selected only if the CMAR's bid or proposal offers the best value for the district.

All sealed bids or proposals shall be submitted at the time and location specified in the advertisement for bids or proposals and shall be opened publicly. The identity of each bidder and the bid amount will be read aloud.

The CMAR and the Board, superintendent or designee will review all bids or proposals received in a manner that discloses the bid or proposal contents only to persons employed by the district, CMAR, engineer or architect. After all proposals have been evaluated and clarified, the award of all subcontracts shall be made public.

If the district accepts a bid or proposal against the recommendation of the CMAR, the district will compensate the CMAR by a change in price, time or guaranteed maximum cost for any additional cost and risk that the CMAR may incur.

If a contractor or subcontractor materially defaults in the performance of its work or fails to execute a contract, the CMAR may fulfill the contract requirements or select a replacement contractor or subcontractor without advertising.

* * * * *

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

Adopted:

Cross Refs: DGA, Authorized Signatures
DJF, Purchasing

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Legal Refs: §§ 8.675 - .687, 67.5050, RSMo.

Center School District #58, Kansas City, Missouri

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EXPLANATION: SELECTION OF A DESIGN-BUILD CONTRACTOR

House Bill 2376 (2016) created § 67.5060, RSMo., which governs the use of the design-build construction model. This policy was created to conform with this new law.

In reality, the requirements of this new statute, including the use of a design criteria consultant in addition to the design-builder, are so onerous that in practice the new law will discourage or even prevent districts from using the design-build model for these projects because the costs of compliance will negate the benefits. MSBA suspects that was the intent of those who advocated for this new law. Nevertheless, MSBA has created this policy to assist districts that might be interested in using this method.

The new law authorizes the use of the design-build model for all civil works projects regardless of cost and noncivil works projects in excess of \$7,000,000. Examples of noncivil works projects include construction of buildings or other structures and site improvements. By far most district projects will be considered noncivil works. It is currently unclear whether a district may use the design-build model for projects under \$7,000,000. MSBA encourages districts considering such projects to obtain an opinion from the district's private attorney before using the design-build model.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
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	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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SELECTION OF A DESIGN-BUILD CONTRACTOR

The Board may, at its discretion and in accordance with law, use the design-build construction method for civil works projects regardless of cost or noncivil works projects in excess of \$7,000,000.

Definitions

Civil Works Projects – Roads, streets, bridges, utilities, storm drainage and flood control projects.

Design-Builder – Any individual, partnership, joint venture or corporation subject to a qualification-based selection that offers to provide or provides design services and general contracting services through a design-build contract in which services within the scope of the practice of professional architecture or engineering are performed respectively by a licensed architect or licensed engineer and in which services within the scope of general contracting are performed by a general contractor or other legal entity that furnishes architecture or engineering services and construction services either directly or through subcontracts or joint ventures.

Design Criteria Consultant – A person, corporation, partnership or other legal entity duly licensed and authorized to practice architecture or professional engineering in Missouri that is employed by or contracted by the district to assist the district in the development of project design criteria, requests for proposals, evaluation of proposals, the evaluation of the construction under a design-build contract to determine adherence to the design criteria, and any additional services requested by the district to represent its interest in relation to a project. The design criteria consultant may not submit a proposal or furnish design or construction services for the design-build contract for which its services were sought.

Design Criteria Package – The scope and specifications for the design-build project sufficient to permit a design-builder to prepare a response to the district's request for proposals for a design-build project. The package may include capacity; durability; standards; ingress and egress requirements; performance requirements; description of the site; surveys; soil and environmental information concerning the site; interior space requirements; material quality standards; design and construction schedules; site development requirements; provisions for utilities, storm water retention and disposal; parking requirements; applicable governmental code requirements; preliminary designs for the project or portions thereof; and other criteria for the intended use of the project.

Noncivil Works Projects – Buildings, site improvements and other structures in excess of \$7,000,000 commonly designed by architects.

Process

In accordance with law, the district will use the following process when selecting a design-builder:

1. Unless the district employs a design criteria consultant, the district will select and negotiate for the services of a design criteria consultant using the same selection process detailed in policy FEB.
2. At least one week prior to publishing the request for proposals (RFP) for a design-builder, the Board will publicly disclose at a regular meeting its intent to utilize the design-build method and the project design criteria that will be used to select the design-builder.
3. The district will solicit proposals in a three-stage process. Phase I shall be the solicitation of the design-build team. Phase II shall be the solicitation of a technical proposal, including conceptual design for the project. Phase III shall be the proposal of the construction cost. The district will assign points to each proposal in accordance with law and as set out in the instructions of the RFP.
4. Prior to opening the proposals, the district will publish notice of the RFP once a week for two consecutive weeks in a newspaper of general circulation published in the county where the district is located. Alternatively, the district will publish the RFP by a virtual notice procedure. In accordance with law, the district will use the virtual notice procedure only if the district uses virtual notice for at least 20 various purchases, design contracts, construction contracts or other contracts each year. The notice will include a description of the project, the procedures for submission and the selection criteria to be used. The RFP will include a time, place and other specific instructions for the receipt of proposals. Proposals not submitted in strict accordance with the instructions will be subject to rejection.

The RFP must minimally include the following information about the project and the process:

- ▶ The procedures to be followed for submitting proposals, the criteria for evaluating proposals and their relative weight, and the procedures for making awards;
- ▶ The proposed terms and conditions for the design-build contract, if available;
- ▶ The design criteria package;
- ▶ A description of the drawings, specifications or other information to be submitted with the proposal, with guidance as to the form and level of completeness of the drawings, specifications or other information that will be acceptable;

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- ▶ A schedule for planned commencement and completion of the design-build contract, if any;
 - ▶ Budget limits for the design-build contract, if any;
 - ▶ Requirements, including any available ratings, for performance bonds, payment bonds and insurance, if any;
 - ▶ The amount of the stipend that will be available (at least one-half of one percent of the total project budget); and
 - ▶ Any other information that the district in its discretion chooses to supply including, but not limited to, surveys, soil reports, drawings of existing structures, environmental studies, photographs, references to public records, or affirmative action and minority business enterprise requirements consistent with state and federal law.
5. In Phase I of the RFP, the district will require design-builders to submit a statement of qualification that will include, but is not limited to:
- ▶ Demonstrated ability to perform projects comparable in design, scope and complexity;
 - ▶ References of owners for whom design-build projects, construction projects or design projects have been performed;
 - ▶ Qualifications of personnel who will manage the design and construction aspects of the project; and
 - ▶ Names and qualifications of the primary design consultants and the primary trade contacts with whom the design-builder proposes to subcontract or form a joint venture. The design-builder may not replace an identified contractor, subcontractor, design consultant or subconsultant without the written approval of the district.
6. In Phase I, the superintendent or designee and the design criteria consultant will evaluate the qualifications of all the design-builders who submitted proposals in accordance with the instructions in the RFP. Architectural and engineering services will be evaluated in accordance with policy FEB. The district will have the discretion to disqualify any design-builder that lacks the minimum qualifications, based on the opinion of the district.

Upon recommendation of the superintendent or designee and the design criteria consultant, the Board will select not more than five and not fewer than two design-builders with the appropriate qualifications to proceed to the next step in the process. The district will not consider price or fees when making this decision. The points assigned in Phase I of the evaluation process will not carry forward. The final decision on a design-builder will be made based on points given in Phases II and III.

7. The design-builders selected in Phase I will be invited to participate in Phase II and Phase III. The Phase II and III proposals will be submitted to the district concurrently in separate envelopes or separately submitted using other methods designated by the district. The district will reject any proposal that is not submitted on time.
 - ▶ Phase II requires the design-builder to submit its design for the project to the level of detail required in the RFP. The design-builder also needs to indicate whether the builder is able to deliver the project on time and within the district's budget. However, the Phase II proposal will not contain any reference to the cost of the design-builder's proposal.
 - ▶ Phase III requires the design-builder to submit a firm, fixed cost of design and construction. The Phase III proposal will include bid security and any other information required in the request for proposal.
8. The designs submitted in Phase II will be evaluated, assigned points and ranked in order by the superintendent or designee and the design criteria consultant. The ranking will be presented to the Board for review, revision and final approval. Phase II will account for at least 40 percent of the total point score. Up to 20 percent of the points awarded in Phase II may be based on the design-builder's qualifications and ability to design, contract and deliver the project on time and within the budget. The district will post notice of the points attributed to each design-builder and the design-builder's ranking in the same location the district posts notice of Board meetings.
9. Once the Phase II rankings have been posted, the Phase III cost proposals will be opened and read aloud at the time and place specified in the RFP. Phase III will account for not less than 40 percent of the total point score as specified in the RFP.
10. The lowest responsive bidder will be awarded the total number of points for Phase III. For all other bidders, cost points will be calculated by reducing the maximum points available in Phase III by at least one percent for each percentage point by which the bidder exceeds the lowest bid.

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11. The points assigned in Phase III will be added to the points given in Phase II to each design-builder. The responsive bidder with the highest number of points will be awarded the contract. All design-builders who participate in Phase II and Phase III will receive a reasonable stipend as detailed in the RFP. Upon payment of the stipend to any unsuccessful design-builder, the district will acquire a nonexclusive right to use the design submitted. Design-builders who decide to retain all rights in the design forfeit the stipend.
12. If the Board, superintendent or designee determines that it is not in the best interest of the district to proceed with the project with the design-builder with the highest number of points, the district will reject all proposals. If this occurs, all qualified and responsible design-builders with lower point totals will receive a stipend, and the design-builder with the highest number of points will receive an amount equal to two times the stipend. The district may solicit new proposals using different design criteria, budget constraints or qualifications.

* * * * *

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

Adopted:

Cross Refs: DGA, Authorized Signatures
DJF, Purchasing

Legal Refs: § 67.5060, RSMo.

Center School District #58, Kansas City, Missouri

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EXPLANATION: CONSTRUCTION CONTRACTS BIDDING AND AWARDS

MSBA has revised this policy for clarity, to better align with state statute and for the following reasons:

1) This policy has been revised to reflect the additional contracting options that school districts now have due to changes in state statute. Section 67.5050, RSMo., authorizes political subdivisions such as school districts to use the construction manager at risk model of construction delivery for construction projects that exceed \$3,000,000. That statute and policy FED outline the mandatory, detailed process for selecting a construction manager when using this model. This policy was modified to specifically reference the construction manager at risk model. Section 67.5060, RSMo., details how political subdivisions such as school districts may use a design-build construction model. That statute and policy FEE outline the specific process for selecting a contractor using this model. This policy was modified to specifically reference the design-build construction model.

2) Senate Bill 182 (2017) amended § 34.209, RSMo., to prohibit governmental entities like school districts from entering into project labor agreements. This policy was amended to remove the reference to project labor agreements.

3) The "Change Orders" section has been modified to provide the district's personal representative the authority to enter into change orders in situations where a delay might negatively impact the district. This change is optional. State statute requires school boards to approve all contracts. Change orders are essentially modifications to the contract. For that reason, Board approval of change orders is important. That said, MSBA recognizes that there are extreme situations where decisions need to be made quickly, and the Board cannot be gathered in a timely manner. In those situations, there should be an alternative, and this language provides the alternative. However, this exception should be used rarely.

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	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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CONSTRUCTION CONTRACTS BIDDING AND AWARDS

The Center School District #58 seeks to provide and maintain safe facilities capable of supporting the education mission of the district, while at the same time utilizing public funds prudently.

Definitions

For the purposes of this policy, the following definitions apply:

Construction – Building a new facility or improving, enlarging, altering, painting, decorating, excavating, demolishing or performing major repairs on an existing facility.

Facility – A building, structure, stadium, field or parking lot, or part thereof, such as a roof or heating or air conditioning system.

Major Repair – Replacement or repair of existing facilities when the size, type or extent of the facility is changed or increased.

Personal Representative – Unless otherwise specified in a construction contract, the district's personal representative is the superintendent or designee.

Project Planning

Construction projects will be planned to cause the least disruption to the district's education program and to ensure the safest possible environment for students, staff and the public. District staff will rely on the district's long-term facilities plan when making decisions regarding construction and major repair of district facilities. The district is committed to providing accessible facilities. All projects will comply with laws regarding accommodations for individuals with disabilities, and the district will consider recommended accommodations as well.

Before bidding a project, the district will determine whether engineering, architectural or land surveying services are required and ~~will select those services whether the district will use a construction manager, a construction manager at risk, a general contractor or a design-build contractor. These professional services will be selected~~ in accordance with law and Board policy. The superintendent or designee is authorized to contact legal counsel for assistance in ~~complying with the applicable laws and~~ drafting or reviewing proposed contract language.

~~The district may enter into a union-only project labor agreement if the district 1) is utilizing no more than 50 percent of state funds on the construction project, 2) conducts an impact analysis, 3) publishes the results of that analysis and the reasons for requiring such an agreement, and 4) holds~~

~~a public hearing, as required by law. The district will publish its determination on whether to require a union-only project labor agreement within 30 days of the public hearing.~~

Purchasing Materials

All materials purchased either directly by the district or indirectly by the contractor or subcontractors must comply with legal requirements, including the purchasing preferences required by law. ~~In addition, materials purchased for use in projects funded by federal awards must comply with federal requirements.~~

Bidding

All construction projects that may exceed an expenditure of \$15,000 shall be advertised in a newspaper of general circulation ~~once a week for two consecutive weeks~~, in accordance with law, and ~~may should~~ also be advertised in ~~places likely to get responses from contractors. Those places should include~~ business, trade or minority newspapers or other modes of communication, such as the district's website or other websites. Projects will not be split or artificially divided for the purpose of avoiding these competitive bidding requirements.

Prior to advertising for bids, the superintendent or designee and the architect or construction manager, if applicable, will draft detailed bid specifications for the construction project. Bid specifications will include all legal mandates including, but not limited to, requiring:

1. Compliance with prevailing wage requirements.
2. Laborers to receive mandatory safety training.
3. Contractors bidding on a contract for services in excess of \$5,000 to provide a sworn affidavit and supporting documentation that affirms the contractor's participation in a federal work authorization program, such as E-Verify, and that the bidder will not employ illegal workers for the project. A contractor is only required to provide this affidavit to the district annually.
4. A performance bond if the project is estimated to exceed \$50,000.

~~The Board of Education~~ ~~district~~ may also require a bidder's bond in an amount determined by the estimated cost of the project.

In accordance with the Sunshine Law and Board policy, the Board may discuss bid specifications in closed session, and the content of those bid specifications will remain confidential until they are

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officially approved by the Board or published for bidding. Likewise, sealed bids and related documents will be closed until the bids are opened.

Sealed bids may be opened at a public meeting of the Board of Education or by administrative personnel. In either case, all bids shall be publicly opened, and the date, time and place of the bid opening shall be included in the bid notice. Notice of the bid opening will also be posted for the public.

The district will not entertain bids that are not made in accordance with the specifications furnished by the district. The district reserves the right to waive minor technical defects in a bid, reject any or all bids, reject any part of a bid and to advertise for new bids. If the scope of the project changes substantially, the district will rebid the project.

The Board will determine which responsible bidder has the lowest bid and direct the superintendent or designee to negotiate a satisfactory contract prior to final approval of the bid.

Contracting

The superintendent or designee is authorized to consult legal counsel regarding contract language. Any contract the district enters into must include all legally required provisions. The contract must be approved by an affirmative vote of a majority of the whole Board to be binding.

Payment and Retainage

Unless contrary to any federal funding requirement or unless funds from a state grant are not received in a timely manner, the district's personal representative will ensure that prompt payment is made to the contractor and any professional engineer, architect, landscape architect or land surveyor in accordance with law and the contract governing the construction project.

The Board must approve the payment of all bills by an affirmative vote of a majority of the whole Board.

The personal representative shall pay any professional engineer, architect, landscape architect or land surveyor the amount due within 30 days following the receipt of an invoice prepared and submitted in accordance with the contract terms. In addition to the payment due, the contracting agency shall pay interest at the rate of one and one-half percent per month, calculated from the expiration of the 30-day period until fully paid.

Contractors

In accordance with law, the district's personal representative may retain a portion of the payment to a contractor, not to exceed five percent of the value of the contract or subcontract, until after the entire project has been completed. If the contractor is not required by law to obtain a bond because the cost of the project is not estimated to exceed \$50,000, the district's personal representative ~~will~~may retain an amount ~~equal to not to exceed~~ ten percent of the value of the contract or subcontract.

When applicable, the architect or construction manager shall approve all payment requests prior to submission to the Board of Education for payment. The superintendent or designee will examine all work performed on projects where no architects or construction managers are used.

Pursuant to prevailing wage laws, an Affidavit of Compliance must be filed with the district before payment will be approved. The district will withhold and retain any amounts due as a result of any violation of the prevailing wage law prior to making final payment with any contractor.

Change Orders

Change orders in excess of \$5,000 will not be approved without Board action ~~except as outlined in this policy~~. The district's personal representative may authorize change orders of less than \$5,000 ~~and but must~~ submit ~~verification~~written documentation of the ~~payment~~change order to the Board as soon as possible. The personal representative may not restructure a change order in an attempt to circumvent the requirement for Board approval.–

~~The personal representative may also approve change orders that exceed \$5,000 if the time it would take to obtain Board approval would negatively affect the construction timeline or project budget and if the change order does not include work outside the scope of the original project that would be considered a new, separate project. This exception should be used rarely, if ever. When used, the personal representative must submit documentation of the change order to the Board immediately with an explanation as to why it was approved prior to Board action, and the change order will be placed on the Board's next meeting agenda for ratification.~~

All change orders approved by the Board or the personal representative shall be documented and retained with other documents related to the construction project. If a submitted change order includes work outside the scope of the original project that results in a substantial change, the Board will rebid the work contained in the change order ~~unless there is evidence that doing so would result in increased costs~~.

REFERENCE COPY

FILE: FEF
Critical

Construction Projects Conducted on Behalf of the District

The district appreciates business and community support of its education mission and welcomes both financial and physical contributions to the district. It is important for taxpayers and patrons to understand that various laws apply to projects conducted on behalf of the district; even ~~if~~ when those projects are not directly funded by the district. Further, because the district facilities are used by a large number of people, it is essential that all construction projects adhere to the highest level of quality and safety. The district and the donor must ensure compliance with all applicable laws before a construction project is conducted on school grounds, regardless of the source of the labor or method of payment.

* * * * *

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

Adopted: 01/19/2000

Revised: 11/27/2000; 03/29/2004; 06/22/2009; 06/28/2010; 06/17/2013; 05/18/2015;

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure
DGA, Authorized Signatures
DJF, Purchasing
DK, Payment Process

Legal Refs: §§ 34.057, .059, .209, .216, 67.5050, .5060, 107.170, 162.301, 177.086, 285.530,
290.210 - .340, 292.675, 432.070 - .080, 493.010 - .140, 610.021, RSMo.
8 C.S.R. 30-3.010 - .060

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: FEF-API
Critical

EXPLANATION: CONSTRUCTION CONTRACTS BIDDING AND AWARDS (Soliciting Bids)

MSBA has revised this procedure to state that the bid specifications will include a copy of the contract the selected bidder will be required to sign. If the district is going to require a contractor to sign a contract, MSBA recommends that districts draft the contract prior to bidding and provide it to all who are interested in the work. It is not best practice to sign contracts the vendor has created, particularly if the district's attorney has not reviewed the contract. Most likely the terms of such contracts will not be favorable to the district.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

FILE: FEF-AP1
Critical

REFERENCE COPY

CONSTRUCTION CONTRACTS BIDDING AND AWARDS (Soliciting Bids)

Definitions

Qualified Newspaper – A newspaper that is published daily, triweekly, semiweekly or weekly; has been admitted to the post office as ~~P~~periodicals ~~C~~class matter in the city of publication; has been published regularly and consecutively for a period of three years; or is a successor newspaper. In first-class counties, a qualified newspaper also includes any newspaper deemed qualified in accordance with law.

Newspaper of General Circulation – A newspaper that has a diverse group of subscribers and contains news of a general character and interest to the community.

Procedures

After authorization from the Board, the superintendent or designee will publish notice of construction projects in excess of \$15,000 in a qualified newspaper of general circulation located in the city where the district is located or, if there is no such newspaper, in a newspaper of general circulation in the county. If there is no such newspaper in the county where the district is located, the bids may be published in an adjoining county. ~~In addition to the newspaper notification required by law, the superintendent or designee may publish notice of the project in other locations likely to generate bids from contractors, including websites, public notice boards and other publications.~~

The district may place notice on the district website and in any of the following qualified newspapers: *The Kansas City Star* or *The Call*.

Notice will appear once a week for two consecutive weeks. The published notice will contain:

1. The district's legal name.
2. Contact information of the individual authorized to respond to questions.
3. A statement that bids are being solicited.
4. A description of the project or services for which bids are being solicited.
5. Directions regarding how to obtain bid specifications.
6. The date, time and place for receipt of bids.

Bid specifications will include:

1. A copy of the contract the selected bidder will be required to sign.
12. Any bid deposit, performance bond or security requirement.
23. Notice that the contractor must follow all provisions of the prevailing wage law and pay at least the prevailing hourly rate of wages, as set out in the wage order, to all workers performing work under the contract. Contractors who do not comply with the law will forfeit a penalty to the district of \$100 per calendar day (or portion of a day) for each worker who is paid less than the prevailing rate for any work done under the contract by the contractor or by any subcontractor. Contractors and subcontractors will be required to complete an affidavit of compliance prior to final payment.
34. Any pre-qualification requirements.
45. The date, time and place of any pre-bidding meeting and whether attendance is required.
56. A statement of the district's position on nonconforming bids.
67. The date, time and place for opening of bids.
78. A statement that all bids must be submitted in writing and sealed.
89. A statement that the Board has the right to reject any and all bids.
910. Notice that all contractors and subcontractors must provide on-site workers a ten-hour program in construction safety and health approved by the Occupational Safety and Health Administration (OSHA) or a similar program approved by the Missouri Department of Labor and Industrial Relations (DOLIR) that is at least as stringent as the OSHA program or have documentation that the workers have previously completed the required program. Bid specifications will also include notice that failure to comply with the law will result in a penalty in the amount of \$2,500 plus \$100 per employee for each calendar day (or portion of a day) the employee is employed without the required training.
1011. Notice that all bidders for contracts that may exceed \$5,000 must provide a sworn affidavit and supporting documentation that affirms the bidder's participation in a federal work authorization program as well as an affidavit that the bidder does not knowingly employ any person who is an unauthorized alien who will be working on the project bid. A contractor is only required to provide the affidavits to the district on an annual basis.

REFERENCE COPY

FILE: FEF-AP1
Critical

~~11~~12. Notice that "transient employers" as defined in § 285.230, RSMo., must file a financial assurance instrument with the director of revenue and provide proof of compliance to the district before work begins, or otherwise provide financial security to the district as required by law. Once work begins, a transient employer must post in a prominent and easily accessible place at the worksite a clearly legible copy of:

- ▶ The notice of registration for employer withholding issued to the transient employer by the director of revenue.
- ▶ Proof of coverage for workers' compensation insurance or self-insurance signed by the transient employer and verified by the Department of Revenue through the records of the Division of Workers' Compensation.
- ▶ The notice of registration for unemployment security.

Bid specifications will also state that any transient employer failing to comply with these requirements will be liable for a penalty of \$500 per day until the notices required by this section are posted as required by statute. Contractors utilizing transient employers as subcontractors are required to ensure that the subcontractors are complying with state statute.

Contractors and subcontractors are required to report to the district the date and amount of any wage subsidy, bid supplement or rebate for employment on a public works project received within 30 calendar days of receipt of payment, as required by state law. Such subsidies, supplements or rebates are prohibited if they reduce the wage rate below the prevailing wage rate. Contractors and subcontractors who do not comply will owe the district a penalty as required by law.

* * * * *

Note: The reader is encouraged to review policies and/or forms for related information in this administrative area.

Implemented: 10/25/2010

Revised: 06/17/2013

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: KBA
Critical

EXPLANATION: PUBLIC'S RIGHT TO KNOW

MSBA recommends that districts RESCIND this policy. Public access to district records is already covered in detail in policy BDDL.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
X	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation	X	Public Info/Communications		Technology

FILE: KBA
Critical

REFERENCE COPY

REFERENCE COPY

FILE: KBA
Critical

PUBLIC'S RIGHT TO KNOW

The Center School District #58 will make district records available to the public in accordance with law. Any person wishing to access records shall make a request to the custodian of records during regular business hours. Anyone requesting a copy of a public record will be charged fees for search and duplication in accordance with Board policy on the release of public information.

Not all district records are available to the public. If the opportunity to inspect or copy a record is denied, the custodian of records will provide a written statement explaining why the request was denied in accordance with law if such an explanation is requested.

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

Adopted: 12/20/1982

Revised: 01/19/2000; 02/26/2001; 08/22/2005

Cross Refs: BDC, Closed Meetings, Records and Votes
BDDG, Minutes
BDDL, Release of Information
GBL, Personnel Records
JO, Student Records

Legal Refs: §§ 160.261.9, 167.020.7, 610.010 - .028, RSMo.
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g
34 C.F.R. Part 99
29 C.F.R. § 1630.14 (Medical Information of Employees)

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: DGA
Critical

EXPLANATION: AUTHORIZED SIGNATURES

MSBA has updated this policy to include necessary signatures for the sale of property per § 177.091, RSMo.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
X	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

FILE: DGA
Critical

REFERENCE COPY

REFERENCE COPY

FILE: DGA
Critical

AUTHORIZED SIGNATURES

The Center School District #58 Board of Education takes its legal and financial responsibilities seriously. The superintendent or designee is directed to create internal controls to ensure that contracts, checks and other official documents are accurate, authorized and signed by the appropriate persons and that necessary actions are taken to prevent mistakes, fraud, embezzlement and district liability.

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

Contracts

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

Employment Contracts

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

Checks

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

Federal and State Grants, Funds or Programs

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

Special Education Mediation and Settlement Agreements

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

Construction Change Orders

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

Lease or Sale of Real Estate

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

Facsimile Signatures

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

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

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

REFERENCE COPY

FILE: DGA
Critical

Electronic Signatures

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

Consequences

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

* * * * *

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

Adopted: 01/18/1982

Revised: 01/19/2000; 02/22/2016;

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

FILE: DGA
Critical

REFERENCE COPY

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

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: KL
Critical

EXPLANATION: PUBLIC CONCERNS AND COMPLAINTS

The Every Student Succeeds Act amended the federal Elementary and Secondary Education Act (ESEA). One of the requirements of this law is that districts have a policy to address allegations that the district is not following federal laws governing federal programs under the ESEA.

The law and the Department of Elementary and Secondary Education now require these complaints to be completely resolved by the district within 35 days. Given this timeline, it is difficult for districts to use the same appeal process used for other complaints and concerns. For this reason, the language specific to complaints regarding federal programs and the process for districts to resolve such complaints has been removed from this policy and included in new policy KLA.

In addition, MSBA has made some minor changes to clarify this policy.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation	X	Public Info/Communications		Technology

FILE: KL
Critical

REFERENCE COPY

REFERENCE COPY

FILE: KL
Critical

PUBLIC CONCERNS AND COMPLAINTS

The Center School District #58 is interested in resolving concerns and hearing complaints from the public regarding district programs and services so that they may be improved and better meet the needs of the students and the community.

The district encourages parents/guardians, students and other members of the public to first discuss concerns with the appropriate district staff prior to bringing the issue to the Board so that the issue may be thoroughly investigated and addressed in a timely fashion. The Board will not act on an issue without input from the appropriate district staff and may require a parent/guardian, patron or student to meet with or discuss an issue with district staff prior to ~~hearing a complaint or~~ making a decision ~~in~~ the matter.

~~The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.~~

~~Complaints regarding district compliance with nondiscrimination laws will be processed according to policy AC. Employee grievances will be processed in accordance with the established employee grievance procedure or as otherwise required by law. Other grievances or complaints for which there is a specific policy or procedure will be addressed pursuant to that policy or procedure.~~

All district employees are expected to answer questions, receive input and professionally address concerns and complaints of parents/guardians, students and other members of the public. If an employee is unable to answer a question or resolve an issue, the employee must direct the person or the question to the appropriate district employee.

Complaint Process

~~Complaints regarding district compliance with nondiscrimination laws will be processed according to policy AC. Employee grievances will be processed in accordance with the established employee grievance procedure or as otherwise required by law. Complaints involving federal programs will be processed in accordance with policy KLA. Other grievances or complaints for which there is a specific policy or procedure will be addressed pursuant to that policy or procedure. If no other policy or procedure applies, the complaint may be brought as described below.~~

Federal Programs

~~In addition to general concerns and complaints, the Board is interested in resolving concerns regarding federal programs including, but not limited to, allegations that the district has violated a~~

~~federal statute or regulation that applies to particular federal programs administered by the district or the Missouri Department of Elementary and Secondary Education (DESE) in accordance with Title I, Parts A, B, C, D; Title II; Title III, Part A.2; Title IV, Part A; Title VI, and Title VII, Part C of the No Child Left Behind Act.~~

~~The superintendent or designee is authorized to contact the district's private attorney for assistance in determining whether a violation has occurred. The superintendent or designee is authorized to immediately make changes to bring the district into compliance with federal law if the investigation determines that the law has been violated.~~

Notice

~~The district will notify all parents/guardians of the process for filing a complaint with the district, including the process outlined in this policy. In addition, the district will provide all parents/guardians a copy of DESE's No Child Left Behind Act of 2001 Complaint Procedures. If a person files a complaint regarding one of the listed federal programs, the person will be provided another copy of DESE's No Child Left Behind Act of 2001 Complaint Procedures if the issue is not resolved at the district level.~~

Process for Resolving a Concern or Complaint

The following steps are to be followed by parents/guardians, students or the public when concerns or complaints arise regarding the operation of the school district that cannot be addressed through other established policies or procedures.

1. Concerns or complaints should first be addressed to the teacher or employee directly involved.
2. Unsettled matters from (1) above or concerns or complaints regarding individual schools should be presented in writing to the principal of the school. ~~If the complaint is regarding a federal program listed above, the complaint must specify the federal law or regulation alleged to have been violated and the facts supporting the allegation.~~ The principal will provide a written response to the individual raising the concern ("complainant") within five business days of receiving the complaint or concern unless additional time is necessary to investigate or extenuating circumstances exist.
3. Unsettled matters from (2) above or concerns or complaints regarding the school district in general should be presented to the superintendent or designee in writing. The superintendent or designee will provide a written response to the ~~individual voicing the concern~~ complainant within five business days of receiving the concern or complaint, unless additional time is necessary to investigate or extenuating circumstances exist.

REFERENCE COPY

FILE: KL
Critical

4. If the matter cannot be settled satisfactorily by the superintendent or designee, a member of the public may request that the issue be put on the Board agenda, using the process outlined in Board policy. In addition, written comments submitted to the superintendent or the secretary of the Board that are directed to the Board will be provided to the entire Board. ~~The Board is not obligated to address a complaint. If the Board decides to hear the issue, the Board's decision is final. Otherwise, the superintendent's decision on the issue is final.~~
5. ~~For most complaints, the Board's decision is final. However, if the complaint involves one of the federal programs listed above, the individual may appeal the issue to DESE.~~

Documentation and Release of Information

~~The district will maintain a copy of the complaint and documentation of any written resolution, when applicable, in accordance with law. If the complaint involves a federal program listed above, the superintendent or designee will complete a written summary of the investigation and, if a violation has occurred, a description as to how the matter was resolved. The written summary must be completed within 45 calendar days of the complaint being filed with DESE if the complaint is first filed with DESE.~~

~~Records will be released upon request when required by law. In situations where a violation of law has been alleged or determined or documents include legal advice or work product, the superintendent or designee will have the district's attorney review the documents before they are released to DESE, the person complaining or any other person.~~

Prohibition against Retaliation

~~The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.~~

* * * * *

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

Adopted: 12/20/1982

Revised: 01/19/2000; 08/28/2000; 09/24/2001; 06/28/2004; 02/22/2016;

FILE: KL
Critical

REFERENCE COPY

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
BDDH, Public Participation at Board Meetings
GBM, Staff Grievances
IGBC, Parent/Family Involvement in Instructional and Other Programs
IGBCA, Programs for Homeless Students
IGDBA, Distribution of Noncurricular Student Publications

Legal Refs: ~~No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 - 7941~~ The Elementary and
Secondary Education Act, 20 U.S.C. §§ 6301 - 7941

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: KLA
Critical

EXPLANATION: CONCERNS AND COMPLAINTS REGARDING FEDERAL PROGRAMS

MSBA has created this NEW policy to address allegations that the district has violated federal law in a program governed by the Elementary and Secondary Education Act (ESEA), otherwise known as the Every Student Succeeds Act. One of the requirements of this law is that districts have a policy to address allegations that the district is not following federal laws governing federal programs under the ESEA, such as the district's English Learner program or Title I program.

The law and the Department of Elementary and Secondary Education's (DESE) complaint process now require the district to investigate and submit a summary to DESE in 35 days. For that reason, MSBA has created this separate complaint policy where the public is instructed to contact the superintendent or designee, as opposed to addressing the concern at a lower level. A copy of DESE's complaint procedures can be found at: <https://dese.mo.gov/sites/default/files/qs-fedcomp-Complaint-Procedures-ESSA.pdf>.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation	X	Public Info/Communications		Technology

FILE: KLA
Critical

REFERENCE COPY

REFERENCE COPY

FILE: KLA
Critical

CONCERNS AND COMPLAINTS REGARDING FEDERAL PROGRAMS

The Center School District #58 receives funds under the federal Elementary and Secondary Education Act (ESEA) and is required to follow federal statutes and regulations regarding the programs governed by the ESEA. If any individual or organization (person) has a complaint or is concerned that the district may be violating these laws, the Board wants the superintendent or designee to immediately investigate and address the issue. For that reason, the Board has adopted this policy to address specific allegations of violations of federal statutes and regulations governing Title I, Parts A, B, C, D; Title II; Title III; Title IV, Part A; or Title V of the ESEA.

Process

The district will use the following process to address specific allegations that the district has violated a federal statute or regulation regarding a program under the ESEA:

1. The person with the complaint ("complainant") must present a written complaint to the superintendent or designee that specifies the federal law or regulation alleged to have been violated and the facts supporting the allegation. Alternatively, the Department of Elementary and Secondary Education (DESE) will forward a complaint from a complainant to the district for resolution.

The superintendent or designee will investigate and provide a written response to the complainant within five business days of receiving the complaint unless additional time is necessary to investigate or extenuating circumstances exist. The superintendent or designee is authorized to contact the district's private attorney for assistance in determining whether a violation has occurred.

2. If the complainant is not satisfied, he or she may request that the issue be placed on the Board agenda at the next Board meeting, using the process outlined in Board policy.

The superintendent or designee will notify the complainant of the Board's decision and will provide the complainant a copy of DESE's Every Student Succeeds Act of 2015 (ESSA) Complaint Procedures.

3. If the Board does not hear the issue or if the complainant is not satisfied with the Board's response, the complainant may appeal the issue to DESE in accordance with DESE's complaint procedures.

Documentation and Release of Information

The district will maintain a copy of the complaint, a written record of the investigation and documentation of any written resolution, when applicable, in accordance with law. The superintendent or designee will complete a written summary of the investigation and, if a violation has occurred, a description of how the matter was resolved. If the complaint was first filed with DESE, the written summary must be completed within 35 calendar days of the complaint being filed with DESE and must be submitted to DESE.

The summary will be released upon request when required by law. The superintendent or designee will have the district's attorney review the documents before they are released to DESE, the complainant or any other person to protect the confidentiality of legal advice.

Prohibition against Retaliation

The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.

* * * * *

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

Adopted:

Cross Refs: IGBC, Parent/Family Involvement in Instructional and Other Programs
IGBCA, Programs for Homeless Students
IGDBA, Distribution of Noncurricular Student Publications

Legal Refs: The Elementary and Secondary Education Act, 20 U.S.C. §§ 6301 - 7941

Center School District #58, Kansas City, Missouri

REFERENCE COPY

FILE: GBL-API
Critical

EXPLANATION: PERSONNEL RECORDS

MSBA has revised this procedure to include additional records that are commonly found in personnel files. MSBA has also removed various references regarding records retention. The Secretary of State's retention schedules change frequently, and many of these references have become outdated. MSBA is recommending that the procedure simply reference the retention manuals, which can be found at:

General Records Retention Schedule:

<https://www.sos.mo.gov/CMSImages/LocalRecords/General.pdf>

Public School Records Retention Schedule:

<https://www.sos.mo.gov/CMSImages/LocalRecords/PublicSchool.pdf>

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
X	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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PERSONNEL RECORDS

Master Employee Personnel File

A master employee personnel file may contain, but is not limited to:

1. Applications.
2. Evaluations and other performance documentation.
3. Salary records, including wage and tax statements (W-2 forms).
4. Payroll withholding records, including withholding allowance certificates (W-4 forms).
5. Leave requests, Summary records of leaves taken, and leave balance reports.
6. Personal information including, but not limited to: name, address, telephone number, emergency numbers and spouse.
7. Individual employment contract.
8. Employee benefit records.
9. Time and attendance records.
10. Equal Employment Opportunity (EEO) records.
11. Training records.
12. Unemployment insurance case file.
13. Workers' Compensation case file.

In accordance with the retention schedule established by the Missouri Secretary of State's Office, records in a master employee personnel file will be retained for 75 years from the date of hire with the following exceptions:

1. Employee benefit records, other than year-end leave balance reports and the official copy of retirement enrollment records, will be retained for three years after employee separation or eligibility for the benefit has expired. Year-end leave balance reports and the official copy of retirement enrollment records will be retained for the full 75 years.

2. ~~Withholding allowance certificates (W-4 forms) and wage and tax statements (W-2 forms) will be retained for five years after employee separation or after the form has been superseded.~~
3. ~~Records relating to employee leave requests will be retained for three years after completion of an audit of these records.~~

All personnel records will be retained in accordance with the most current versions of the *Public School Records Retention Schedule* and the *General Records Retention Schedule*, both of which are published by the Missouri Secretary of State.

Immigration Records File

Each employee must complete an Eligibility Verification (I-9) Form and produce documents that establish his or her identity and eligibility to work. Form I-9 contains a list of documents that will fulfill this requirement. The district will retain I-9 forms for three years or the length of employment plus one year, whichever is greater, and shall maintain them in a separate file from the employee's other personnel records.

The district will also participate in a federal work authorization program to further verify the employment eligibility of every employee. This verification only applies to employees hired after the district's enrollment in the program. The district will retain a copy of the dated verification report in the same file and for the same length of time as the employee's I-9 form.

The district will also retain documentation associated with a Social Security Administration no-match letter.

Employee Health and Medical File

Employee health and medical records shall be kept in a file separate from the employee's other personnel records. The employee health and medical file may contain, but is not limited to:

1. Medical examination records and related documentation.
2. Records pertaining to an employee's disability, including documentation of employer accommodations.
3. Documentation of work-related illnesses or injuries.
4. Records of exposure to hazardous conditions or materials.

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5. Drug-testing records.
6. Physician statements.
7. First aid incident reports.
8. FMLA-related records.

~~In accordance with the retention schedule established by the Missouri Secretary of State's Office, the district shall retain records in this file for seven years after separation except that records relating to hazardous exposure shall be retained for 30 years after separation.~~

Record Access

Personnel records are closed, as authorized by law. Only authorized school officials shall have access to an employee's personnel records without the written consent of the employee. Medical records and I-9 forms will be available only to school officials who need to know the information contained in those records. Board members will have access to an employee's personnel file only ~~when necessary for Board business as determined by their~~ in accordance with Board policy GBL.

* * * * *

Note: The reader is encouraged to review policies and/or forms for related information in this administrative area.

Implemented: 06/27/2011

Revised:

Center School District #58, Kansas City, Missouri

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FILE: GBL-AP2
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EXPLANATION: **PERSONNEL RECORDS** (*Immigration Records*)

The district should REMOVE this procedure. Pertinent information from this procedure has been updated and incorporated into GBL-AP1.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
X	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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PERSONNEL RECORDS

(Immigration Records)

The Immigration Reform and Control Act requires all employers to hire only American citizens and aliens who are authorized to work in the United States. The law seeks to preserve jobs for those who are legally entitled to them. The Center School District #58 will implement the following procedures to assure compliance with the law:

- A. Any employee hired after November 6, 1986, will complete an Eligibility Verification Form (Form I-9), and will produce documents that will establish his or her identity and eligibility to work. (Form I-9 contains a list of documents that will fulfill this requirement.)
- B. The school district will retain an individual's Form I-9 for three (3) years after the date of hire or one (1) year after the individual is terminated, whichever is later.
- C. The forms may be reviewed by the Immigration and Naturalization Service and potentially by other federal agencies. In order to minimize potential intrusion, Eligibility Verification Forms will be maintained separate from the employee's personnel files.

* * * * *

Note: The reader is encouraged to review policies and/or forms for related information in this administrative area.

Reapproved: 03/29/2004

Implemented: 01/19/2000

Center School District #58, Kansas City, Missouri

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FILE: KB-API
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EXPLANATION: PUBLIC INFORMATION PROGRAM

This procedure has been amended to include several new legal requirements.

1. The Every Student Succeeds Act (ESSA), which amended the Elementary and Secondary Education Act (formerly referred to as the No Child Left Behind Act), now requires district report cards to be distributed on the district's website. If the district does not have a website, they must be distributed in another manner as determined by the district. If your district does not have a website, it should not make the change to item number four of this procedure.
2. The ESSA now requires districts to provide parents/guardians and students additional information about assessments. At the beginning of the year, the district must notify parents/guardians and students about the rules for participation in assessments and provide information on whether parents/guardians or students can opt out of the assessments. Because Missouri requires all students to participate in assessments, and there is no provision for allowing students to opt out (and in fact there are penalties if many students do), districts should clearly inform parents/guardians and students that everyone must participate.
3. The ESSA also requires the district to post on the district website information regarding assessments required by state and federal law, including the subject matter being assessed, the purpose of the assessment, the law requiring the assessment, and where more information about the assessment may be obtained. The district also needs to state the amount of time the students will spend on the assessments, the schedule for the assessments and the time and format for disseminating the results, when such information is available. If practical, the information also needs to be included on the website of each individual school building.
4. The U.S. Department of Agriculture (USDA) now requires districts to have a specific policy or practice addressing unpaid meal charges. MSBA has a model procedure for unpaid meal charges, EF-API. In addition to having a policy or practice, districts are required to notify each "household" in the district about the district's practice for dealing with unpaid meal charges. The USDA has clearly stated that simply posting the policy or procedure on the district's website is insufficient and requires the district to provide a written copy. The USDA suggests districts meet this requirement by including meal charge information:

- ▶ **With student enrollment information.**
 - ▶ **In print versions of student handbooks.**
 - ▶ **Along with information about free and reduced-price meals.**
5. **The district is required to provide secondary students' contact information to military recruiters and institutions of higher education that request that information under federal law. However, parents/guardians may notify the district in writing that they do not want their student's information shared without written consent from the parent/guardian. The law, as amended by the ESSA, now requires districts to notify parents/guardians of their ability to opt out.**
6. **Section 105.1445, RSMo., requires all public employers in the state to provide up-to-date, accurate and complete information to each new employee regarding eligibility for public service loan forgiveness. Information must be provided to new employees within ten days of beginning employment. The Missouri Department of Higher Education is required to develop the information that the district is required to provide. The information can be found at:**
- <http://dhe.mo.gov/resources/publicserviceemployees.php>.**
7. **Section 210.003, RSMo., requires districts to notify the parents/guardians of students in preschool, daycare or nursery school that they may request notice from the district as to whether there are any children in the facility who are attending under an immunization exemption. A student who qualifies for an immunization exemption is not required to be immunized. The parents/guardians are not entitled to know which student has not been immunized or the reason for the exemption.**
8. **Section 160.975, RSMo., requires districts to post information about reporting child abuse and neglect in a public area in each school building and in all student restrooms. The poster must be in both English and Spanish and must be at least 11 x 17 inches. Sample posters can be downloaded at <http://dss.mo.gov/cd/can.htm>.**
9. **Section 161.1050, RSMo., requires the Department of Elementary and Secondary Education (DESE) to create a website about the Trauma-Informed Schools Initiative that includes information for schools and parents/guardians. That same law requires districts to provide the address of the website to parents/guardians annually by October 1. The website is <http://motraumaschools.com>.**
10. **Section 160.775, RSMo., changed requirements for district bullying policies and district obligations to prevent, report and investigate bullying. Districts are now required to give students, parents/guardians and staff annual notice of the district's bullying policy.**

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11. Under the ESSA, districts are now required to notify parents/guardians at the beginning of each school year that they may request the following information:
- ▶ Whether the student's teacher is certified to teach in the grade levels and subject areas in which the teacher provides instruction;
 - ▶ Whether the student's teacher is teaching under emergency or other provisional certification status; and
 - ▶ Whether the student is provided services by a paraprofessional and, if so, the qualifications of the paraprofessional.

An example of the notification can be found at:

<https://dese.mo.gov/sites/default/files/qs-fc-Parents-Right-to-Know-ESSA-2017.pdf>.

12. The ESSA also requires districts to notify parents/guardians of students attending Title I schools if their student has been taught for four consecutive weeks by a teacher who is not certified in the grade level or subject.
13. The ESSA requires districts that receive a grant or subgrant from the U.S. Department of Education (ED) to display in a public place the contact information of the Office of Inspector General of the ED so that improper use of taxpayer funds may be reported. The law does not require this posting in every building, just "a public place." Not all districts receive grants or subgrants from the ED. If your district does, the district may decide where to post the information. A sample poster can be found at:
- <http://www2.ed.gov/about/offices/list/oig/invtreports/hotlineposter.pdf>.
14. The McKinney-Vento Homeless Assistance Act, as amended by the ESSA, now requires districts to do more to actively identify homeless students. One of the new requirements is that districts must now more actively seek to identify homeless students by distributing information about the rights of homeless students in areas that homeless families might frequent, including "schools, shelters, public libraries, and soup kitchens." The U.S. Department of Education has created posters for districts to use at: http://center.serve.org/nche/pr/er_poster.php.

FILE: KB-AP1

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	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation	X	Public Info/Communications	X	Technology

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FILE: KB-AP1
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PUBLIC INFORMATION PROGRAM

In addition to the information addressed in the district's communications plan and notices provided to district employees, the district will provide information to the public and the media as required by law, including the Missouri Sunshine Law. The following information will be provided to the public upon request or as otherwise designated:

1. Notice of all Board meetings and meetings of committees created by or at the direction of the Board will be posted at the district's administrative offices and on the district's website when required by law. (§ 610.020, RSMo.)
2. All written Board policies, related documents and district handbooks will be available on the district's website. (§ 162.208, RSMo.)
3. A written copy of the district's discipline policy will be provided to the student and parent/guardian of every student enrolled in the district at the beginning of every school year and made available in the superintendent's office during normal business hours for inspection. (§ 160.261, RSMo.)
4. A school accountability report card for each school building in the district and the district as a whole will be produced in accordance with law and made available to the public on the district's website. The district will provide information included in the report card to parents/guardians, community members, the print and broadcast news media, and legislators by December 1 annually or as soon thereafter as the information is available to the district. The district will distribute the information in substantive official communications such as student report cards. The district will make reasonable efforts to supply copies of the reports or other information regarding the reports to businesses such as real estate and employment firms, so that parents/guardians and businesses from outside the district that may be contemplating relocation have access to this information. (20 U.S.C. § 6311, § 160.522, RSMo.)
5. The district's policy on student participation in statewide assessments will be distributed to each student and parents/guardians of minor students at the beginning of each year. A copy will also be maintained in the district office for public viewing during business hours. At the beginning of each school year, the district shall notify the parents/guardians of each student that the district will provide, upon request and in a timely manner, information regarding any state or district policy regarding student participation in any assessments. The notice will include information on whether a parent/guardian can opt a student out of an assessment and, if so, the procedure for doing so. (20 U.S.C. § 6312, § 160.570, RSMo.)

6. The district shall post on the district's website and, where practicable, on the website of each district school, information on any assessments required by state or federal law, including any assessments required by the district. The information shall include the subject matter being assessed, the purpose for the assessment, the source of the requirement for the assessment, and where the information on the assessment is available. The information shall also include the amount of time students will spend taking the assessments, the schedule for the assessments, and the time and format for disseminating the results, when such information is available. (20 U.S.C. § 6312)
7. Information, presented in terms understandable to a layperson, on the methods and materials used to teach reading in kindergarten through fourth grade will be available in the district's administrative offices. (§ 167.645, RSMo.)
78. Information, presented in a way that does not permit personal identification of any student or educational personnel, on the number and percentage of students receiving remediation because they have not met reading standards on the state-mandated reading assessment will be available in the district's administrative offices. (§ 167.645, RSMo.)
89. All human sexuality curriculum materials will be available to the public at the district's administrative offices. Parents/Guardians will be notified regarding the basic content of sexuality instruction and of their right to remove the student from any aspect of the program. (§ 170.015, RSMo.)
910. Notification that the district does not tolerate illegal discrimination or harassment and information about the procedures for filing a harassment or discrimination complaint will be posted in all buildings and included in district publications in addition to being available in the district's administrative offices. (34 C.F.R. § 104.8, 106.8, 106.9; OCR Guidance)
101. Information regarding schools identified as persistently dangerous under federal law and an explanation of any options that parents/guardians have as a result of the designation will be available in the district's administrative offices. (No Child Left Behind Federal Guidance)
112. Information on the district's obligations under the Individuals with Disabilities Education Act (IDEA) will be provided to the public by conducting the following activities prior to November 1 each year:
 - ▶ Publish one public notice on the district's website that describes the school district's responsibility to provide special education and related services to children ages 3 to 21. The notice must also describe the district's responsibility to refer infants and toddlers suspected of having a disability to the state early intervention system.

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- ▶ Air one public notice on local radio and/or television stations during general viewing/listening hours that describes the school district's responsibility to provide special education and related services to children ages 3 to 21.
 - ▶ Place posters/notices in all administrative offices of each building operated by the school district that describe the district's responsibility to provide special education and related services to children ages 3 to 21.
 - ▶ Provide written information through general distribution to the parents/guardians of students enrolled in the school district that describes the school district's responsibility to provide special education and related services to children ages 3 to 21. (State Plan for Special Education)
123. The district will provide information about the state children's health insurance program, MO HealthNet for Kids (MHK), to parents/guardians enrolling students in the district. If a parent/guardian indicates on an application for free and reduced-price meals that a child does not have health insurance, the district will notify the parent/guardian that the MHK program is available, if household income is within eligibility standards. (§ 208.658, RSMo.)
134. The district will distribute information about the district's nutrition program, including breakfast, lunch and snack programs administered pursuant to the National School Lunch Program. Information about the School Breakfast Program must be distributed just prior to or at the beginning of the school year. In addition, schools are encouraged to send reminders regarding the availability of the School Breakfast Program multiple times throughout the school year. (7- C.F.R. § 210.12)

The district will publicly announce the eligibility criteria for free and reduced-price meals to each parent/guardian at the beginning of each school year or within ten days after the state notifies the district of the approved eligibility criteria if such notice is received after the beginning of the school year. Any subsequent changes in a school's eligibility criteria during the school year shall be publicly announced in the same manner as the original criteria were announced. The announcement will be made in the following manner:

- ▶ Except in situations where students are directly certified for the program, on or about the beginning of each school year, the district will distribute a free and reduced-price meals application and a letter or notice explaining the eligibility criteria for the Free and Reduced-Price Meals Program and other details of the program to the parents/guardians of all children in attendance at the school.
- ▶ On or about the beginning of each school year, the district will provide a public release containing the same information supplied to parents/guardians, including free

and reduced-price meals eligibility criteria, to the informational media, the local unemployment office and any major employers contemplating large layoffs in the area. Copies of the public release shall be made available upon request in the district's administrative offices to any interested persons. (7 C.F.R. §245.5)

145. The district will cooperate with Summer Food Service Program (SFSP) sponsors in the area, if any, to distribute materials informing families of the availability and location of free SFSP meals for students when school is not in session. (7 C.F.R. § 210.12)
156. The district will provide written notice of the district's procedure on unpaid meal charges to each household in the district at the beginning of each school year and maintain a copy of the procedure on the district's website. In addition, a copy of the procedure will be provided to households of students who transfer into the district during the school year. (Federal Guidance)
17. The district will annually distribute information about concussions and brain injuries to each student participating in district athletic activities. Parents/Guardians must submit a signed acknowledgment of having received the information before the student will be allowed to participate. (§ 167.765, RSMo.)
168. The district will annually notify parents/guardians and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA). The district will also provide:
- ▶ Notice of the categories of information the district has designated as public directory information. (34 C.F.R. §§ 99.7, 99.37)
 - ▶ Notice to parents/guardians of secondary school students of the district's obligation to release the names, addresses and telephone listings of secondary school students to representatives from institutions of higher education and military recruiters unless the parents/guardians request otherwise. Parents/Guardians and secondary school students who are at least 18 may submit a written request not to release the information without prior written consent of the parent/guardian or student. (20 U.S.C. § 7908)
179. The district will provide notice to parents/guardians and students at the beginning of every school year, and within a reasonable time after any substantive change to the district's policies, detailing the following:
- ▶ No student, without prior parental consent, or the consent of the student if the student is an adult or an emancipated minor, shall be required as part of any federally funded program to submit to a survey, analysis or evaluation that reveals the political

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affiliations or beliefs of the student or student's parent/guardian; mental or psychological problems of the student or student's family; sex behavior and attitudes; illegal, antisocial, self-incriminating and demeaning behavior; critical appraisals of other individuals with whom there is a close family relationship; legally recognized privileges; income, unless required to determine eligibility for financial aid or participation in a program; or religious practices, affiliations or beliefs of the student or the student's parent/guardian.

- ▶ Prior notice of a survey the district administers on any of the above subjects, even if they are not federally funded, and information on how parents/guardians can opt their students out of the survey.
 - ▶ The right of a parent/guardian to inspect surveys before they are given and instructional material upon request, and the procedures for doing so. (20 U.S.C. §1232h)
- ~~1820~~. At the beginning of every school year, and within a reasonable time after any substantive change in the district's policies, the district will notify parents/guardians of the specific or approximate dates on which any nonemergency invasive physical examination or screening will be performed that is required as a condition of attendance, administered by the school, scheduled in advance, not necessary to protect the immediate health or safety of the student and that exposes private body parts or includes incision, insertion or injection into the body. The notice need not include hearing, vision or scoliosis screenings. The notice will offer an opportunity for the parents/guardians or a student of appropriate age to opt out of the activity. Currently the district does not conduct such examinations, and there are no plans to initiate them in the future. (20 U.S.C. § 1232h)
- ~~1921~~. At the beginning of every school year, and within a reasonable time after any substantive change in the district's policies, the district will notify parents/guardians of the specific or approximate dates on which personal information about students will be collected, disclosed or used if that information will be used for marketing or selling or otherwise provided to others for that purpose. The notice will offer an opportunity for the parents/guardians or a student of appropriate age to opt out of the activity. (20 U.S.C. § 1232h)
- ~~2022~~. The district will inform students or their parents/guardians about asbestos inspections, reinspections, surveillance, response actions and post-response action activities at least once a year. (40 C.F.R. § 763.84)
- ~~2123~~. At the beginning of each school year the district will distribute earthquake information prepared by the Federal Emergency Management Agency (FEMA), the State Emergency

Management Agency (SEMA) or by other agencies that are experts in the area of earthquake safety. (§ 160.455, RSMo.)

24. The district will provide current, accurate and complete information to each new employee regarding eligibility for public service loan forgiveness. The notice will be provided within ten days following the start of employment. (§ 105.1445, RSMo.)
25. The district will notify parents/guardians at the time of initial enrollment of their student in district-sponsored preschools, daycare centers or nursery schools that they may request notice from the district as to whether any students currently enrolled in or attending the facility have an immunization exemption on file with the district. (§ 210.003, RSMo.)
26. The district will post in a public area of each school and in all student restrooms a sign that contains the toll-free child abuse and neglect hotline number established by the Children's Division of the Department of Social Services. The text of the signs will be in both English and Spanish, be on a poster at least 11 x 17 inches, contain large print and be placed at eye level to the student. (§ 160.975, RSMo.)
27. The district will provide the address of the Department of Elementary and Secondary Education's website on the Trauma-Informed Schools Initiative to parents/guardians before October 1 of each school year. (§ 161.1050, RSMo.)
28. The district will provide annual notice to students, parents/guardians and staff of policy JFCF, Bullying. (§ 160.775, RSMo.)
29. At the beginning of each school year, the district will notify parents/guardians with students attending a school that receives Title I funds that they may request information regarding whether the student's teacher is certified to teach in the grade levels and subject areas in which the teacher provides instruction; whether the student's teacher is teaching under emergency or other provisional certification status; and whether the student is provided services by a paraprofessional and, if so, the qualifications of the paraprofessional. (20 U.S.C. § 6312)
30. In accordance with federal law, if a student attends a school that receives Title I funds and has been assigned to or taught for four or more consecutive weeks by a teacher who is not certified at the grade level and subject area in which the teacher provides instruction, the district will provide timely notification to the student's parents/guardians. (20 U.S.C. § 6312)
31. If the district receives a grant or subgrant from the U.S. Department of Education (ED) under the Elementary and Secondary Education Act of 1965, the district will display in a public place the hotline contact information for the Office of Inspector General of the ED, so that

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any individual who observes, detects or suspects improper use of taxpayer funds can easily report such improper use. (20 U.S.C. § 7933)

32. The district will disseminate notice of the rights of homeless children and youth in locations frequented by parents/guardians of such children and youth, and unaccompanied youth, including schools, shelters, public libraries and soup kitchens. (42 U.S.C. § 11431)

* * * * *

Note: The reader is encouraged to review policies and/or forms for related information in this administrative area.

Implemented: 11/24/2014

Revised:

Center School District #58, Kansas City, Missouri

