

TRADITION COMPASSION PRIDE

Student-Parent Handbook Addendum

2023-2024

SMITHVILLE



School District

Tradition of Excellence



DISTRICT OFFICE
655 SOUTH COMMERCIAL AVENUE, SMITHVILLE, MO 64089
P: (816) 532-0406
F: (816) 532-4192
SmithvilleSchoolDistrict.net

Our District Mission:

Building on a **TRADITION OF EXCELLENCE** in a community filled with **WARRIOR PRIDE**, the mission of the **SMITHVILLE SCHOOL DISTRICT** is to educate and prepare **ALL STUDENTS** for their **FUTURE** by providing **RELEVANT, ENGAGING OPPORTUNITIES** for **EACH STUDENT** to reach their **UNIQUE** and **FULL** potential.

You can find more information about the District including news updates, a calendar of events, staff contact information, board policies, cancellation of school procedures, etc. on our website.

District Website: <http://smithvillewarriors.net>

SMITHVILLE R-II SCHOOL DISTRICT PUBLIC NOTICE

All responsible public agencies are required to locate, evaluate, and identify children with disabilities who are under the jurisdiction of the agency, regardless of the severity of the disability, including children attending private schools, children who live outside the district but are attending a private school within the district, highly mobile children, such as migrant and homeless children, and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade. The Smithville School District assures that it will provide a free, appropriate public education (FAPE) to all eligible children with disabilities between the ages of 3 and 21 under its jurisdiction. Disabilities include autism, deaf/blindness, emotional disorders, hearing impairment and deafness, intellectual disability, multiple disabilities, orthopedic impairment, other health impairments, specific learning disabilities, speech or language impairment, traumatic brain injury, visual impairment/blindness and young child with a developmental delay.

The Smithville School District assures that it will provide information and referral services necessary to assist the State in the implementation of early intervention services for infants and toddlers eligible for the Missouri First Steps program.

The Smithville School District assures that personally identifiable information collected, used, or maintained by the agency for the purposes of identification, evaluation, placement or provision of FAPE of children with disabilities may be inspected and/or reviewed by their parents/guardians. Parents/guardians may request amendment to the educational record if the parent/guardian believes the record is inaccurate, misleading, or violates the privacy or other rights of their child. Parents have the right to file complaints with the U.S. Department of Education or the Missouri Department of Elementary and Secondary Education concerning alleged failures by the district to meet the requirements of the Family Educational Rights and Privacy Act (FERPA).

The Smithville School District has developed a Local Compliance Plan for the implementation of State Regulations for the Individuals with Disabilities Education Act (IDEA). This plan contains the agency's policies and procedures regarding storage, disclosure to third parties, retention and destruction of personally identifiable information and the agency's assurances that services are provided in compliance with the General Education Provision Act (GEPA). This plan may be reviewed at the Smithville Board of Education office, 655 S. Commercial Ave, Smithville, MO 64089. The telephone number is (816) 532-0406 between the hours of 7:30-3:30, Monday thru Friday. This notice will be provided in native languages as appropriate.

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**SMITHVILLE R-II SCHOOL DISTRICT
NOTIFICATION OF RIGHTS UNDER THE
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over eighteen years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible student should submit to the building Principal a written request that identified the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA. Parent or eligible student may ask the School to amend a record that they believe is inaccurate. They should write the building Principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the School decided not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purpose of the student's enrollment or transfer.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District comply with requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Smithville R-II

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED).
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student’s parent; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- Inspect, upon request and before administration or use
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Smithville R-II School District will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Smithville R-II School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Smithville R-II School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Smithville R-II School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

SMITHVILLE R-II SCHOOL DISTRICT
SPECIAL SERVICES

Local school districts in the state of Missouri are required to conduct an annual census of all children with disabilities or suspected disabilities that reside in the district from birth to age 21. This census must be compiled by December 1 of each year. This information is treated as confidential and must include: name of the child; parent or legal guardian's name and address; birthdate and age of the child; the child's disability; and the services provided to the child. If you have a child with a disability or know of a child with a disability who is not attending public school, please contact the district office.

Students with disabilities are entitled to a Free Appropriate Public Education. These rights are ensured under state law, federal law, and District Policy. Parents or teachers may refer to the principal those students who demonstrate learning and other problems. The principal and a school support team will make recommendations to the regular classroom teacher for alternative intervention strategies prior to referral for a special education evaluation. Placement in special education programs is based on evaluation results, the development of an Individualized Education Program (IEP) and parental consent. The student's parent/guardian has access to the results of the evaluation and may participate in the development of the IEP. Parent/Guardian maintain the right to inspect all information which is subject to collection and appeal the accuracy of such information. Services are provided to students who meet eligibility criteria in the following categories: autism, deaf/blindness, emotional disturbance, hearing impairment and deafness, intellectual disabilities, multiple disabilities, orthopedic impairment, another health impairment, specific learning disabilities, speech or language impairment, traumatic brain injury, visual impairment/blindness and developmental delay. Parents and students are advised of their rights, including the right to an impartial due process hearing if disagreements between the parent and the school cannot otherwise be resolved.

The Smithville R-II School District has developed a local compliance plan for the implementation of the Individuals with Disabilities Education Act (IDEA). This plan may be reviewed at the Smithville R-II School District Office. Questions concerning services for students with disabilities may be directed to the Principal, Counselors, Process Coordinators, or the District Special Services Office.

Smithville School District

504 PUBLIC NOTICE

The Smithville School District, as a recipient of federal financial assistance from the United States Department of Education that operates a public elementary or secondary education program and/or activity, is required to undertake to identify and locate every qualified person residing in the District who is not receiving a public education; and take appropriate steps to notify disabled persons and their parents or guardians of the District's duty.

The Smithville School District assures that it will provide a free appropriate public education (FAPE) to each qualified disabled person in the District's jurisdiction regardless of the nature or severity of the person's disability. For purposes of Section 504 of the Rehabilitation Act of 1973, the provision of an appropriate education is the provision of regular or special and related aids and services that (i) are designed to meet individual educational needs of disabled persons as adequately as the needs of nondisabled persons are met and (ii) are based on adherence to procedures that satisfy the requirements of the 504 federal regulations.

The Smithville School District has developed a 504 Procedures Manual for the implementation of federal regulations for Section 504 of the Rehabilitation Act, Subpart D. This Procedures Manual may be reviewed upon request by contacting the Director of Student Services at (816) 532-0406.

This notice will be provided in native languages as appropriate.

Parent and Student Rights Under Section 504/ADA

The following is a description of student and parent rights granted by federal law. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your right. If you disagree with any of these decisions, **YOU HAVE THE RIGHT TO:**

1. Have your child take part in and receive benefits from public education programs without discrimination based on a disability.
2. Have the school advise you of your rights under federal law.
3. Receive notice with the respect to Section 504 identification, evaluation or placement of your child.
4. Have your child receive a free appropriate public education (FAPE). This includes the right to be educated with other students to the maximum extent appropriate. It also includes the right to have the school make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to students without disabilities.
6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA) (PL-476), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by individuals who know the student, disability, evaluation data, and placement options. Parents of a child with a disability have a responsibility of providing the school district with access to information regarding the child with a disability.
8. Have transportation provided to a school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the school district.
9. Give your child an equal opportunity to participate in non-academic and extracurricular activities offered by the school district.
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational programs and placement.
11. Request amendments of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of your child's privacy rights.
12. File a local grievance with your school district if you feel your child is being discriminated against because of their disability. If not satisfied with local hearing, a Notice of Appeal may be filed in accordance with the Smithville School District 504 Grievance Procedures.
13. You have the right to: Request an impartial hearing if you disagree with the school district's decisions regarding your child's Section 504 identification, evaluation, or educational placement. You and your child have the right to take part in the hearing and to contact the Office of Civil Rights or other agencies.

**The designated district 504 Coordinator is
Director of Special Services
655 S. Commercial Ave
Smithville, MO 64089
816-532-0406**

Section 504 / ADA
Notice of Non-Discrimination

In accordance with the provisions of the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964 (as amended), Title IX of the Educational Amendments of 1972, P.L. 93-112, and Section 504 of the Rehabilitation Act of 1973 and the regulations there under, it is the policy of the Smithville School District that no person shall, because of age, sex, race, disability, or national origin be excluded from participation in, be denied the benefits of, or subjected to discrimination under any education program or activity of the District, including employment of staff personnel.

Written district policies concerning the rights and responsibilities of employees and students are available for inspection at the administration office of the District. Inquiries by persons about their protection against discrimination under the Americans with Disabilities Act, Title IX, Title VI, or PLC 93-112 and Section 504 may be directed in writing or by telephone to:

Director of Special Services
Smithville School District
655 S. Commercial Avenue
Smithville, MO 64089
816-532-0406

Missouri Department of Elementary and Secondary Education
Every Student Succeeds Act of 2015 (ESSA)
COMPLAINT PROCEDURES

This guide explains how to file a complaint about any of the programs¹ that are administered by the Missouri Department of Elementary and Secondary Education (the Department) under the Every Student Succeeds Act of 2015 (ESSA)².

Missouri Department of Elementary and Secondary Education Complaint Procedures for ESSA Programs Table of Contents	
General Information 1. What is a complaint under ESSA? 2. Who may file a complaint? 3. How can a complaint be filed?	
Complaints filed with LEA 4. How will a complaint filed with the LEA be investigated? 5. What happens if a complaint is not resolved at the local level (LEA)?	Complaints filed with the Department 6. How can a complaint be filed with the Department? 7. How will a complaint filed with the Department be investigated? 8. How are complaints related to equitable services to nonpublic school children handled differently?
Appeals 9. How will appeals to the Department be investigated? 10. What happens if the complaint is not resolved at the state level (the Department)?	

1. What is a complaint?

For these purposes, a complaint is a written allegation that a local education agency (LEA) or the Missouri Department of Elementary and Secondary Education (the Department) has violated a federal statute or regulation that applies to a program under ESSA.

2. Who may file a complaint?

Any individual or organization may file a complaint.

3. How can a complaint be filed?

Complaints can be filed with the LEA or with the Department.

4. How will a complaint filed with the LEA be investigated?

Complaints filed with the LEA are to be investigated and attempted to be resolved according to the locally developed and adopted procedures.

5. What happens if a complaint is not resolved at the local level (LEA)?

A complaint not resolved at the local level may be appealed to the Department.

¹ Programs include Title I, A, B, C, D, Title II, Title III, Title IV.A, Title V
² In compliance with ESSA Title VIII-Part C, Sec. 8304(a)(3)(C)

6. How can a complaint be filed with the Department?

A complaint filed with the Department must be a written, signed statement that includes:

1. A statement that a requirement that applies to an ESSA program has been violated by the LEA or the Department, and
2. The facts on which the statement is based and the specific requirement allegedly violated.

7. How will a complaint filed with the Department be investigated?

The investigation and complaint resolution proceedings will be completed within a time limit of forty-five calendar days. That time limit can be extended by the agreement of all parties.

The following activities will occur in the investigation:

1. **Record.** A written record of the investigation will be kept.
2. **Notification of LEA.** The LEA will be notified of the complaint within five days of the complaint being filed.
3. **Resolution at LEA.** The LEA will then initiate its local complaint procedures in an effort to first resolve the complaint at the local level.
4. **Report by LEA.** Within thirty-five days of the complaint being filed, the LEA will submit a written summary of the LEA investigation and complaint resolution. This report is considered public record and may be made available to parents, teachers, and other members of the general public.
5. **Verification.** Within five days of receiving the written summary of a complaint resolution, the Department will verify the resolution of the complaint through an on-site visit, letter, or telephone call(s).
6. **Appeal.** The complainant or the LEA may appeal the decision of the Department to the U.S. Department of Education.

8. How are complaints related to equitable services to nonpublic school children handled differently?

In addition to the procedures listed in number 7 above, complaints related to equitable services will also be filed with the U.S. Department of Education, and they will receive all information related to the investigation and resolution of the complaint. Also, appeals to the United States Department of Education must be filed no longer than thirty days following the Department's resolution of the complaint (or its failure to resolve the complaint).

9. How will appeals to the Department be investigated?

The Department will initiate an investigation within ten days, which will be concluded within thirty days from the day of the appeal. This investigation may be continued beyond the thirty day limit at the discretion of the Department. At the conclusion of the investigation, the Department will communicate the decision and reasons for the decision to the complainant and the LEA. Recommendations and details of the decision are to be implemented within fifteen days of the decision being delivered to the LEA.

10. What happens if a complaint is not resolved at the state level (the Department)?

The complainant or the LEA may appeal the decision of the Department to the United States Department of Education.

INFORMATION FOR PARENTS



IF YOUR FAMILY LIVES IN ANY OF THE FOLLOWING SITUATIONS:

In a shelter



In a motel or campground due to the lack of an alternative adequate accommodation



In a car, park, abandoned building, or bus or train station



Doubled up with other people due to loss of housing or economic hardship

*Your school-age children may qualify for certain rights and protections under the
federal McKinney-Vento Act.*

Your eligible children have the right to:

- Receive a free, appropriate public education.
- Enroll in school immediately, even if lacking documents normally required for enrollment.
- Enroll in school and attend classes while the school gathers needed documents.
- Enroll in the local school; or continue attending their school of origin (the school they attended when permanently housed or the school in which they were last enrolled), if that is your preference.
- * If the school district believes that the school you select is not in the best interest of your children, then the district must provide you with a written explanation of its position and inform you of your right to appeal its decision.
- Receive transportation to and from the school of origin, if you request this.
- Receive educational services comparable to those provided to other students, according to your children's needs.

If you believe your children may be eligible, contact the local liaison to find out what services and supports may be available. There also may be supports available for your preschool-age children.



Local Liaison

State Coordinator

If you need further assistance with your children's educational needs,
contact the National Center for Homeless Education:

1-800-308-2145 * homeless@serve.org * <http://ncche.ed.gov>

**SMITHVILLE R-II SCHOOL DISTRICT
NOTICE OF DIRECTORY INFORMATION**

The Family Education Rights and Privacy Act(FERPA), a Federal law, requires that the Smithville R-II School or to the disclosure of District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Smithville R-II School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Smithville R-II School District to include this type of information from your child's education records in certain school publication. Examples include: A playbill, showing your student's role in a drama production; annual yearbook; honor roll or other recognition list; graduation programs; and sports activity sheets, such as for wrestling, showing weight and height of team members.

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

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

The school district designates the following items as directory information.

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

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

Limited Directory Information – In addition to general directory information, the following information the district maintains about a personally identifiable student may be disclosed to: parent groups or booster clubs that are recognized by the Board and are created solely to work with the district, its staff, students and parents and to raise funds for district activities; parents of other students enrolled in the same school as the student whose information is released; students enrolled in the same school as the student whose information is released; governmental

entities including, but not limited to, law enforcement, the juvenile office and the Children's Division (CD) of the Department of Social Services:

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

Annual Notification of Directory Information

1. The district shall annually notify parents and eligible students of the directory information the district will release without written consent. Parents or eligible students will have ten school days after the annual public notice to provide notice in writing to the school district that they choose to not have this information released. Unless notified to the contrary in writing within the ten-school-day period, the school district may disclose any of those items designated as directory information without the parent's or eligible student's prior written consent, including in print and electronic publications of the school district.
2. Even if a parent or eligible student notifies the district in writing that he or she does not want directory information disclosed, the district may still disclose the information if required or allowed to do so by law. For example, the district may require students to disclose their names, identifiers or district e-mail addresses in classes in which they are enrolled, or students may be required to wear, publicly display or disclose a student identification card or badge that exhibits information that is designated as directory information.
3. Directory information is considered a "public record" that must be released by the district to any person who requests it under the Missouri Sunshine Law.

The Missouri Model: A Developmental Framework for Trauma-Informed Schools Initiative Publication

Pursuant to Missouri Senate Bill 638, Section 161.1050, the Missouri Department of Elementary and Secondary Education (DESE) has established the "Trauma-Informed Schools Initiative."

For the purposes of this initiative, the following terms are defined as follows:

1. "Trauma-informed approach" - an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan
2. "Trauma-informed school" - a school that:
 - a. realizes the widespread impact of trauma and understands potential paths for recovery
 - b. recognizes the signs and symptoms of trauma in students, teachers and staff
 - c. responds by fully integrating knowledge about trauma into its policies, procedures and practices; and
 - d. seeks to actively resist re-traumatization

The implementation of a trauma-informed approach is an ongoing organizational change process. A "trauma-informed approach" is not a program model that can be implemented and then simply monitored by a fidelity checklist. Rather, it is a profound paradigm shift in knowledge, perspective, attitudes and skills that continues to deepen and unfold over time. Some leaders in the field are beginning to talk about a "continuum" of implementation, where organizations move through stages. The continuum begins with becoming trauma aware and moves to trauma sensitive to responsive to being fully trauma informed.

You can find more information at the Department of Elementary and Secondary Education about the Trauma-Informed Schools Initiative at <https://dese.mo.gov/traumainformed>

Policy AC: PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 09/15/2021 | **Last Reviewed Date:** 09/15/2021

General Rule

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

The board also prohibits:

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

As used in this policy, "discrimination, harassment or retaliation" has the same meaning as "illegal discrimination, harassment or retaliation" and is limited to acts prohibited by law. All employees, students and visitors must immediately report to the district for investigation any incident or behavior that could constitute discrimination, harassment or retaliation in accordance with this policy. If a student alleges sexual misconduct on the part of any district employee to any person employed by the district, that person will immediately report the allegation to the Children's Division (CD) of the Department of Social Services in accordance with state law.

Sexual Harassment Reporting and District Response

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

referred for processing under this policy.

Additional Prohibited Behavior

Behavior that is not unlawful or does not rise to the level of illegal discrimination, harassment or retaliation might still be unacceptable for the workplace or the educational environment. The district encourages students, employees and the public to report such behavior so that it can be promptly addressed, but the grievance process in this policy is reserved for allegations of illegal discrimination, harassment and retaliation.

Boy Scouts of America Equal Access Act

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

School Nutrition Programs

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

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

Interim Measures

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

Consequences and Remedies

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

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

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

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

Definitions

Compliance Officer – The individual responsible for implementing this policy, including the acting compliance officer when performing duties of the compliance officer.

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

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

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

Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law or based on a belief that such a characteristic exists: graffiti; display of written material, pictures or electronic images; name calling, teasing or taunting; insults, derogatory remarks or slurs; jokes; gestures; threatening, intimidating or hostile acts; physical acts of aggression, assault or violence; theft; or damage to property.

Sexual Harassment – A form of discrimination, as defined above, on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the district's programs and activities or the conditions of employment. Sexual harassment may occur between members of the same or opposite sex. The district presumes a student cannot consent to behavior of a sexual nature with an adult regardless of the circumstance. Harassment based on gender identity or gender expression is expressly prohibited as outlined in this policy. "Sexual Harassment under Title IX" is a subset of this definition, and the district's response to qualifying allegations is set forth in policy ACA.

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

1. Sexual advances and requests or pressure of any kind for sexual favors, activities or contact.
2. Conditioning grades, promotions, rewards or privileges on submission to sexual favors, activities or contact.
3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact.
4. Graffiti, name calling, slurs, jokes, gestures or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching or rubbing.
6. Comments about an individual's body, sexual activity or sexual attractiveness.
7. Physical sexual acts of aggression, assault or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking) against a person's will or when a person is not

capable of giving consent due to the person's age, intellectual disability or use of drugs or alcohol.

8. Gender-based harassment and acts of verbal, nonverbal, written, graphic or physical conduct based on sex or sex stereotyping, but not involving conduct of a sexual nature.

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

Compliance Officer

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

Director of Student Services
655 South Commercial Ave., Smithville, MO 64089
Phone: 816-532-0406 / Fax: 816-532-4192

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

Superintendent or Assistant Superintendent of Academic Services
655 South Commercial Ave., Smithville, MO 64089
Phone: 816-532-0406 / Fax: 816-532-4192

For matters within the scope of this policy, the compliance officer or acting compliance officer will:

1. Coordinate district compliance with this policy and the law.
2. Receive all grievances regarding discrimination, harassment and retaliation in the Smithville R-II School District except as provided in policy ACA.
3. Serve as the district's designated Title VI, Section 504 and Americans with Disabilities Act (ADA) coordinator, as well as the contact person for compliance with other discrimination laws.
4. Forward reports of sexual harassment and otherwise assist in Title IX compliance as directed in policy ACA.
5. Investigate or assign persons to investigate grievances; monitor the status of grievances to ensure that additional discrimination, harassment and retaliation do not occur; and recommend consequences.
6. Review all evidence brought in disciplinary matters to determine whether additional remedies are appropriate, and recommend which interim measures should be implemented.
7. Determine whether district employees with knowledge of discrimination, harassment or retaliation failed to carry out their reporting duties and recommend disciplinary action, if necessary.
8. Communicate regularly with the district's law enforcement unit or other law enforcement point of contact for the district to determine whether any reported crimes constitute potential discrimination,

harassment or retaliation.

9. Oversee discrimination, harassment or retaliation grievances, including identifying and addressing any patterns or systemic problems and reporting such problems and patterns to the superintendent or the board.
10. Seek legal advice when necessary to enforce this policy.
11. Report to the superintendent and the board aggregate information regarding the number and frequency of grievances and compliance with this policy.
12. Make recommendations regarding changing this policy or the implementation of this policy.
13. Coordinate and institute training programs for district staff and supervisors as necessary to meet the goals of this policy, including instruction in recognizing behavior that constitutes discrimination, harassment and retaliation.
14. Periodically review student discipline records to determine whether disciplinary consequences are applied uniformly.
15. Perform other duties as assigned by the superintendent.

Public Notice

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

Reporting

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

Reports Involving Sexual Harassment

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

All Other Reports

Unless the concern is otherwise voluntarily resolved, all persons must report incidents that might constitute discrimination, harassment or retaliation directly to the compliance officer or acting compliance officer. All district employees will instruct all persons seeking to file a grievance to communicate directly with the compliance officer. Even if the suspected victim of discrimination, harassment or retaliation does not file a grievance, district employees are required to report to the compliance officer any observations, rumors or other information about actions prohibited by this policy. If a person refuses or is unable to submit a written complaint, the compliance officer will summarize the verbal complaint in writing. A grievance is not needed for the district to act upon finding a violation of law, district policy or district expectations.

Even if a grievance under this policy is not directly filed, if the compliance officer otherwise learns about possible discrimination, harassment or retaliation, including violence, the district will conduct a prompt, impartial, adequate, reliable and thorough investigation to determine whether unlawful conduct occurred and will implement the appropriate interim measures if necessary.

Student-on-Student Harassment

Building-level administrators are in a unique position to identify and address discrimination, harassment and retaliation between students, particularly when behaviors are reported through the normal disciplinary process and not through a grievance. In general, administrators can immediately discipline a student for prohibited behavior in accordance with the district's discipline policy. However, if sexual harassment is observed or alleged, the administrator must consult the Title IX coordinator to determine policy ACA's applicability to the reported facts or allegations prior to imposing discipline. Administrators will report all incidents as directed in the "Reporting" section of this policy and will direct the parent/guardian and student to the compliance officer for further assistance. In cases not being handled under policy ACA, the compliance officer may determine that the incident has been appropriately addressed or recommend additional action.

Investigation

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

The district will immediately investigate all grievances submitted under this policy. All persons are required to cooperate fully in the investigation. The district compliance officer or other designated investigator may utilize an attorney or other professionals to conduct the investigation and/or serve in other roles and capacities under the procedures for grievance processing.

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

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

Collaboration with Outside Enforcement Agencies

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

the criminal investigation process.

Grievance Process Overview

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

Grievance Process

1. Level I – A grievance is filed with the district's compliance officer. The compliance officer may conduct the Level I investigation or assign an administrator or other qualified individual to conduct the investigation. If the compliance officer determines that the grievance allegations involve sexual harassment under policy ACA, the report will be routed accordingly.

An investigation will commence no later than five working days after the compliance officer receives the grievance. The investigator shall conduct a prompt, impartial, adequate, reliable and thorough investigation, including the opportunity for the person filing the grievance and other parties involved to identify witnesses and provide information and other evidence. The investigator will evaluate all relevant information and documentation relating to the grievance.

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

will recommend corrective action to the superintendent to address the discrimination, harassment or retaliation; prevent recurrence; and remedy its effects. The person who filed the grievance, the victim if someone other than the victim filed the grievance, and any alleged perpetrator will be notified in writing, within five working days of the completion of the report, in accordance with law and district policy, regarding whether the district's compliance officer or designee determined that district policy was violated.

2. Level II – Within five working days after receiving the Level I decision, the person filing the grievance, the victim if someone other than the victim filed the grievance, or any alleged perpetrator may appeal the compliance officer's decision to the superintendent by notifying the superintendent in writing. The superintendent may designate another person (other than the compliance officer) to review the matter when appropriate.

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

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

Confidentiality and Records

To the extent permitted by law and in accordance with board policy, the district will keep confidential the identity of the person filing a grievance and any grievance or other document that is generated or received pertaining to grievances. Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out interim or disciplinary measures. The district will disclose information to the district's attorney, law enforcement, the CD and others when necessary to enforce this policy or when required by law. In implementing this policy, the district will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The district will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions, in accordance with the Missouri Secretary of State's retention manuals and as advised by the district's attorney.

Training

The district will provide training to employees on identifying and reporting acts that may constitute discrimination, harassment or retaliation. The district will instruct employees to make all reports to the district's compliance officer or acting compliance officer (or Title IX coordinator for sexual harassment, per policy ACA) and will provide current contact information for these persons. The district will inform employees of the consequences of violating this policy and the remedies the district may use to rectify policy violations. All employees will have access to the district's

current policy, required notices and complaint forms. The district will provide training to any person responsible for investigating potential discrimination, harassment or retaliation.

The district will provide information to parents/guardians and students regarding this policy and will provide age-appropriate instruction to students.

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

**PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT
AND RETALIATION**
(Notice of Nondiscrimination)

General

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

Facilities

The district also provides equal access to the Boy Scouts of America, the Girl Scouts of the United States of America and other designated youth groups in accordance with federal law.

School Nutrition Programs

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

Individuals with Disabilities

The district will identify, evaluate and provide a free, appropriate education to all students with disabilities in accordance with law. Anyone who knows or believes that a child may have a disability—regardless of whether the child is currently enrolled in the Smithville School District—is encouraged to contact the district's compliance officer listed below.

Anyone who, because of a disability, requires an auxiliary aid or service for effective communication or requires a modification of policies or procedures to participate in a program, service or activity should contact the compliance officer listed below as soon as possible, but no later than 48 hours before the scheduled event.

FILE: AC-AF1
Critical

Reporting

The district's nondiscrimination policy and grievance forms are located on the district's website at www.smithvilleschooldistrict.net or at any district office.

The following compliance officer has been designated to address inquiries, questions and grievances regarding the district's nondiscrimination policies:

Wayne Krueger
655 S. Commercial Ave
Smithville, MO 64089
816-532-0406
kruegerw@smithville.k12.mo.us

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

Denise Harwood, Interim Superintendent (or Designee)
655 S. Commercial Ave
Smithville, MO 64089
816-532-0406
harwoodd@smithville.k12.mo.us

Inquiries about the application of Title IX or any complaint alleging sexual harassment should be directed to the Title IX coordinator.

Denise Harwood, Interim Superintendent (or Designee)
655 S. Commercial Ave
Smithville, MO 64089
816-532-0406
harwoodd@smithville.k12.mo.us

Inquiries may also be made to the U.S. Department of Education's Office for Civil Rights, the U.S. Equal Employment Opportunity Commission, the Missouri Commission on Human Rights, the USDA or the U.S. Department of Justice if applicable.

Office for Civil Rights
Phone: 816-268-0550
TDD: 800-877-8339
Email: OCR.KansasCity@ed.gov

Equal Employment Opportunity Commission
Phone: 800-669-4000
TTY: 800-669-6820
Email: info@eeoc.gov

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, DC 20250-9410
Phone: 866-632-9992
Fax: 202-690-7442
TDD: 800-877-8339
Email: program.intake@usda.gov

U.S. Department of Justice
Phone: 202-514-4609
TTY: 202-514-0716
Email: AskDOJ@usdoj.gov

Missouri Commission on Human Rights
Phone: 877-781-4236
TDD: 800-735-2966
Relay Missouri: 711 or 866-735-2460
Email: mchr@labor.mo.gov

See also the district's Title IX sexual harassment policies and notices, derived from policy ACA, Sexual Harassment under Title IX.

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

Implemented:

Revised:

«AddressLine»

Policy ACA: SEXUAL HARASSMENT UNDER TITLE IX

Status: ADOPTED

Original Adopted Date: 12/16/2020 | **Last Reviewed Date:** 12/16/2020

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

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

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

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

In creating this policy, the district does not relieve any person under the district's jurisdiction from the consequences for violations of other policies and rules of the district meant to establish an environment conducive to teaching, learning, support services, work and the social and emotional well-being and development of the students entrusted to the district.

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

Reporting Sexual Harassment or Title IX Retaliation

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

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

Denise Harwood, Director of Student Services

655 S. Commercial Ave., Smithville, MO 64089

(816) 532-0406

harwoodd@smithville.k12.mo.us(<https://simbli.eboardsolutions.com/SU/T2iDnqyGQC1hDLNCPHpSZg==>)

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

Notice of the Policy against Discrimination on the Basis of Sex

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

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

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

Retaliation Prohibited

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

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

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

Intake and Classification of Reports

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

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

Procedures Prior to or without a Formal Complaint

When the Title IX coordinator has actual knowledge of an allegation of sexual harassment under Title IX in an

education program or activity of the district, the Title IX coordinator will promptly contact the complainant and:

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

Parties Enrolled in Special Education

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

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

The Formal Complaint Process

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

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

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

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

Title IX Grievance Process upon Filing of a Formal Complaint

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

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

4. Require that all Title IX coordinators, investigators, those responsible for facilitating informal resolution processes and decision-makers not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
5. Presume that the respondent is not responsible for the conduct until a determination of responsibility is made at the conclusion of the grievance process;
6. Follow stated timelines unless the district temporarily delays the grievance process for good cause (including, but not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of a disability) and notify the parties in writing of the reason for a delay, if any; and
7. Not require, allow, rely upon or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Notice to the Parties

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

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

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

Range of Possible Disciplinary Sanctions and Remedies

The discipline of employees is addressed in Board policies, which are available on the district's website, and in Missouri law regarding public employees under contract. An appropriate disciplinary response for an employee found responsible for sexual harassment in this grievance process may include any suitable response available for the discipline of employees for any other violation of Board policy.

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

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

Interim Action

Emergency Removal

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

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

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

Administrative Leave

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

Investigating a Formal Complaint

Consolidation

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

Investigation Process and Scope

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

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

1. Provide equal opportunity to present witnesses, including fact and expert witnesses, and all evidence, including inculpatory and exculpatory evidence.

2. Not restrict the parties from discussing the allegations under investigation or gathering and presenting relevant evidence.
3. Provide the same opportunity for parties to have others, including an advisor of their choice, present during any grievance proceedings and related meetings, though the district may restrict the extent to which advisors may participate as long as the rules apply to both parties.
4. Provide written notice to parties who are invited or expected to participate of the date, time, location, participants and purpose of all hearings, investigative interviews or other meetings with sufficient time for the parties to prepare to participate.
5. Obtain written, voluntary consent before accessing records, such as medical records or counseling notes, that a physician, psychiatrist, psychologist or other recognized professional or paraprofessional made or maintained in connection with the provision of treatment to the party. If the party is at least 18 years old or is enrolled in postsecondary education, the party can sign on his or her own behalf. Otherwise, a parent/guardian must sign on the party's behalf.
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes evidence upon which the district does not intend to rely in reaching a determination of responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source.
7. Send to each party and the party's advisor, if any, the evidence subject to inspection and review prior to completion of the investigative report and within 20 business days of the parties receiving notice of the formal complaint. The evidence may be sent in an electronic format or hard copy. The parties will be given at least ten business days, as required by law, to submit a written response, which the investigator will consider prior to the completion of the report.
8. Create an investigative report that fairly summarizes relevant evidence and send it in an electronic or hard copy format to each party and their advisors, if any, for their review and written response. The investigative report must be sent no later than ten business days prior to the time of determination of responsibility by the decision-maker, as required by law.

Dismissal of the Formal Complaint

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

The district may dismiss a formal complaint or any allegations in a formal complaint at any time if:

1. The complainant notifies the Title IX coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations in the formal complaint;

2. The respondent is no longer enrolled in or employed by the district; or
3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination of responsibility based on the merits of the formal complaint or allegations therein.

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

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

Time Consumed by the Investigation

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

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

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

Procedures of the Decision-Maker and Party Questions and Answers

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

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

Preponderance of the Evidence Standard

The decision-maker may find the respondent is responsible for the alleged sexual harassment under Title IX only when the evidence provided more clearly and more probably favors the complainant's claim (preponderance of the evidence).

Decision-Maker's Findings and Resulting Remedies

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

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

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

Finality of the Title IX Decision

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

Disciplinary Matters and Implementation of Discipline and Remedies

The Title IX coordinator is responsible for effective implementation of any remedies, including coordination with the district's disciplinary authorities. The complainant is not a party to the disciplinary procedures concerning a respondent. The administrator(s) responsible for discipline will base that discipline on the final Title IX decision, recommendations made by the decision-maker and any changes made as a result of an appeal.

Appeals of the Determinations of Responsibility in the Title IX Decision

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

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

1. A procedural irregularity that affected the outcome of the matter.

2. New evidence that was not reasonably available at the time of the determination and that could affect the outcome of the matter.
3. The Title IX coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome of the matter.

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

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

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

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

Conduct of the Appeal

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

Process for Informal Resolution of Formal Complaints

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

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

4. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process may not be used to resolve allegations that an employee sexually harassed a student.

If the informal resolution process does not resolve the formal complaint within 30 business days after both parties consented to use the process, the Title IX coordinator will resume the grievance process unless both parties again consent to continue using the informal resolution process.

Training

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

1. The definition of sexual harassment under Title IX as used in this policy.
2. The scope of the district's education programs and activities.
3. How to conduct the investigation and grievance process, including determination of responsibility for sexual harassment, appeals, and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
5. Issues of relevance necessary to create an investigative report that fairly summarizes the relevant evidence.
6. Issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

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

Records

The district will maintain the following records for seven years:

1. Records of each investigation of sexual harassment under Title IX, including any determination of responsibility, any disciplinary sanctions imposed on the respondent and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom;

4. All materials used to train Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process;
5. Documentation if the district did not provide a complainant with supportive measures and the reasons why such a response was not clearly unreasonable in light of the known circumstances; and
6. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment under Title IX. These records must document the basis for the conclusion and that the district's response was not deliberately indifferent.

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

Confidentiality

Except as required by law, as permitted by the FERPA statute or regulations or to carry out the purposes of Title IX, including the conduct of any investigation, hearing or judicial proceeding arising thereunder, the district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including:

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

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

Definitions Applicable to this Policy

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

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

Business Days – Days on which the district's business offices are open.

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

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

involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

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

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

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

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

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

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

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

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

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

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

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

1. *Rape (Except Statutory Rape)* – The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
2. *Sodomy* – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.

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

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

Supportive Measures – Nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, safety escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

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

Voluntary Consent – Consent given freely and without coercion.

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

Policy AD: SCHOOL DISTRICT MISSION

Status: ADOPTED

Original Adopted Date: 04/21/2010

(Comprehensive School Improvement Plan)

The mission of the Smithville R-II School District is to develop responsible, successful citizens who make positive contributions to a changing global society.

The district has a Board-approved Comprehensive School Improvement Plan (CSIP) guided by the mission statement and based on the district's fundamental beliefs about teaching and learning. This plan serves as the district's foundation for allocating resources, developing policies and procedures, and selecting and implementing instructional programs designed to raise student achievement.

The CSIP was developed through the combined efforts of Board members, staff, administrators, students, parents/guardians and community members and is ongoing. Goals, outcomes or objectives are provided in sufficient detail to direct the improvement efforts of the district for at least a five-year period. The CSIP is evaluated and updated as necessary.

A copy of the district's CSIP is available in the superintendent's office.

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

Policy ADF: DISTRICT WELLNESS PROGRAM

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 07/19/2017

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

Wellness Committee

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

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

Wellness Program Coordinators

The Board designates the following individuals as wellness program coordinators: Assistant Superintendent for Support Services and Coordinator of Benefits and Wellness. Only employees of the district who are members of the wellness committee may serve as wellness program coordinators. The wellness coordinators, in consultation with the wellness committee, will be in charge of implementation and evaluation of this policy.

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

Nutrition Guidelines

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

It is the policy of the Smithville R-II School District that all foods and beverages sold to students during the school day on any property under the jurisdiction of the district will meet the U.S. Department of Agriculture (USDA) school meal and Smart Snacks in School (Smart Snacks) nutrition standards. These nutrition standards apply to all food and beverages sold to students, including those sold in vending machines, school stores and through district-sponsored fundraisers, unless an exemption applies. In addition, the Smart Snacks standards apply to all food and beverages provided, but not sold, to students outside the reimbursable school meals program during the school day. For the purposes of this policy, the school day is the time period from the midnight before to 30 minutes after the official school day.

Nutrition Promotion and Education

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

Physical Activity and Education

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

Other School-Based Activities

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

Assessment

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

Records

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

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

Administrative Procedure ADF-AP(1): DISTRICT WELLNESS PROGRAM - (K-12 Districts)

Status: ADOPTED

Original Adopted Date: 05/20/2010 | **Last Revised Date:** 01/26/2018

The primary goals of the Smithville R-II School District's wellness program are to promote student health, reduce student overweight/obesity, facilitate student learning of lifelong healthy habits and increase student achievement. The following procedures will guide the implementation of the district wellness program.

Nutrition Guidelines

The district is committed to ensuring that all foods and beverages sold, provided or made available to students on school campuses during the school day support healthy eating and create an environment that reinforces the development of healthy eating habits. For that reason, and as required by law, the district has set the following nutrition standards for its meal programs, competitive foods and beverages sold outside the meal programs, and other foods and beverages provided or made available to students during the school day.

For the purposes of this procedure, the school day is the time period from the midnight before to 30 minutes after the official school day. These meal standards do not apply to food sold at other times, such as evening or weekend events.

Nutrition Standards for Meal Programs

The food sold to students as part of the district's meal programs will meet the requirements of the U.S. Department of Agriculture (USDA).

Nutrition Standards for Competitive Foods and Beverages

The foods and beverages sold and served during the school day outside the reimbursable school meal programs (competitive foods and beverages) will meet or exceed the USDA Smart Snacks in School (Smart Snacks) nutrition standards. These standards will apply in all locations any time foods and beverages are sold to students during the school day, which includes, but is not limited to, foods and beverages sold in vending machines, school stores, and snack or food carts; à la carte options in cafeterias; and food and beverages sold through district-sponsored fundraising, including fundraising by student-initiated groups, unless an exemption applies, as described below.

Fundraising Exemption to Nutrition Guidelines

Unless otherwise prohibited by Board policies or limitations on marketing, the following are exemptions to the rule requiring that foods sold as fundraisers meet USDA standards:

1. Foods sold off campus, outside the school day or to nonstudents do not have to meet the USDA standards.
2. Foods that do not meet USDA standards and are not intended for consumption at school may be delivered during the school day, and order forms for such food may be distributed during the school day, to the extent that these activities otherwise comply with district policies and procedures.
3. Each school building within the district may hold up to five events per school year on district property during the school day that involve the sale of foods that do not meet USDA/Smart Snacks standards.

Nutrition Standards for Foods and Beverages Provided to Students during the School Day

All foods and beverages the district provides or makes available to students during the school day will meet or exceed the Smart Snacks nutrition standards. This includes, but is not limited to, foods and beverages provided or made available to students for celebrations, classroom parties and birthdays, regardless of the source of the food. The district will provide parents/guardians and district employees a link to the Smart Snacks in School Guide. This guide provides links to allow one to determine if a food or product meets the standard set forth.

Foods and beverages should not be used as a reward or withheld as punishment.

Water

Students will have access to safe and unflavored drinking water throughout the school day in every district facility used by students. Free, safe and unflavored drinking water will be available to students during mealtimes in the places where meals are served.

Nutrition Education

The district's nutrition education goal is to integrate sequential nutrition education with the comprehensive health education program and, to the extent possible, the core curriculum taught at every grade level in order to provide students with the necessary knowledge and skills to make healthy nutrition decisions. In order to achieve the nutrition education goal, the district will:

1. Provide students at all grade levels with adequate nutrition knowledge including, but not limited to:
 - ▶ The benefits of healthy eating.
 - ▶ Essential nutrients.
 - ▶ Nutritional deficiencies.
 - ▶ Principles of healthy weight management.
 - ▶ The use and misuse of dietary supplements.
 - ▶ Safe food preparation, handling and storage.
2. Provide students with nutrition-related skills that minimally include the ability to:
 - ▶ Plan healthy meals.
 - ▶ Understand and use food labels.
 - ▶ Apply the principles of the USDA's Dietary Guidelines for Americans and MyPlate.
 - ▶ Critically evaluate nutrition information, misinformation and commercial food advertising.
 - ▶ Assess personal eating habits, nutrition goal-setting and achievement.
3. Provide instructional activities that stress the appealing aspects of healthy eating and are hands-on, behavior based, culturally relevant, developmentally appropriate and enjoyable. Examples of activities include, but are not limited to: food preparation, contests, promotions, taste testings, farm visits and school gardens.
4. Encourage district staff to cooperate with local agencies and community groups to provide students with opportunities for volunteer work related to nutrition, such as in food banks, soup kitchens or after-school programs.

5. Provide information to all school staff about the symptoms of nutrition-related conditions such as unhealthy weight, eating disorders and other nutrition-related health problems. Staff members who identify students who may have nutrition-related conditions will notify school counselors or student health services staff. When appropriate, school counselors or student health services staff will provide information about these conditions, including available treatment options, to the student and his or her parents/guardians.
6. Coordinate the food service program with nutrition instruction. Food service staff should also work closely with those responsible for other components of the school health program to achieve common goals.

Nutrition Promotion

Nutrition promotion that uses evidence-based techniques to encourage healthy nutrition choices and participation in school meal programs positively influences lifelong eating behaviors. Students and staff will receive consistent nutrition messages throughout district facilities. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently by school staff, parents/guardians and the community. The district will promote the importance of good nutrition in its schools and in the community through one or more of the following activities:

1. Providing nutrition information to parents/guardians via newsletters, handouts, presentations or other appropriate means.
2. Posting nutrition tips on district websites.
3. Offering appropriate, participatory activities, such as cooking lessons or demonstrations, taste testings, farm visits and school gardens.
4. Disseminating information about community programs that offer nutrition assistance to families.
5. Posting links on district websites to research and articles explaining the connections between good nutrition and academic performance.
6. Providing school meals that meet a variety of cultural preferences with a special emphasis on the populations served by the district.
7. Posting menus, including nutrient contents and ingredients, on district and school websites.

If practical, the district will provide information in a language understandable to the parents/guardians.

Marketing and Advertising

Marketing in district facilities will be consistent with the goals of the district's wellness program and comply with Board policy. The district will strive to promote the wellness program and educate parents/guardians regarding the quality of district foods.

Food and beverage marketing will be limited to the promotion of foods and beverages that meet the Smart Snacks nutrition standards. Other examples of marketing and advertising the district will scrutinize include, but are not limited to, pricing strategies that promote healthy food choices; audiovisual programming; educational incentive

programs; scoreboards; book covers; district transportation; and vending machine displays.

Physical Activity

Moderate Physical Activity – Low-impact to medium-impact physical exertion designed to increase an individual's heart rate to rise to at least 75 percent of his or her maximum heart rate. Examples of moderate physical activity include, but are not limited to, running, calisthenics or aerobic exercise. Time spent in recess and physical education counts as moderate physical activity.

Recess – A structured play environment outside of regular classroom instructional activities that allows students to engage in safe and active free play.

Outdoor recess periods may be observed each day, except:

- ▶ if the temperature or wind chill is below 20 degrees Fahrenheit;
- ▶ if the temperature or heat index is above 105 degrees Fahrenheit;
- ▶ if there is inclement or severe weather.

The district's physical activity goal is to assist students in learning to value and enjoy physical activity as an ongoing part of a healthy lifestyle by ensuring that every student has the opportunity to develop the knowledge, skills and desire to perform a variety of physical activities, maintain physical fitness and regularly participate in physical activity. In order to achieve the physical activity goal, the district will:

1. Develop a sequential program of appropriate physical education aligned with Missouri Learning Standards for every student. The elementary program will provide for:
 - ▶ Twenty minutes of recess per day. Recess may be incorporated into the lunch period, but will be scheduled before lunch and held outdoors when possible.
 - ▶ An average of 150 minutes of moderate physical activity each five-day school week or an average of 30 minutes per school day. The program will also provide for 150 minutes per week of physical education under the supervision of a certified physical education instructor.
 - ▶ The middle school program will provide for 225 minutes of moderate physical activity during each school week and 4,500 minutes of physical education per year.
 - ▶ The high school program will provide for one unit of physical education prior to graduation.

All activity will:

- ▶ Emphasize knowledge and skills for a lifetime of regular physical activity.
- ▶ Meet the needs of all students, especially those who are not physically skilled or who have special needs.

- ▶ Provide a variety of activity choices, feature cooperative as well as competitive activities, and account for gender and cultural differences in students' interests.
 - ▶ Prohibit exemptions from physical education courses on the basis of participation in an athletic team, community recreation program, ROTC, marching band or other school or community activity.
 - ▶ Contribute to achieving the goals established in the district's wellness policy and be closely coordinated with the other components of the overall school health program.
2. Provide opportunities and encouragement for students to voluntarily participate in before- and after-school physical activity programs designed to supplement, not replace, the district's physical education offerings, such as intramural activities, interscholastic athletics and clubs by:
- ▶ Providing a diverse selection of competitive and noncompetitive, as well as structured and unstructured, activities to the extent that staffing and district/community facilities permit.
 - ▶ Offering intramural physical activity programs that feature a broad range of competitive and cooperative activities for all students.
 - ▶ Encouraging partnerships between schools and businesses. Promotion of such partnerships must be appropriate and in accordance with Board policy and applicable procedures.
3. Strive to provide joint school and community recreational activities by:
- ▶ Actively engaging families as partners in their children's education and collaborating with community agencies and organizations to provide ample opportunities for students to participate in physical activity beyond the school day.
 - ▶ Working with recreation agencies and other community organizations to coordinate and enhance opportunities available to students for physical activity during their out-of-school time.
 - ▶ Negotiating mutually acceptable, fiscally responsible arrangements with community agencies and organizations to keep district-owned facilities open for use by students, staff and community members during nonschool hours and vacations.
 - ▶ Working with local public works, public safety, police departments and/or other appropriate state and federal authorities in efforts to make it safer and easier for students to walk and bike to school.
4. Prohibit the use of physical activity as a form of discipline or punishment and ensure that physical education and recess will not be withheld as punishment.

5. Discourage periods of inactivity that exceed two or more hours. When activities such as mandatory schoolwide testing make it necessary for students to remain indoors for long periods of time, staff should give students periodic breaks during which they are encouraged to stand and be moderately active.
6. Provide and encourage—verbally and through the provision of space, equipment and activities—daily periods of moderate to vigorous physical activity for all participants in on-site after-school childcare and enrichment programs sponsored by the district.
7. Provide opportunities and encouragement for staff to be physically active by:
 - ▶ Planning, establishing and implementing activities to promote physical activity among staff and providing opportunities for staff to conveniently engage in regular physical activity.
 - ▶ Working with recreation agencies and other community organizations to coordinate and enhance opportunities available to staff for physical activity during their out-of-school time.

Other School-Based Activities

The district's goal for other school-based activities is to ensure an integrated whole-school approach to the district's wellness program. The district will achieve this goal by addressing the areas itemized below.

Community Involvement

Staff will collaborate with agencies and groups conducting nutrition education in the community to send consistent messages to students and their families. A list of foods and beverages that meet the Smart Snacks nutrition standards and ideas for healthy celebrations, rewards and nonfood fundraising activities will be provided to community organizations that serve youth. Guest speakers invited to address students will receive appropriate orientation to the relevant policies of the district.

The wellness program shall make effective use of district and community resources and equitably serve the needs and interests of all students and staff, taking into consideration differences of gender, cultural norms, physical and cognitive abilities and fitness level.

Family Involvement

The district will strive to engage families as partners in their children's education by supporting parental efforts to motivate and help their children with maintaining and improving their health, preventing disease and avoiding health-related risk behaviors. Strategies the district may implement to achieve family involvement may include, but are not limited to:

1. Providing nutrient analyses of district menus.
2. Providing parents/guardians a list of appropriate foods that meet the district's nutrition standards for snacks.
3. Providing parents/guardians with ideas for nonfood rewards and healthy celebrations, parties and fundraising activities.

4. Encouraging parents/guardians to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the district's nutrition standards.
5. Designing curricular nutrition education activities and promotions to involve parents/guardians and the community.
6. Supporting efforts of parents/guardians to provide their children with opportunities to be physically active outside of school.
7. Providing information about physical education and other school-based physical activity opportunities available to students before, during and after the school day.
8. Sharing information about physical activity and physical education via the district's website, newsletter, other take-home materials, special events or physical education homework.
9. Working with families to provide consistent sun safety information that includes an overview of the district's sun safety program, an explanation of how parents/guardians can reinforce the program at home and how they can become involved with and support the district's program.
10. Encouraging parents/guardians to volunteer time in the classroom, cafeteria or at special events that promote student health.
11. Providing opportunities for parent/guardian involvement with the district wellness committee.

If practical, the district will provide information in a language understandable to parents/guardians.

Indoor Air Quality

District employees are encouraged to refrain from using oils, sprays, plug-ins and other sources of fragrance. Pesticides and cleaning products will be used only in accordance with district policies and procedures.

Mealtimes

Students are not permitted to leave school campus during the school day to purchase food or beverages. Mealtimes will comply with the following guidelines:

1. Mealtimes will provide students with at least 10 minutes to eat after sitting down for breakfast and 20 minutes after sitting down for lunch.
2. Activities such as tutoring or meetings will not be held during mealtimes unless students may eat during such activities.
3. At the elementary level, lunch periods will follow recess periods.

4. Free, safe and unflavored drinking water will be available to students during meals in the meal service area.
5. Students will have access to hand-washing facilities before they eat meals or snacks.
6. The district will take reasonable steps to accommodate the toothbrushing regimens of students.
7. Students will be allowed to converse during meals.
8. The cafeteria will be clean, orderly and inviting.
9. Adequate seating and supervision will be provided during mealtimes.

Outdoor Air Quality

The principal or designee of each school will be responsible for daily monitoring of Air Quality Index (AQI) information provided by local authorities.

1. When the AQI is "code orange" (unhealthy for sensitive groups of people), students with a history of reactions to ozone exposure will be permitted to reduce their outdoor exertion level or time spent outdoors, and the staff will arrange alternative indoor physical activities. Appropriately trained staff responsible for student supervision will monitor such students for symptoms of respiratory distress.
2. When the AQI is "code red" (unhealthy), students with a history of reactions to ozone exposure will remain indoors and participate in indoor physical activities. Appropriately trained staff responsible for student supervision will monitor such students for symptoms of respiratory distress. All other students will be allowed to engage in no more than one hour of heavy exertion (i.e., activities that involve high-intensity exercise such as basketball, soccer and running) while outdoors.
3. When the AQI is "code purple" (very unhealthy) or "code maroon" (hazardous), all students will be kept indoors and participate in indoor physical activities. Appropriately trained staff responsible for student supervision will monitor all students for symptoms of respiratory distress.

Staff Development and Training

All staff will be provided with ongoing training and professional development related to all areas of student wellness. The pre-service and ongoing in-service training will include teaching strategies for behavior change and will focus on giving teachers the skills they need to use non-lecture, active learning methods. Staff responsible for nutrition education will be adequately prepared and regularly participate in professional development activities to effectively deliver the nutrition education program as planned. Staff responsible for implementing the physical education program will be properly certified and regularly participate in area-specific professional development activities.

Qualified nutrition professionals will administer the district meal programs and will receive ongoing, area-specific professional development. The district will provide continuing professional development for all district nutrition professionals. Staff development programs will include appropriate certification and/or training programs for child nutrition directors, school nutrition managers and cafeteria workers according to their levels of responsibility.

Staff Wellness

The Smithville R-II School District highly values the health and well-being of every staff member and will plan and

implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. The district will offer staff wellness programs that include education on nutrition, healthy eating behaviors and maintaining a healthy weight for optimal health. The district will establish and maintain a staff wellness committee composed of at least one staff member; wellness committee member; registered dietitian, school nurse or other health professional; employee benefits specialist; and other appropriate personnel. The staff wellness committee will serve as a subcommittee of the district wellness committee. The staff wellness committee will develop, promote and oversee a multifaceted plan to promote staff health and wellness. The plan will be based on input solicited from district staff and will outline ways to encourage healthy eating, physical activity, sun safety and other elements of a healthy lifestyle. The staff wellness committee will provide a copy of its plan to the wellness program committee.

Sun Safety

"Sun safety" describes a range of behaviors that include wearing appropriate clothing, applying sunscreen and limiting sun exposure. The sun safety program will focus on outdoor behavior and will be developmentally appropriate, active, engaging and taught in lessons that emphasize the benefits of sun safety. Sun safety education will be designed to assist students with:

1. Knowledge about the harmful effects of the sun and ways to protect skin.
2. Sun-safe skills, including the correct use of protective clothing, hats, sunglasses, sunscreen and lip balm as well as seeking shade and limiting sun exposure when possible and practical during the hours of peak sun intensity.
3. Knowledge about how to assess personal sun safety habits, set goals for improvement and achieve these goals.

Tobacco

Tobacco use prevention education will focus on all grades with particular emphasis on middle school and reinforcement in all later grades. Instructional activities will be participatory and developmentally appropriate. Tobacco use prevention education programs will be implemented in accordance with Board policy, relevant administrative procedures and law.

Oversight and Assessment

The wellness program coordinators are responsible for monitoring implementation and assessing the effectiveness of the district wellness program by:

1. Completing the required triennial assessment.
2. Prioritizing wellness goals and writing work plans for each goal.
3. Measuring implementation of the district wellness policy and procedure.
4. Ensuring that the district meets the goals of the wellness policy and procedure.
5. Reporting to the Board on compliance and progress.
6. Comparing the district's policy to model policies.

Compliance Indicators

The program coordinators will use the Centers for Disease Control and Prevention (CDC) School Health Index as a measure of the overall effectiveness of the local wellness program. In addition, the wellness program coordinators will identify at least one other assessment tool, including those available through the USDA or CDC, that provides measures not covered by the School Health Index. Assessment tools may be locally created.

Policy Review

The wellness program coordinators will provide policy revision recommendations to the Board as part of the periodic report. The recommendations will be based on analysis of the compliance indicators and comparison of the district's policy to model policies provided, recommended or referenced by the USDA. The Board will revise the wellness policy as it deems necessary. Administrative procedures will be revised accordingly.

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

Administrative Procedure EBAB-AP(1): HAZARDOUS MATERIALS - (Asbestos Control)

Status: ADOPTED

Original Adopted Date: 05/20/2010 | **Last Revised Date:** 08/17/2016

The district will comply with all state and federal laws regarding the identification, management and abatement of asbestos in district buildings. This procedure outlines compliance measures but is not intended to expand or conflict with applicable federal law.

Definitions

Asbestos-Containing Material (ACM) – When referring to school buildings, any material or product that contains more than one percent asbestos.

Asbestos-Containing Building Material (ACBM) – Surfacing ACM, thermal system insulation ACM or miscellaneous ACM that is found in or on interior structural members or other parts of a school building.

Friable – When referring to material in a school building, material that, when dry, may be crumbled, pulverized or reduced to powder by hand pressure, including previously nonfriable material after such previously nonfriable material becomes damaged to the extent that, when dry, it may be crumbled, pulverized or reduced to powder by hand pressure.

School Building – Any property the district leases, owns or otherwise uses in the following manner:

1. Any structure suitable for use as a classroom, including school facilities such as laboratories, libraries, eating facilities or facilities used for the preparation of food.
2. Any gymnasium or other facility that is specifically designed for athletic or recreational activities for an academic course in physical education.
3. Any other facility used for the instruction or housing of students or for the administration of educational or research programs.
4. Any maintenance, storage or utility facility, including any hallway, essential to the operation of any facility mentioned in items 1–3 above.
5. Any portico, covered exterior hallway or walkway.
6. Any exterior portion of a mechanical system used to condition interior space.

Asbestos Manager

The assistant superintendent for support services is the district's designated asbestos manager. The asbestos manager will coordinate district efforts to comply with state and federal laws regarding the identification, management and abatement of asbestos.

The asbestos manager will receive training in:

1. The health effects of asbestos.
2. The detection, identification and assessment of ACM.

3. Options for controlling ACBM.
4. Asbestos management programs.
5. Relevant state and federal laws concerning asbestos.

Asbestos Management Plan and Recordkeeping

The district is required by law to have an asbestos management plan for each school building containing asbestos. The asbestos manager will work with an accredited professional to create, maintain and update the district's asbestos management plans to keep them current with ongoing operations and maintenance, periodic surveillance, inspection, reinspection, and response action activities, as required by law.

Each management plan must contain a true and correct statement, signed by the asbestos manager, that certifies that the district's responsibilities under the law have been or will be met.

Copies of the management plans will be available in the superintendent's office and in the individual school building covered by the plan. If all ACBM has been removed from a building, the district will retain the records for six years.

Inspections, Reinspections and Sampling

All buildings the district owns, leases or otherwise uses must be inspected for asbestos. The asbestos manager will coordinate an inspection for any new school building prior to use, unless it is an emergency situation. In an emergency, the inspection will occur within 30 days of use.

At least once every three years after a management plan is in effect, the asbestos manager will coordinate a reinspection of all friable and nonfriable known or assumed ACBM in each school building.

All inspections and reinspections will be done by an accredited inspector and conducted as required by law. The inspections and reinspections will include the collection of samples that will be analyzed by accredited laboratories, as required by law. The inspector will provide a written report to the asbestos manager for inclusion in the district's asbestos management plan.

Response Actions

The asbestos manager will arrange for an accredited person to review the results of each inspection, reinspection and assessment and make recommendations to the superintendent on appropriate district response actions to protect students, staff and the environment from friable asbestos. The district will take immediate action to preserve the safety of students and others using the district's buildings when necessary or required by law.

At the conclusion of any action to remove, encapsulate or enclose ACBM or material assumed to be ACBM, the asbestos manager will visually inspect each area to determine whether the action has been properly completed. Unless the project is of a small scale or short duration, the asbestos manager or designee will collect air samples to be analyzed for asbestos using laboratories approved as required by law.

Surveillance

At least once every six months after a management plan is in effect, the asbestos manager or designee will conduct periodic surveillance in each school building that contains ACBM or is assumed to contain ACBM.

Each person performing periodic surveillance shall:

1. Visually inspect all areas that are identified in the management plan as ACBM or assumed to contain ACBM.
2. Record the date of the surveillance, the name of the person conducting the surveillance and any change in the condition of the materials.
3. Submit to the asbestos manager a written report, which will be included in the district's management plan.

Warning Labels

The asbestos manager or designee shall attach a warning label immediately adjacent to any friable and nonfriable ACBM and suspected ACBM assumed to be ACM located in routine maintenance areas at each school building. All labels will meet the requirements of the law, shall be prominently displayed in readily visible locations and shall remain posted until the ACBM that is labeled is removed.

Information and Notification

The district will annually provide written notification to parent/guardian, teacher and employee organizations of the availability of management plans. In the absence of any such organizations, the district will provide notice to parents/guardians, teachers and employees of the availability of management plans. The district will annually notify employees and other persons working in the building that has asbestos and parents/guardians and students about inspections, response actions and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress.

Short-term workers, such as independent contractors, who may come in contact with asbestos in a school building will be provided information regarding the locations of ACBM and suspected ACBM assumed to be ACM.

Operations, Maintenance and Repair Program

The district will implement the following program whenever any friable ACBM is present or assumed to be present in a school building so that ACBM is maintained in good condition, asbestos fibers are cleaned and the further release of asbestos fibers is prevented.

Worker Protection and Training

All members of the district's maintenance and custodial staff who may work in a building that contains ACBM will receive awareness training of at least two hours, regardless of whether they are required to work with ACBM. New custodial and maintenance employees shall be trained within 60 days after commencement of employment. Training shall include, but not be limited to:

1. Information regarding asbestos and its various uses and forms;
2. Information on the health effects associated with asbestos exposure;
3. Locations of ACBM identified throughout each school building in which the staff work;
4. Recognition of damage, deterioration and delamination of ACM; and
5. The name and telephone number of the district's asbestos manager.

Maintenance and custodial staff who conduct any activities that will result in the disturbance of ACBM will also receive an additional 14 hours of training that will include, but not be limited to:

1. Descriptions of the proper methods of handling ACBM;
2. Information on the use of respiratory protection and other personal protection measures;
3. The legal requirements for cleaning and maintaining asbestos materials; and
4. Hands-on training in the use of respiratory protection, other personal protection measures and good work practices.

Maintenance and custodial staff who have attended asbestos training approved by the Environmental Protection

Agency (EPA) or received equivalent training for operation, maintenance and periodic surveillance activities involving asbestos shall be considered trained for the purposes of this section.

Cleaning

Unless the building has been cleaned using equivalent methods within the previous six months, all areas of a school building where friable ACBM, damaged or significantly damaged thermal system insulation ACM, or friable suspected ACBM assumed to be ACM are present shall be cleaned at least once after the completion of the inspection and before the initiation of any response action according to the following procedures:

1. HEPA vacuum or steam clean all carpets;
2. HEPA vacuum or wet clean all other floors and all other horizontal surfaces; and
3. Dispose of all debris, filters, mopheads and cloths in sealed, leak-tight containers.

The management planner used by the district shall make a written recommendation to the district on whether additional cleaning is needed and, if so, the methods and frequency of such cleaning.

Operations and Maintenance Activities Disturbing Friable Asbestos

Whenever operations and maintenance activities disturb friable ACBM, district employees will:

1. Restrict entry into the area by persons other than those necessary to perform the maintenance project, either by physically isolating the area or by scheduling;
2. Post signs to prevent entry by unauthorized persons;
3. Shut off or temporarily modify the air-handling system and restrict other sources of air movement;
4. Use work practices or other controls, such as wet methods, protective clothing, HEPA vacuums, mini-enclosures and glove bags, as necessary to inhibit the spread of any released fibers;
5. Clean all fixtures or other components in the immediate work area; and
6. Place the asbestos debris and other cleaning materials in a sealed, leak-tight container.

The response action for any maintenance activities disturbing friable ACBM, other than small-scale, short-duration maintenance activities, shall be designed by persons accredited to design response actions and conducted by persons accredited to conduct response actions.

Fiber Release Episodes

When an incident occurs where asbestos fibers are released, district employees will take the following actions.

When less than three square or linear feet of friable ACBM falls or is dislodged, district employees will:

1. Thoroughly saturate the debris using wet methods;

2. Clean the area as prescribed in the asbestos management plan or other plan developed by an accredited person;
3. Place the asbestos debris in a sealed, leak-tight container; and
4. Repair the area of damaged ACM with asbestos-free materials or implement the appropriate response action as determined in the asbestos management plan.

When friable ACBM exceeding three square or linear feet falls or is dislodged, district employees will:

1. Restrict entry into the area and post signs to prevent entry into the area by persons other than those necessary to perform the response action;
2. Shut off or temporarily modify the air-handling system to prevent the distribution of fibers to other areas in the building; and
3. Follow the response action that has been designed by a person accredited to conduct asbestos response actions.

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

Policy EBBC: LACTATION SUPPORT

Status: ADOPTED

Original Adopted Date: 07/19/2017 | **Last Revised Date:** 05/18/2022 | **Last Reviewed Date:** 05/18/2022

For the convenience of district staff, students and the public and to support the care of children, the district will provide accommodations as required by law for lactation activities. For the purposes of this policy, "lactation activities" include expressing breast milk, breastfeeding a child or addressing other needs related to lactation. The district will provide employees and students a minimum of three opportunities during a school day, at intervals agreed upon by the district and the individual, to express breast milk or breastfeed a child for at least one year following the child's birth.

Lactation Rooms

In accordance with state law, the district allows breastfeeding or expressing breast milk, with discretion, in any public or private location where the person is otherwise authorized to be. To further accommodate lactation activities, the superintendent or designee will identify at least one room that is not a restroom in each school building to be used exclusively for lactation activities. The room will meet the requirements of state law.

Employees

Employees are encouraged to notify their supervisors in advance if they need accommodations for lactation activities. The supervisor will work with the employee to address arrangements and scheduling to ensure that the employee's duties are covered during the break time and minimize disruptions to the school day.

Providing breaks to classroom teachers and other employees who directly supervise students throughout the day is particularly challenging because students cannot be left unsupervised and student learning cannot be disrupted. The district expects these employees to be particularly flexible and, when possible, to use planning periods, lunch breaks, routine breaks in their class schedule or other free time to meet their lactation-related needs.

This policy does not entitle an employee to bring or keep an infant at work during times when the employee is required to be working.

Students

Lactating students should contact the counselor, who will make arrangements with the student to create a schedule that results in the least amount of missed class time. Students will be allowed to make up work missed due to lactation activities. If it is not possible to make up the missed work, the student will be provided an alternative assignment.

This policy does not entitle a student to bring an infant to school during the school day when the student is required to be in class.

Public

Members of the public are allowed to engage in lactation activities while on district property and may use the district's designated lactation rooms to do so.

Search the index for this section and the cross references to identify related policies, administrative procedures and forms.

Policy EBC-1: EMERGENCY DRILLS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 06/18/2014

(Districts Not Required to Hold Earthquake Drills)

As part of the implementation of the district's adopted crisis intervention plan, the superintendent or designee has the responsibility for developing and maintaining the district's emergency preparedness plans and emergency drill schedules.

Emergency Drills

The superintendent or designee, in cooperation with the building principals, will develop emergency drills for fires, tornados, bus emergencies, bomb threats and armed intruder/active shooter situations. Additional emergency drills may be developed and practiced at the discretion of the superintendent. Instruction on all emergency drills shall be given early in the school year, and emergency drills shall be held regularly throughout the year. The district will conduct emergency drills as required by law and policy and will ensure that the number of emergency drills conducted are sufficient to give instruction and practice in proper actions by staff and students during lockdown, shelter-in-place and evacuation. Emergency exiting procedures will be posted near the door in each building.

The superintendent or building principal will schedule and execute emergency drills. Principals who schedule emergency drills will provide the superintendent advance notice of the drills. The district will cooperate and coordinate emergency drills with other community agencies such as the fire department, law enforcement officials, emergency medical services and local emergency planning committees. Pursuant to law, armed intruder/active shooter drills will be conducted and led by law enforcement professionals.

Emergency evacuation drills on school buses will be conducted for all students in grades kindergarten through five at least once per semester with the first drill completed prior to October 31 annually.

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

Administrative Procedure EF-AP(1): FOOD SERVICE MANAGEMENT - (Meal Charges)

Status: ADOPTED

Original Adopted Date: 09/17/2014 | **Last Revised Date:** 09/18/2019

Unless meals are provided at no charge, the district expects students and employees to pay for meals prior to or at the time of receipt. The ability to charge meals is a privilege, not a right, and is subject to the limitations established in this procedure.

Notice

At the beginning of each school year, a copy of this procedure will be provided to every parent/guardian in the district as required by law. In addition, a copy of this procedure, along with information about free and reduced-price school meals, will be provided to the parents/guardians of all students who enroll after the beginning of the school year.

A copy of this procedure will also be provided to all building administrators, staff responsible for collecting payment for meals at the point of service, staff involved with notifying parents/guardians about account balances, school social workers, nurses, counselors, the district liaison for homeless children and youths, and any other staff who regularly assist students in need.

A copy of this procedure will also be posted on the district's website, and information about charging meals will be included in the student handbook.

Employees

Employees may charge meals only after completing the form provided by the district authorizing the district to withhold the amount of any unpaid charges from the employee's pay. Any unpaid charges accumulated up to May 30 will be deducted from the employee's June payroll. Should an employee work during summer school and have unpaid charges at the conclusion of summer school, the unpaid charges will be deducted from the employee's summer school payroll. Employees may appeal a deduction for meal charges using the process outlined in Board policy DLB.

Students

1. A student may not accumulate more than ten unpaid meal charges.
2. Students may not charge à la carte items.
3. A student with money in hand will not be denied a meal even if the student has past due charges.
4. Students will not be identified, singled out, shamed or punished by the district for the failure of their parents/guardians to pay for or provide meals, and the district will not withhold student records in violation of law.

Alternative Meals

If the district's meal service line is designed to collect payment prior to students receiving food, a student who has accumulated ten unpaid meal charges and is still unable to pay for meals may be provided an alternative meal. Alternative meals will be on the regular serving line and will be available to all students as an alternative to the regular meal. If a student has been provided a regular meal, that meal will not be taken away from the student even if the student should have been provided an alternative meal due to unpaid meal charges.

Interventions

After a student accumulates five unpaid meal charges, the district will encourage the parents/guardians to submit an application for free and reduced-price meals if an application has not been recently submitted, and the student will be referred to a counselor for intervention. The counselor will:

1. Meet with the student to assess to the extent possible whether the student or the student's family is experiencing hardships, barriers or other circumstances with which the counselor could assist.
2. Make repeated attempts to contact the parents/guardians to notify them of the lunch charges, discuss the situation and any other concerns the counselor may have after meeting with the student, and resolve the situation.
3. Encourage the parents/guardians to submit the free and reduced-price meals application and inquire about any assistance that might be needed to complete the application.
4. Provide other resources as applicable.

District employees are mandated by the state of Missouri to report any instances of suspected abuse or neglect to the Children's Division (CD) of the Department of Social Services. District personnel will report to the CD any instance where a student's arrival at school with no provision for food leads to a reasonable cause to suspect neglect.

Working with Parents/Guardians

To ensure that parents/guardians have ample opportunity to resolve situations involving unpaid meal charges, the district will:

1. Provide timely notification to parents/guardians when account balances run low (when applicable) and each time their student charges a meal.
2. Invoice parents/guardians for unpaid meal charges during the district's monthly billing cycle, in addition to providing notification of outstanding balances by other means.
3. Work with parents/guardians to create a payment plan that allows for the payment of accumulated balances over time.

Debt Collection

Delinquent Debt

Unpaid meal charges will be considered a delinquent debt 90 days after notice that charges are due when no payment or payment plan agreement has been made. Unpaid charges will be considered delinquent as long as the district determines the debt is collectible and efforts to collect the debt are ongoing. The district will make reasonable efforts to collect delinquent debt, including turning over unpaid meal charge balances to a collection agency when the superintendent or designee determines such action is in the best interest of the district. The district's Nonprofit School Food Services Account (NSFSA) funds may be used to cover the costs of reasonable efforts to collect delinquent debt, including costs associated with using a collection agency.

Bad Debt

When the district determines that collection of delinquent debt is impossible or too costly, the debt will be reclassified as bad debt. Bad debt is debt that will be written off as an operating cost. These costs must be restored using nonfederal funds. NSFSA resources may not be used to cover any costs related to bad debt. Instead, local funds will be used to cover the costs. Local funds include:

1. State revenue matching funds in excess of state revenue matching-fund requirements.
2. State and local funds provided to cover the cost of student meals.
3. Local contributions from organizations or individuals.
4. Revenue from adult meals prepared using resources outside the district's food service and not funded by the NSFSA.
5. Revenue from the sale of à la carte items and profits from foods not purchased with NSFSA funds and funded by an account separate from the NSFSA.
6. Revenues from catering or contracting services that operate from an account separate from the NSFSA.

Records

The district will maintain detailed records pertaining to delinquent and bad debt, including:

1. Evidence of efforts to collect unpaid meal charges.
2. Evidence that collection efforts fell within the time frame and methods established by this procedure.
3. Financial records showing when delinquent debt became bad debt.
4. Evidence that funds written off as bad debt were restored to the NSFSA from nonfederal sources.

Nondiscrimination Statement

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

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.) should contact the agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact the USDA through the Federal Relay Service at 800-877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (AD-3027) found online at

https://www.ascr.usda.gov/complaint_filing_cust.html(<https://simbli.eboardsolutions.com/SU/npluSCJcJZ41hplusN9IPgplusuyIA==>)

(<https://simbli.eboardsolutions.com/SU/npluSCJcJZ41hplusN9IPgplusuyIA==>) and at any USDA office, or write a letter addressed to the USDA and provide in the letter all the information requested in the form. To request a copy

of the complaint form, call 866-632-9992. Submit your completed form or letter to the USDA by:

1. Mail: U.S. Department of Agriculture
 Office of the Assistant Secretary for Civil Rights
 1400 Independence Avenue, SW
 Washington, DC 20250-9410;
2. Fax: 202-690-7442; or
3. E-
 mail: program.intake@usda.gov(<https://simbli.eboardsolutions.com/SU/S5cVNJ7aVrP78plusu4xgpxVg==>).

This institution is an equal opportunity provider.

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

Policy EFB: FREE AND REDUCED-PRICE FOOD SERVICE

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 09/17/2014

School officials will determine student eligibility for free and reduced-price meals, snacks and milk in accordance with state and federal law. Eligible students will be provided meals, snacks and milk either free or at a reduced price if state and federal resources for school food programs are available. The superintendent or designee may establish rules and procedures as needed to accomplish this goal.

The criteria for determining a student's need and the procedures for securing free and reduced-price meals, snacks and milk for the student will be outlined and publicized each year by the district in accordance with law. The criteria and procedures are established at the state and federal level.

The district will establish a school breakfast program or will adopt a resolution requesting a waiver excusing the district from this requirement, in accordance with law. The resolution, if adopted, will be filed with the Missouri Department of Elementary and Secondary Education.

The students who participate in the free or reduced-price meals, snacks or milk program will not be overtly identified, distinguished or served differently than other students and will have the same choice of meals, snacks or milk as other students. The district may charge all students for à la carte menu items. No person other than employees and contracted food service personnel responsible for the administration of the free and reduced-price meals program will have access to information:

1. Obtained from an application for free or reduced-price meals.
2. Received for the purpose of direct verification.
3. Pertaining to eligibility status for free or reduced-price meals, snacks or milk, unless specifically authorized by law.

The superintendent or designee will investigate whether the district can continue to provide meals to students receiving free and reduced-price meals when schools are closed for an extended period due to an emergency or health crisis. The superintendent or designee will determine whether such a program is practically and financially feasible by consulting with:

1. Food service personnel regarding purchasing and supplies.
2. Facilities staff to determine storage options.
3. Local emergency planners to develop a preparation and delivery system.

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

Administrative Procedure EHB-AP(1): TECHNOLOGY USAGE - (Technology Safety)

Status: ADOPTED

Original Adopted Date: 05/20/2010 | **Last Revised Date:** 03/14/2018

Student Users

All student users and their parents/guardians must sign or electronically consent to the district's User Agreement prior to accessing or using district technology resources, unless otherwise excused by this policy or the superintendent or designee. Students who are 18 or who are otherwise able to enter into an enforceable contract may sign or consent to the User Agreement without additional signatures. Students who do not have a User Agreement on file with the district may be granted permission to use the district's technology resources by the superintendent or designee.

Employee Users

No employee will be given access to the district's technology resources unless the employee agrees to follow the district's User Agreement prior to accessing or using the district's technology resources. Authorized employees may use the district's technology resources for reasonable, incidental personal purposes as long as the use does not violate any provision of district policies or procedures, hinder the use of the district's technology resources for the benefit of its students or waste district resources. Any use that jeopardizes the safety, security or usefulness of the district's technology resources or interferes with the effective and professional performance of the employee's job is considered unreasonable. Unless authorized by the employee's supervisor in advance, employees may not access, view, display, store, print or disseminate information using district technology resources that students or other users could not access, view, display, store, print or disseminate.

External Users

Consultants, legal counsel, independent contractors and other persons having business with the district may be granted user privileges at the discretion of the superintendent or designee after consenting to the district's User Agreement and for the sole, limited purpose of conducting business with the school. External users must abide by all laws, district policies and procedures.

General Rules and Responsibilities

The following rules and responsibilities will apply to all users of the district's technology resources:

1. Applying for a user ID under false pretenses or using another person's ID or password is prohibited.
2. Sharing user IDs or passwords with others is prohibited except when shared with the district's technology department for the purpose of support. Individuals who share IDs or passwords may be disciplined and will be held responsible for any actions taken by those using the ID or password. A user will not be responsible for theft of passwords and IDs, but may be responsible if the theft was the result of user negligence.
3. Deleting, examining, copying or modifying district files or data without authorization is prohibited.
4. Deleting, examining, copying or modifying files or data belonging to other users without their prior consent is prohibited.
5. Mass consumption of technology resources that inhibits use by others is prohibited.
6. Use of district technology for soliciting, advertising, fundraising, commercial purposes or financial gain is prohibited, unless authorized by the district or in accordance with policy KI. Use of district technology

resources to advocate, support or oppose any ballot measure or candidate for public office is prohibited.

7. Accessing fee services without permission from an administrator is prohibited. A user who accesses such services without permission is solely responsible for all charges incurred.
8. Users are required to obey all laws, including criminal, copyright, privacy, defamation and obscenity laws. The district will render all reasonable assistance to local, state or federal officials for the investigation and prosecution of persons using district technology in violation of any law.
9. The district prohibits the use of district technology resources to access, view or disseminate information that is pornographic, obscene, child pornography, harmful to minors, obscene to minors, libelous, or pervasively indecent or vulgar.
10. Accessing, viewing or disseminating information on any product or service not permitted to minors is prohibited unless under the direction and supervision of district staff for curriculum-related purposes.
11. The district prohibits the use of district technology resources to access, view or disseminate information that constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion or ethnic origin); presents a clear and present likelihood that, because of their content or their manner of distribution, they will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities; or will cause the commission of unlawful acts or the violation of lawful district policies and procedures.
12. The district prohibits any use that violates any person's rights under applicable laws, and specifically prohibits any use that has the purpose or effect of discriminating against or harassing any person on the basis of race, color, religion, sex, national origin, ancestry, disability, age, genetic information, pregnancy or use of leave protected by the Family and Medical Leave Act (FMLA).
13. The district prohibits any unauthorized intentional or negligent action that damages or disrupts technology, alters its normal performance or causes it to malfunction. The district will hold users responsible for such damage and will seek both criminal and civil remedies, as necessary.
14. Users may install and use only properly licensed software and audio or video media purchased by the district or approved for use by the district. All users will adhere to the limitations of the district's technology licenses. Copying for home use is prohibited unless permitted by the district's license and approved by the district.
15. At no time will district technology or software be removed from district premises, unless authorized by the district.
16. All users will use the district's property as it was intended. Technology resources will not be moved or relocated without permission from a building administrator. All users will be held accountable for any damage they cause to district technology resources.

Technology Security and Unauthorized Access

1. All users shall immediately report any security problems or misuse of the district's technology resources to a teacher or administrator.
2. Use of district technology resources in attempting to gain or gaining unauthorized access to any technology system or the files of another is prohibited.
3. Use of district technology to connect to other systems, in evasion of the physical limitations of the remote system, is prohibited.
4. The unauthorized copying of system files is prohibited.
5. Intentional or negligent attempts, whether successful or unsuccessful, to interfere with the ability of others to utilize any district technology are prohibited.
6. Users will be granted access privileges to district technology resources as determined appropriate by the superintendent or designee. Any attempt to secure a higher level of privilege without authorization is prohibited.
7. The introduction of computer viruses, hacking tools or other disruptive or destructive programs into a district computer, network or any external networks is prohibited.

Online Safety and Confidentiality

Curricular or noncurricular publications distributed using district technology will comply with the law and Board policies on confidentiality.

All district employees will abide by state and federal law, Board policies and district rules when using district technology resources to communicate information about personally identifiable students. Employees will take precautions to prevent negligent disclosure of student information or student records.

All students will be instructed on the dangers of sharing personal information about themselves or others over the Internet and are prohibited from sharing such information unless authorized by the district. Student users shall not agree to meet with someone they have met online without parental approval and must promptly disclose to a teacher or another district employee any message the user receives that is inappropriate or makes the user feel uncomfortable.

Electronic Mail and Messaging

A user is generally responsible for all e-mail and other electronic messages originating from the user's accounts; however, users will not be held responsible when the messages originating from their accounts are the result of the account being hacked.

1. Forgery or attempted forgery of electronic messages is illegal and prohibited.
2. Unauthorized attempts to read, delete, copy or modify electronic messages of other users are prohibited.

3. Users are prohibited from sending unsolicited mass e-mail or other electronic messages. The district considers more than 50 addresses per message, per day a violation, unless the communication is a necessary, employment-related function or an authorized publication.
4. When communicating electronically, all users must comply with district policies, regulations and procedures and adhere to the same standards expected in the classroom.
5. Users must obtain permission from the superintendent or designee before sending any districtwide electronic messages.

Communication Devices

Employees and others to whom the district provides mobile phones or other electronic communication devices must use them professionally and in accordance with district policies, regulations and procedures. These devices shall not be used in a manner that would distract the employee or other user from adequate supervision of students or other job duties.

Exceptions

Exceptions to district rules will be made for district employees or agents conducting an investigation of a use that potentially violates the law, district policies or procedures. Exceptions will also be made for technology administrators who need access to district technology resources to maintain the district's resources or examine and delete data stored on district computers as allowed by the district's retention policy.

Waiver

Any user who believes he or she has a legitimate educational purpose for using the district's technology in a manner that may violate any of the district's policies, regulations or procedures may request a waiver from the building principal, superintendent or their designees. In making the decision to grant a waiver to a student, the administrator shall consider the student's purpose, age, maturity and level of supervision involved.

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

Policy GBH: STAFF/STUDENT RELATIONS

Status: ADOPTED

Original Adopted Date: 06/16/2010 | **Last Revised Date:** 03/21/2012

Definitions

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

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

Student – Individuals currently enrolled in the Smithville R-II School District.

General

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

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

Absolute Prohibitions

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

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

Exceptions to This Policy

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

An emergency situation or an educational purpose might justify deviation from some of the professional boundaries set out in this policy. Likewise, staff members might be related to students or have contact with students outside the school environment through friends, neighborhood or community activities, or participation in civic, religious or other organizations. These contacts might justify deviation from some of the

standards set in this policy, but under no circumstance will an educational or other purpose justify deviating from the "Absolute Prohibitions" section of this policy.

The staff member must be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that he or she has maintained an appropriate relationship with the student. To avoid confusion, the district encourages staff members to consult with their supervisors prior to engaging in behaviors or activities that might violate professional boundaries as defined in this policy.

Failure to Maintain Boundaries

Unless an educational purpose exists or an exception as defined in this policy applies, examples of situations where professional physical and emotional boundaries are violated include, but are not limited to:

1. Being alone with a student in a room with a closed or locked door or with the lights off. Counselors or others who need to work with students confidentially must discuss with their supervisors the appropriate manner of meeting with students.
2. Meeting students in nonwork settings without the parent/guardian being present, even if the parent/guardian grants permission.
3. Associating with students in any setting where students are provided, are consuming or are encouraged to use or consume alcohol, tobacco, drugs or any other product or service prohibited to minors.
4. Communicating with students about sexual topics verbally or by any form of written, pictorial or electronic communication.
5. Discussing the staff member's personal problems with or in the presence of students.
6. Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
7. Inviting students to the staff member's home.
8. Being present when students are fully or partially nude.
9. Sending students on personal errands.
10. Allowing a student to drive the staff member's vehicle.
11. Providing a student (other than the staff member's children, stepchildren or other children living in the staff member's home) transportation in the staff member's personal vehicle without a supervisor's approval, unless another staff member or the student's parent/guardian is also present in the vehicle.
12. Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
13. Giving gifts to individual students.
14. Frequently pulling a student from another class or activity to be with the staff member.

Electronic Communication

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

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

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

Consequences

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

Reporting

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

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy. Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports.

The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

Training

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

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

Policy GBL: PERSONNEL RECORDS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 10/08/2017

It is the intent of the Board of Education to maintain complete and current personnel files for all district employees. Personnel records will include, but are not limited to: documentation of necessary certifications and licenses; compensation records; documentation of benefits received or offered and overtime or compensatory time earned; performance evaluations; records of disciplinary actions; and other records the district determines are necessary to effectively manage the employment relationship and verify compliance with relevant state and federal laws. Personnel records will be retained in accordance with the Missouri Secretary of State's applicable retention manuals.

Confidentiality

The district creates and maintains personnel records for district purposes, and in general personnel records will only be available to district employees or independent contractors who are authorized by the district to access the information. In accordance with law, individually identifiable personnel records, performance ratings and records pertaining to employees, former employees or applicants for employment are closed and not accessible to the public. However, the names, positions, salaries and lengths of service of employees must be available to the public upon request. In addition, the district will provide access to personnel records to the district's legal counsel, to state and federal agencies with appropriate authority, and in situations where the record is used to defend the district in a legal or administrative action.

Storage

Personnel records will be stored in accordance with good data management practices and in such a manner that only authorized personnel who need to know the information as part of their duties with the district have access to the records. Files containing immigration records and medical information regarding an employee will be kept separate from other personnel files.

Parent/Guardian Access

In accordance with federal law, at the beginning of each school year the district will notify the parents/guardians of each student attending any school receiving Title I funds that they may request information regarding whether the:

1. Student's teacher is certified to teach in the grade levels and subject areas in which the teacher provides instruction.
2. Student's teacher is teaching under emergency or other provisional certification status.
3. Student is provided services by a paraprofessional and, if so, the qualifications of the paraprofessional.

Employee Access

Upon request to and in the presence of the appropriate administrative official, any employee may inspect his or her own personnel file during regular working hours, with the exception of the ratings, reports and records created or obtained prior to the employment of the individual, including confidential placement papers and letters of reference.

Board Member Access

An individual Board member has no greater access to confidential personnel records than any member of the public unless the Board member has been granted access by action of the Board or is serving in a capacity that requires such access.

If an individual Board member wants to view an employee evaluation or other confidential personnel information, the Board member may ask for the item to be put on the agenda for the next closed Board meeting. At the meeting, the Board member must explain why he or she has requested access to the record. If access is granted by the Board, the record will be available for all Board members to view at the meeting.

Employment contracts are not considered confidential personnel records, and individual Board members may inspect or copy these contracts upon request.

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

Policy IGAEB: SEXUAL HEALTH INSTRUCTION

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 07/15/2020

The Board of Education recognizes that parents/guardians should be the primary source of sexuality education for their children. The Board also recognizes that effective sexuality education, taught in concert with parents/guardians, helps students avoid risks to their health and academic success and prepares them to make informed decisions as adults.

The district will offer instruction in human sexuality and will provide instruction regarding sexual abuse as required by law. All instruction will be appropriate to the age of the students receiving the instruction, and students may be separated by gender for the instruction.

Notice and Opt-Out

The district will notify parents/guardians of the basic content of the district's human sexuality and sexual abuse instruction. The district will also notify parents/guardians of their right to remove their student from any part of the district's instruction on these topics upon written request. The district will make all curriculum materials used in the district's human sexuality and sexual abuse instruction available for inspection prior to the use of such materials in actual instruction.

Human Sexuality and Sexually Transmitted Diseases

As required by state law, any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

1. Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried students because it is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity. Students shall be advised that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy.
2. Stress that sexually transmitted diseases are serious possible health hazards of sexual activity. Students shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), human papillomavirus (HPV), hepatitis and other sexually transmitted diseases.
3. Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases, or present students with information on contraceptives and pregnancy in a manner consistent with the provisions of federal abstinence education law.
4. Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan.
5. Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role playing at appropriate grade levels to emphasize that the student has the power to control personal behavior. Students shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control and ethical considerations, such as respect for one's self and others. Students shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Students shall be taught to resist unwanted sexual advances and other negative peer pressure.

6. Teach students about consent, sexual harassment and sexual violence. Specifically, students will be taught that:

A) *Consent* is a freely given agreement to the conduct at issue by a competent person, and that:

- ▶ An expression of lack of consent through words or conduct does not constitute consent.
- ▶ Lack of verbal or physical resistance does not constitute consent.
- ▶ Submission resulting from the use of force, threat of force or fear does not constitute consent.
- ▶ A current or previous dating, social or sexual relationship between two parties does not by itself constitute consent.
- ▶ The manner of dress chosen by a person does not constitute consent.

B) *Sexual harassment* is uninvited and unwelcome verbal or physical behavior of a sexual nature, especially by a person in authority toward a subordinate.

C) *Sexual violence* is causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress or without the person's consent.

7. Advise students of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise students of the provisions of Missouri law pertaining to statutory rape and statutory sodomy.
8. Teach students about the characteristics of and ways to identify sexual predators.
9. Teach students safe and responsible Internet use, including the dangers of online sexual predators, when using electronic communication methods such as the Internet, mobile phones, text messages, chat rooms, social media, e-mail and instant messaging.
10. Instill in students the importance of having open communication with responsible adults, reporting any inappropriate situation, activity or abuse to a responsible adult and, depending on intent and content, to local law enforcement, the Federal Bureau of Investigation (FBI) or the National Center for Missing and Exploited Children's "CyberTipline."
11. Explain the potential consequences, both personal and legal, of inappropriate text messaging and sexting, even among friends.

The district will not permit a person or entity to offer, sponsor or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if the person or entity is a provider of abortion services. No district personnel or agents, acting in their official capacities, will encourage any student to have an abortion.

Sexual Abuse

In accordance with law, the district will provide trauma-informed, developmentally appropriate training to students in grades 6–12 regarding sexual abuse including, but not limited to, instruction on:

1. How to recognize sexual abuse;
2. How to report an incident of sexual abuse;
3. How to obtain assistance and intervention; and
4. Resources for students affected by sexual abuse.

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

Policy IGBA-1: SPECIAL EDUCATION

Status: ADOPTED

Original Adopted Date: 04/21/2010 | Last Revised Date: 12/19/2018

It is the policy of the Board of Education to provide a free and appropriate public education (FAPE) for students with disabilities who are in need of special education and related services in accordance with the Individuals with Disabilities Education Act (IDEA), the Missouri State Plan for Special Education (State Plan), the district's local compliance plan, and applicable state and federal laws.

Child Find

The district has an obligation to locate, identify and evaluate children in the district between the ages of 3 and 21 who may need special education and related services, including children who are wards of the state, are homeless or attend private schools located within the boundaries of the school district. Any individual who knows or believes that a student has a disability and is in need of accommodation or special education should contact the school's principal or the district's special education director immediately.

The district will notify all parents/guardians and students of its obligations under this policy and the law. The district will also utilize public media and other postings to notify the public of the district's legal obligations as required by law.

Evaluation and Identification

The special education director will arrange for district students and children who are not enrolled in the district but who may need special education services to be evaluated to determine their eligibility for special education services in accordance with the law and state and local plans.

Specific Learning Disabilities

The Board authorizes the special education director to use a discrepancy model, including the use of professional judgment or a response to intervention (RTI) model, for identifying students with specific learning disabilities (SLD).

Children Three to Five Years of Age

When identifying children three to five years of age who qualify for special education but are not yet eligible for kindergarten, the district will use any of the disability categories, including that of Young Child with a Developmental Delay (YCDD). When a child so identified reaches kindergarten age, his or her eligibility will continue to be determined using any of the disability categories, including that of YCDD. A child who is not identified as eligible for special education services prior to reaching kindergarten age will be identified using disability categories excluding that of YCDD.

Independent Evaluations

If a student is evaluated for special education services and the parents/guardians disagree with the evaluation, the parents/guardians may obtain an independent educational evaluation (IEE) at the district's expense, as allowed by the IDEA. Applicable procedures, evaluator criteria, and location and cost limitations governing the IEE process are available through the district's special education director. The Board delegates to the superintendent or designee the authority to make changes to these procedures, evaluator criteria and cost guidelines. These items will adhere to rules published in the Missouri State Plan and the local plan for compliance with the law.

Students Placed in Private Schools by Their Parents/Guardians

For the purpose of this policy, a "private school" is defined to include home schools and religious/parochial schools.

In general, the Smithville R-II School District has no obligation to provide FAPE or special education and related services to any individual student enrolled in a private school by his or her parents/guardians. The district will expend a proportionate amount of its IDEA Part B funds on the group of privately placed students as a whole, as required by law.

The district will work with private schools located within its boundaries to identify and evaluate students attending the private schools who may be eligible for special education services. When a student is determined eligible, the district will offer to enroll the student and provide the student special education and related services in the district.

Parents/Guardians of a student previously enrolled in the district who choose to unilaterally place the student in a private school without district consent due to a dispute regarding FAPE will not be reimbursed for tuition costs except as required by law.

Extended School Year

Extended school year (ESY) services may be necessary to provide a child with a disability FAPE pursuant to law. The individualized education program (IEP) team will consider ESY services for all special education students eligible for services under the IDEA, but ESY services will only be provided if the student is found eligible in accordance with this policy.

A student will be eligible for ESY services if, based on the available data, the student needs services beyond the regular school day or term to avoid regression that will interfere with the student's ability to continue to progress in the curriculum. This determination will be based on consideration of the following:

1. The nature and severity of the student's disability.
2. The areas of learning crucial to the child's attainment of self-sufficiency and independence.
3. The student's progress.
4. The student's behavioral and physical needs.
5. Opportunities the student will have to practice skills outside the formal classroom setting without ESY services.
6. Availability of alternative resources.
7. Areas of the student's curriculum that need continuous attention.
8. Ability of the student's parents/guardians to provide educational structure.
9. Particular curricular or vocational needs of the student.
10. Opportunity for the student to interact with nondisabled children.

The length, nature and type of ESY services will be determined by the IEP team and addressed in each student's IEP. If at the time the IEP is developed it is unreasonable to predict eligibility for ESY services, the IEP team will meet after sufficient time has passed for the team to make an informed decision about ESY services, but not later than six weeks prior to the end of the regular school term.

Mediation

The Board of Education authorizes the special education director to legally bind the school district to a mediation agreement developed in accordance with the IDEA and Missouri law and further authorizes the special education director to contact an attorney for legal advice prior to making any decisions. In the absence of the special education

director, the assistant superintendent is authorized to perform his or her duties under this section.

Resolution

The Board of Education designates the special education director to represent the school district in resolution meetings and gives the special education director decision-making authority on behalf of the district. The special education director has the authority to sign and legally bind the district to a settlement agreement reached at the resolution meeting. In the absence of the special education director, the assistant superintendent is authorized to perform his or her duties under this section. All other settlement agreements must be approved by the Board.

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

Policy IGBCA: PROGRAMS FOR HOMELESS STUDENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 09/15/2021 | **Last Reviewed Date:** 09/15/2021

The Smithville R-II School District Board of Education recognizes that homeless students are particularly vulnerable and need special assistance to access and benefit from the education environment. Therefore, the district, in accordance with state and federal law and the Missouri state plan for education of the homeless, will give special attention to ensure that homeless students in the district are promptly identified and have access to a free and appropriate public education and related support services.

Eligibility for Services

Homeless students are individuals who lack a fixed, regular and adequate nighttime residence and include the following:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
2. Children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
4. Migratory children who meet one of the above-described circumstances.

District Liaison for Homeless Students

The board designates the following individual to act as the district's liaison for homeless students (homeless liaison):

Family Resource Specialist
655 South Commercial Ave., Smithville, MO 64089
Phone: 816-532-0406 / Fax: 816-532-4192

The homeless liaison shall designate and train another district employee to serve as the homeless liaison in the absence of the homeless liaison.

School of Origin

For the purposes of this policy, "school of origin" is defined as the school that the student attended when permanently housed or the school in which the student was last enrolled, including a public preschool. When the student completes the final grade level served by the school of origin, the term shall then include the designated receiving school at the next grade level for all feeder schools.

Enrollment

The selected school shall immediately enroll the homeless student even if the student is unable to produce records normally required for enrollment, such as previous academic records, immunization or other health records, proof of residency, or other documentation, and even if the student has missed any application or enrollment deadlines during

any period of homelessness. Students will be awarded appropriate credit for full or partial coursework in accordance with board policy. Outstanding fines, fees or absences shall not present a barrier to enrollment of the student. However, the district may require a parent/guardian of a homeless student to submit contact information.

Placement

The district will consider the best interest of the homeless student, with parental involvement, in determining whether the student should be enrolled in the school of origin or the school that nonhomeless students who live in the attendance area in which the homeless student is actually living are eligible to attend. In determining the best interest of the student, the district will:

1. Presume that keeping the student in the school of origin is in the student's best interest except when doing so is contrary to the request of the student's parents/guardians or the student if unaccompanied by a parent/guardian.
2. Consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the homeless student's parents/guardians or the unaccompanied youth.

The choice regarding placement shall be made regardless of whether the homeless student lives with a parent/guardian or has been temporarily placed elsewhere. If the student is unaccompanied, the homeless liaison shall assist the student in placement or enrollment decisions, give priority to the views of the student and provide the student with notice of the student's right to appeal the district's decision.

If the district determines that placement should be in the school of origin, the student will continue to be educated in the school of origin for the duration of the homelessness when the student's family becomes homeless between academic years or during an academic year, and for the remainder of the academic year even if the student becomes permanently housed during the academic year.

If the district determines that it is not in the best interest of the student to attend either the school of origin or the school requested by the parents/guardians or unaccompanied youth, the district shall provide a written explanation of the reasons for its determination. The explanation shall be given in a manner and form understandable to the parents/guardians or unaccompanied youth and shall include information regarding the right to appeal the district's determination.

The written explanation will include:

1. A description of the action proposed or refused by the district;
2. An explanation of why the action was proposed or refused;
3. A description of any other options the district considered;
4. The reasons other options were rejected;
5. A description of any other relevant factors to the district's decision and information related to the eligibility or best interest determination, including the facts and evidence relied upon and their sources;

6. Appropriate timelines to ensure any relevant deadlines are not missed; and
7. Contact information for the local liaison and the state coordinator for homeless students (state coordinator) and a brief description of their respective roles.

Services

Each homeless student shall be provided services comparable to the services offered to other students in the district including, but not limited to, transportation services; education services for which the student meets the eligibility criteria, such as education programs for disadvantaged students, students with disabilities and gifted students; programs in career and technical education; school nutrition programs; preschool programs; before- and after-school care programs; and programs for English learners. Homeless students will not be segregated in a separate school or program within a school based on the students' status as homeless.

The district will coordinate services for homeless students with local social service agencies and other agencies or entities providing services to homeless students and their families, including services and programs funded under the Runaway and Homeless Youth Act. The district will also coordinate transportation, transfer of school records and other activities with other school districts.

Unaccompanied Youths

An unaccompanied youth is a student who is not in the physical custody of a parent or legal guardian. The liaison will work with unaccompanied youths on issues unique to their situations, such as informing them of their status as independent students under laws applicable to higher education and informing them that they may obtain assistance from the homeless liaison to receive verification of this status for the purposes of applying for federal student aid.

The homeless liaison, a school counselor or a school social worker will verify, when applicable, that a student is an unaccompanied youth as defined in federal law.

Transportation

If the homeless student's school of origin, including a public preschool, and temporary housing are located in the Smithville R-II School District, the district will provide transportation to and from the school of origin at the request of the parents/guardians or homeless liaison, provided it is in the best interest of the student.

If the homeless student's school of origin and temporary housing are located in two different school districts, the districts may agree on a method to apportion the responsibility and costs for providing transportation to the school of origin. If no agreement is reached, the districts will equally share the responsibility and costs for transporting the student. If a homeless student becomes permanently housed in the middle of the school year, the district will continue to provide transportation to the school of origin for the remainder of the school year.

Transportation to the school of origin shall be provided even if a homeless preschooler who is enrolled in a public preschool moves to another district that does not provide a widely available or universal preschool.

Records

When a homeless student enrolls in the district or a district school, the district will immediately contact the school the homeless student last attended in order to obtain academic or other relevant records.

Any records ordinarily kept by the school for each homeless student (including immunization or other health records, academic records, birth certificates, guardianship records and evaluations for special services or programs) shall be maintained so that the district is equipped to provide the student with appropriate services, make necessary referrals and transfer records in a timely fashion when a homeless student enters a new school district. Copies of records shall be made available upon request to students or parents/guardians in accordance with the Family Educational Rights and Privacy Act (FERPA).

Information about a homeless student's living situation shall be treated as a student education record and shall not be deemed to be directory information under FERPA.

Homeless Liaison Responsibilities

The homeless liaison will attend all required professional development and other technical assistance activities as determined appropriate by the Department of Elementary and Secondary Education (DESE). The district shall inform school personnel, service providers and advocates working with homeless families of the duties of the homeless liaison. The homeless liaison will ensure that:

1. Homeless students, including homeless preschool-age children and unaccompanied youths, are identified by school personnel through outreach and coordination activities with other entities and agencies.
2. Homeless students, including unaccompanied youths, are enrolled in and have a full and equal opportunity to succeed in schools in the district.
3. Homeless families and students, including unaccompanied youths, have access to and receive education services for which they are eligible, including Head Start and Early Head Start, early intervention services under the Individuals with Disabilities Education Act, and preschool programs administered by the district, as well as referrals to healthcare services, dental services, mental health and substance abuse services, housing services and other appropriate services based on their assessed needs.
4. The parents/guardians of homeless students are informed of the educational and related opportunities available to their students and are provided with meaningful opportunities to participate in the education of their students.
5. Public notice of the educational rights of homeless students is disseminated in locations frequented by parents/guardians, youths and unaccompanied youths, including schools, family shelters, public libraries and soup kitchens, in a manner and form understandable to the parents/guardians and youths.
6. Enrollment disputes are mediated in accordance with law.
7. The parents/guardians of homeless students and unaccompanied youths are fully informed of all transportation services, including transportation to the school of origin, and are assisted in accessing transportation to the selected school.
8. Unaccompanied youths will be assisted in placement or enrollment decisions, their views will be considered, and they will be provided notice of the right to appeal.
9. School personnel providing services to homeless students and their parents/guardians receive professional development and other support.
10. Students who need to obtain immunizations or medical or immunization records will receive assistance.

11. The district collects and reports reliable, valid and comprehensive data to DESE regarding homeless students.
12. All homeless high school students receive information and individualized counseling regarding college readiness, college selection, the application process, financial aid and the availability of on-campus supports.
13. Every effort is made to enroll preschool-age homeless children in preschool if they are not already enrolled.

Disputes

Parents/Guardians or unaccompanied youths may appeal district decisions regarding eligibility, enrollment or placement. The district will make every effort to resolve complaints or disputes at the district level. The homeless liaison will provide the parents/guardians or unaccompanied youth a written explanation of any decision related to school selection or enrollment, including the right to appeal such decisions, and inform the parents/guardians or unaccompanied youth of the district's complaint resolution process when a question or complaint arises concerning the education of a homeless student.

1. If the parent/guardian or unaccompanied youth has a complaint regarding the education of a homeless student, the person must notify the homeless liaison. The homeless liaison serves as the intermediary between the homeless student and the school where the student is seeking enrollment. The homeless liaison shall provide a copy of or access to the district's policies addressing the education of homeless students and the district's complaint form to the parents/guardians or unaccompanied youth.
2. The parents/guardians or unaccompanied youth can file a complaint in writing with the homeless liaison. The homeless liaison will provide a written resolution of the dispute or a plan of action within five days of the date the complaint was received by the homeless liaison. The parties may mutually agree to an extension of time; however, every effort should be made to resolve the complaint in the shortest possible time.
3. If the dispute is not resolved by the homeless liaison, the parents/guardians or unaccompanied youth may file a written complaint with the superintendent or designee for review. The superintendent or designee will provide a written resolution or plan of action within five days of the date the complaint was received by the superintendent or designee. The parties may mutually agree to an extension of time; however, every effort should be made to resolve the complaint in the shortest amount of time.
4. If the dispute is not resolved at the superintendent level, the parents/guardians or unaccompanied youth may file a written complaint with the board of education. The board will provide a written resolution of the dispute or a plan of action within 30 days of the date the complaint was received by the board. If the dispute is not resolved by the board in a manner satisfactory to the parents/guardians or unaccompanied youth, an appeal may be brought to DESE in accordance with the state dispute resolution process, which the homeless liaison will provide to the parents/guardians or unaccompanied youth.

While the dispute process is ongoing, the student in question must be enrolled and allowed to fully participate in school activities as well as receive transportation, if requested, to the school in which the parents/guardians or unaccompanied youth seeks enrollment.

The district shall make translators, interpreters or other support services available without charge and in the

appropriate language to parents/guardians and unaccompanied youths who are English learners, use a native language other than English or need additional supports due to a disability.

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.

Policy IGBCB: PROGRAMS FOR MIGRATORY STUDENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/19/2018

The Board of Education of the Smithville R-II School District recognizes that migratory students face many educational challenges that may interfere with their ability to succeed in the regular education program and meet the same challenging state achievement standards as other students. The district is committed to creating and supporting a migrant education program (MEP) designed to help migratory students and their families overcome these challenges.

The superintendent or designee will develop an MEP that includes the following components:

1. A written procedure for identifying students who may be migratory that provides for notification to appropriate personnel designated by the Department of Elementary and Secondary Education (DESE) of potentially eligible students.
2. A procedure to help identify and recruit, throughout the school year, those students residing in the district who have family members who have been or are engaged in seasonal or temporary agriculture-related work.
3. Assessment of the educational, health and social needs of each student identified as migratory and development of objectives to address those needs so that migratory students are able to meet Missouri learning standards.
4. Advocacy to allow students and families to gain access to health, nutrition and social services.
5. Review of existing programs and resources to determine which can help meet the needs of migratory children and ensure that the children have access to them.
6. A full range of educational services for migratory students.
7. Instructional programs for migratory students that supplement existing educational programs.
8. An opportunity for meaningful participation in the program by parents/guardians and families of migratory students.
9. A parent advisory committee to consult with district officials and staff in the planning, implementation and evaluation of the program.
10. Professional development for teachers that is designed to improve the quality of education for migratory students, including required training by DESE's Migrant Education and English Language Learning (MELL) program.
11. Provision of information to district personnel about any required participation in professional development

provided by DESE's MELL program.

12. Assistance for secondary school students transitioning from school to postsecondary education, employment or military service.
13. Provision of needs assessment, evaluation, financial and other information needed for DESE to carry out its duties.
14. A process for prioritizing the provision of services in order to ensure that if there are limited resources, students most at risk of failing receive services ahead of other students.

Parent and Family Involvement and Engagement

Information about the district's MEP will be disseminated throughout the community and to parents/guardians of students in the program. Parents/Guardians and families will be invited and encouraged to participate in parent/guardian and family involvement and engagement activities developed pursuant to policy IGBC. The district will, whenever possible, communicate with migratory students' parents/guardians who are not proficient in English in a language understandable to the parents/guardians.

Records

The superintendent or designee will maintain and regularly update education and health records of students eligible to receive migrant services, including the date identified, the date approved for services and the services provided. Maintained records will be subject to the provisions of the Family Educational Rights and Privacy Act. The superintendent or designee will also maintain records of all other aspects of the MEP, including teacher training, use of community resources, and program evaluations. Records of parent and family involvement activities, including copies of notices, agendas and meeting minutes, will also be maintained.

The district will provide the results of need assessments, evaluations, financial information and other information as requested by DESE.

Nonpublic Students

The district will provide services to migratory students in nonpublic schools in accordance with law.

Program Evaluation

The superintendent or designee will regularly evaluate the MEP to determine whether the program is meeting the assessed needs of identified migratory students and whether all migratory students have access to the program. Further, the evaluation will determine whether services and resources for migratory students are comparable to the services and resources available to other students in the district.

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

PROGRAMS FOR ENGLISH LEARNERS

The Board of Education recognizes the need to provide equal educational opportunities for all students in the district. Therefore, if the inability to speak and understand the English language excludes a student from effective participation in the educational programs offered by the district, the district shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs.

Definitions

English Learner (EL) – Any student who:

1. Is age 3–21, and
2. Is enrolled or is preparing to enroll in the district, and
3. Has difficulties speaking, reading, writing or understanding English that may be sufficient to deny the individual the ability to attain proficiency on state assessments, the ability to be successful in a classroom where instruction is in English, or the opportunity to participate fully in society, and
4. Meets one of the following additional requirements:
 - ▶ Was not born in the United States or whose native language is a language other than English, or
 - ▶ Is Native American, an Alaska Native or a native resident of the outlying areas who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency, or
 - ▶ Is a migratory individual whose native language is a language other than English and who comes from an environment where a language other than English is dominant.

Immigrant Student – A student between the ages of 3 and 21 who was not born in a state of the United States of America and who has not been attending schools in any one state for more than three full academic years.

Identifying EL Students

The district will screen for EL students by administering the Language Use Survey (LUS) created by the Missouri Department of Elementary and Secondary Education (DESE) to all enrolling

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students. The LUS will be administered in a language the parent/guardian understands using translation or interpretation. This survey may be incorporated into district enrollment forms provided to all students.

Students whose LUS indicates a language other than English and possible language barriers will be referred to the superintendent or designee for additional screening using the DESE-adopted screening tool for determining the level of English language proficiency. The screening results will be used to identify students eligible for EL services and assist in a program placement that meets the students' needs. The district will make every effort to complete the screening process within 30 days of the first day of school or, for students who enroll after the first day, within 30 days of the student's enrollment.

The completed LUS and all other screening results will be retained in the student's permanent record.

Placement of EL Students

Students will be placed in a language instruction educational program (LIEP) based on their current level of English proficiency and in accordance with the standards established by DESE. The district's program is designed to increase English proficiency and academic achievement. Students in these programs will be held to the same academic achievement standards established for all students. If the district offers more than one type of LIEP, students will be placed in an LIEP that is in their best educational interest.

Students will transition out of an LIEP only after meeting state-established exit standards.

Parental Information

The district will, through parental involvement and outreach activities, provide parents/guardians of English learners with information about how the parents/guardians can be active participants in helping their students learn English, achieve at high levels in core academic subjects and meet state-established learning standards.

The parents/guardians of each student identified as an EL student will be informed of:

1. The reasons for identifying their student as an English learner in need of placement in the district's LIEP.
2. The student's level of English proficiency in reading, writing, speaking and listening; how that level was assessed; and the status of the student's academic achievement.

3. The method of instruction that will be used in the program the student is or will be participating in and the methods of instruction used in available alternative programs, including how such programs differ in content, instructional goals and the use of English and a native language in instruction.
4. How the program will meet the educational strengths and needs of the student.
5. How the program will help the student learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.
6. The specific exit requirements of the program, including expected rate of transition from such programs into classrooms that are not tailored for EL students.
7. The expected rate of graduation from high school, including four-year and extended-year adjusted cohort graduation rates for the program if Title III funding is used in high schools.
8. If the student has an individualized education program (IEP), how the LIEP will meet the student's IEP objectives.

Parental Rights

Parents/Guardians will be notified within 30 days after the opening of school enrollment if their student is identified for participation in or is participating in an LIEP. For those students who were not identified as EL prior to the beginning of the school year, but are identified during the school year, such notice shall be provided within two weeks of the student being placed in an LIEP.

Parents/Guardians of EL students have the right to decline the placement of their student in an LIEP, choose an LIEP other than the one recommended by the district (if other programs are offered by the district) or have their student immediately removed from an LIEP upon their request.

Parents/Guardians may opt their student out of the district's LIEP by contacting the EL coordinator and attending a meeting with the coordinator and one or more LIEP instructors to discuss the results of the student's screening assessment and information about the LIEP. Parents/Guardians who decline language instruction will be asked to sign a waiver exempting their student from instruction. Students removed from the district's LIEP will continue to receive language supports in the regular classroom, and the district will continue to monitor the student's progress toward English proficiency. Parents/Guardians may not refuse regular classroom supports and may not opt their students out of statewide assessments to determine English proficiency.

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A written copy of these rights, which may be a copy of this policy, will be provided to parents/guardians of EL students and, to the extent practicable, will be provided in a language the parents/guardians understand.

Parental Notification

Pursuant to federal law, if the district's English language program fails to make progress on annual measurable achievement objectives, the district will notify parents/guardians of students participating in the district's program. Such notice shall be provided within 30 days after the district learns of the failure.

EL Coordinator

The district's EL program coordinator is the Director of Special Services.

The EL coordinator shall have the following duties:

1. Provide parents/guardians with notice of and information regarding the LIEP as required by law.
2. Ensure that any student whose LUS indicates a language other than English will be further screened and assessed for English proficiency using the state-provided instruments.
3. Determine the appropriate instructional environment for EL students.
4. Maintain records relating to the LIEP and prepare reports for submission to DESE.
5. Reach out regularly to parents/guardians of EL students, assist them in becoming active participants in their students' learning, and provide information about the district's parent and family involvement and engagement activities.
6. Evaluate the effectiveness of the LIEP and make recommendations for revisions.
7. Prepare reports on immigrant students for submission as required by DESE.

LIEP Staff

Teachers and paraprofessionals working in the district's LIEP will have all required state and federal certifications and other qualifications required by law. In addition, teachers and paraprofessionals providing services to English learners will be comparable in terms of education, experience and

effectiveness to teachers and paraprofessionals who are providing services to students who are not English learners.

Assessment

In addition to other required assessments, the district will annually assess the English proficiency of EL students in accordance with state and federal law and the district's assessment policy.

Nonpublic Participation

The district will consult with representatives of nonpublic schools as required by federal law.

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

Adopted: 04/21/2010

Revised: 12/19/2018; 11/18/2020

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
DJFA, Federal Programs and Projects

Legal Refs: Equal Educational Opportunities Act, 20 U.S.C. § 1703(f)
English Language Acquisition, Language Enhancement, and Academic Achievement
Act, 20 U.S.C. §§ 6811 - 7014
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
34 C.F.R. Part 100
Plyler v. Doe, 457 U.S. 202 (1982)
Lau v. Nichols, 414 U.S. 563 (1974)
Castaneda v. Pickard, 648 F.2d 989 (5th Cir.1981)

Smithville R-II School District, Smithville, Missouri

Policy IGCD: VIRTUAL COURSES

Status: ADOPTED

Original Adopted Date: 12/19/2018 | **Last Revised Date:** 09/15/2021 | **Last Reviewed Date:** 09/15/2021

Definitions

Virtual Course – A class that is offered by or provided through the district that results in a district-issued grade and/or academic credit and that is designed to deliver all or most of the curriculum electronically. Students may be separated from their instructor or teacher of record by time, location or both.

General

Virtual instruction can be an effective education option for some students, and the district may offer virtual courses to students through district staff or by contracting for those services as part of the district-sponsored curriculum. Eligible students may also enroll in Missouri Course Access and Virtual School Program (MOCAP) courses in accordance with policy IGCD. The district will accept all grades and credits earned through district-sponsored virtual instruction and MOCAP.

Before a student independently enrolls in and pays for virtual courses not otherwise accessible through the district, the district recommends that the student meet with district staff to ensure that the course aligns with the student's education goals and that the district will accept the course credit.

Virtual Course Behavior and Expectations

Students taking courses virtually are subject to district policies, procedures and rules applicable to students enrolled in traditional courses including, but not limited to, the district's code of conduct and prohibitions on academic dishonesty, discrimination, harassment, bullying and cyberbullying.

When students are participating in virtual courses, what can be seen and heard electronically from the student's location becomes part of the district's education environment. Students are responsible for ensuring that what is seen, heard or otherwise communicated is appropriate for the learning environment and is not disruptive. The district's code of conduct applies to virtual in-class behavior. Student speech that is prohibited on campus is also prohibited in the virtual classroom. In a virtual classroom, such conduct or speech could include, but is not limited to, messaging conveyed by symbols or phrases that are visible on clothing; signage in the visible background; virtual background imagery; graphics or text visible during screen sharing; background audio; communications in classroom chats; disruptive screen names; and any other messaging a student places into the virtual environment that disrupts learning, is not appropriate for the education environment or is contrary to the district's educational mission.

Students may electronically display everyday items that they would be prohibited from possessing at school (such as pets, toys or objects forming typical room décor) as long as the display does not disrupt learning.

Virtual Course Enrollment

The superintendent or designee will establish open enrollment periods and registration deadlines for students to enroll in district-offered virtual courses and MOCAP courses. These enrollment periods and registration deadlines will be strictly enforced unless the superintendent or designee determines that an exception is warranted due to circumstances such as a change in a student's health or the long-term suspension of a student. Enrollment periods and registration deadlines must align with the district's academic calendar and assessment schedule to the extent practicable.

If the request to take a virtual course is denied, students or their parents/guardians may appeal the decision to the superintendent or designee, and the superintendent's or designee's decision will be final. Requests to take MOCAP courses will be processed as required by law as outlined in policy IGCD.

Attendance and Completion

Students who enroll in district-sponsored virtual courses or MOCAP courses through the district are expected to actively participate in those courses with the goal of completing the course. If a student does not actively participate in a course or is not progressing in the course, the district may remove the student from the virtual course and refuse

to enroll the student in virtual courses in the future.

Students enrolled in virtual courses are expected to complete all course requirements in the time allotted for the course. Extensions of time to complete a virtual course will be permitted only in situations where completion of the course in the allotted time would be impossible due to factors beyond the student's control.

Students enrolled in a district-sponsored course or MOCAP course through the district will be considered in attendance for state aid purposes in accordance with law. A completed virtual course or MOCAP course shall be counted as no less than 95 percent attendance for purposes of A+ Scholarship Program eligibility.

End-of-Course (EOC) Examinations

Students are required to take the state-mandated EOC examinations administered by the district regardless of whether the course for which the examination is required was taken virtually or in person.

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.

Policy IGCD: MOCAP VIRTUAL COURSES

Status: ADOPTED

Original Adopted Date: 09/15/2021 | **Last Reviewed Date:** 09/15/2021

Definitions

Missouri Course Access and Virtual School Program (MOCAP) Course – A virtual course that is offered by a course provider listed by the Department of Elementary and Secondary Education (DESE) as part of the virtual course program under § 161.670, RSMo. Students must be enrolled in the district and meet eligibility requirements to take a MOCAP course. The district pays for MOCAP courses and is required to accept MOCAP course credit.

General

Students in grades K–12 may enroll in and attend a MOCAP course in accordance with policy IGCD and this policy. In accordance with state law, the district will pay the cost of student enrollment in MOCAP courses when:

1. The student meets eligibility requirements;
2. The student has approval for enrollment in accordance with this policy; and
3. Taking the course does not cause the student to exceed fulltime enrollment in the district.

The district encourages parents/guardians and students to consult with district staff to ensure that the student is aware of all available academic options and that courses align with the student's academic goals. District counselors or certificated staff will develop individual career and academic plans (ICAPs) for district students enrolled in three or more virtual courses. If a student already has an ICAP, the plan will be reviewed and modified as necessary.

The district is not obligated to provide students with computers, equipment or Internet access to take MOCAP courses unless otherwise required by law.

Eligibility

A student is eligible to enroll in a MOCAP course through the district if the:

1. Student resides and is enrolled in the district on a full-time basis;
2. Student has attended a public school or charter school for at least one semester immediately prior to enrolling in a MOCAP course;* and
3. Enrollment is approved by the principal or designee.

*Students will be excused from this attendance requirement if they have a documented medical or psychological diagnosis or condition that prevented them from attending a school in the community during the previous semester. Attendance in a school-sponsored early childhood education program qualifies as attendance for MOCAP kindergarten enrollment.

Enrollment

The enrollment process for MOCAP courses will be substantially similar to the process for enrollment in district-provided virtual courses as detailed in policy IGCD and accompanying procedures and guidelines. Students seeking to enroll in MOCAP courses must comply with the same registration deadlines applicable to other district courses to ensure that they receive the full benefit of the course and do not fall behind.

A student or parent/guardian must receive district approval before the student may enroll in one or more MOCAP courses or full-time schooling through MOCAP paid for by the district. Approval will be granted and the student will be enrolled unless the principal or designee, in consultation with the student's parents/guardians and relevant staff

(such as the school counselor or district special education director), determines that it is not in the best educational interest of the student to enroll in the course.

The principal or designee will approve or deny the initial request within ten business days from the date the principal or designee receives the request unless the student has an individualized education program (IEP) or an accommodation plan under Section 504 of the Rehabilitation Act of 1973 (Section 504 plan). If the district fails to make a decision and communicate it to the student or parents/guardians within ten business days when required by law to do so, the enrollment will be deemed approved. For the purposes of this policy, a "business day" is a nonholiday weekday in which the district's administrative offices operate under normal business hours.

If the principal or designee determines that it is not in a student's best educational interest to take a virtual course, they will notify the student and the parents/guardians in writing, provide an explanation for the decision and inform them that they may appeal the decision to the board.

Students with Disabilities

If a student has an IEP or Section 504 plan, the student's IEP team or Section 504 team will make the initial decision on whether the student is approved to enroll in one or more MOCAP courses or full-time schooling through MOCAP. This decision will be made expeditiously but is not subject to the ten-business-day timeline for MOCAP courses. Any appeal of a decision made by an IEP team or Section 504 team must go through the process provided under federal law.

If enrollment is appropriate, the IEP team or 504 team will determine the services, aids, supports and accommodations required. The district will provide the MOCAP course provider with a description of the accommodations and modifications contained in the IEP or Section 504 plan. The MOCAP course provider's teacher will participate in the IEP team or Section 504 team as necessary.

The district will work with the MOCAP course provider to develop and implement a monitoring protocol or process to ensure that the provider is implementing the accommodations and modifications as written. If a provider fails to implement the IEP or Section 504 plan, or if the IEP or Section 504 team determines that the MOCAP course is not appropriate for the student's needs, the district may reconsider approval for the student to take the course with the provider, subject to procedural safeguards. The district will provide to the state the reasons for discontinuing the course when it is related to failure on the part of the provider to make the required accommodations and modifications.

Appeal

If the student or parent/guardian appeals to the board, the principal or designee will provide the board with written reasons for denying the student's enrollment, and the student or parent/guardian will provide the written reasons that the student should be allowed to take the course. Both documents will be retained by the board and will be incorporated into the minutes. In addition, the student, parents/guardians and the principal or designee will be allowed to present their arguments at a board meeting.

The appeal to the board shall be held in closed session. The board will consider the information presented and issue a written decision within 30 calendar days of the meeting.

The student or parents/guardians may appeal the board's decision to DESE. If an appeal is filed with DESE, the district will provide all records, including the good cause justification for the enrollment decision and the evidence used to make the board's decision, within 72 hours of the filing of the appeal as required by law.

Monitoring and Reporting

The district will monitor the progress and success of students enrolled in MOCAP courses. The district may remove a student from a course or alter the course offering if the course does not meet the education needs of the student, including situations where the student does not actively participate in the course or complete course assignments.

The district will report all concerns regarding the quality or delivery of a MOCAP course to DESE. The district may consider concerns regarding the quality of a course when making approval decisions for other students. In addition, the district will consider recommendations made by DESE regarding continued or future enrollment in MOCAP courses.

Transcripts and Transfers

District transcripts will identify which credits were earned through MOCAP courses. The district will recognize course credit earned through MOCAP and accept transfer credits from any MOCAP course. Students who transfer to the district while enrolled in MOCAP courses will be allowed to continue enrollment in those courses.

Notice

The district will inform students and parents/guardians of their child's right to participate in MOCAP and will inform parents/guardians of the availability of the MOCAP program. The district will include the availability of the program in parent/guardian handbooks and registration documents and feature the program on the homepage of the district's website, as required by law.

Payment

The district will pay a MOCAP course provider a monthly pro rata amount based on a student's completion of assignments and assessments and subject to the cost limitations in state law. The district will stop making monthly payments if a student discontinues enrollment. The superintendent or designee is authorized to negotiate lower course rates with MOCAP course providers when possible.

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

Smithville Online Learning

As we prepare students for college and career readiness, we believe having the option to take online courses is important for students. details regarding our online learning program can be found below. For specific details regarding course enrollment, please visit with your student's guidance counselor.

Senate Bill 603

SB 603 was passed in the spring of 2018. It expanded online learning opportunities for students across Missouri. Below are a few key points of the bill:

- Each school district must adopt a policy that creates a process for students to enroll in online courses. This may include consulting with a school counselor.
- The school district will pay for eligible K-12 students to take online courses as long as the student: resides in the Smithville School District, is currently enrolled in the district, and was enrolled full-time in a public school the previous semester. **Exceptions for homeschool students who reside in the district are referenced below in the 'homeschool student section of this document.
- School districts are not required to pay for courses beyond full-time enrollment. Therefore, if a student is already enrolled in seven courses in a semester during the regular year (or two courses during the summer school session), the district is not required to pay for additional courses.
- School districts may determine a student's eligibility to enroll in an online course and can deny enrollment based on 'the best educational interest of the child'. If the parent disagrees with the district's decision, an appeal may be made to the Board of Education.

What is MOCAP?

Missouri Course Access and online School Program (MOCAP) was established in 2007 as the state's online school. It was previously named Missouri online Instruction Program (MOVIP). Students can take courses from any Internet-connected computer, available 24-hours a day, seven days a week. MOCAP's mission is to offer Missouri students equal access to a wide range of high quality courses, and interactive online learning that is neither time nor place dependent.

Preferred Vendors for SSD

Local school districts and charter schools are able to use their own preferred online provider. The Smithville School District uses Launch as preferred vendors in addition to the local online high school courses developed and taught by SSD teachers. Launch is operated and overseen by the Springfield MO) School District and currently offers over 120 courses in grades K-12. Courses are designed by Missouri teachers and aligned to the state standards. A formal review process is built into all course development to ensure high quality and rigor. Students wishing to take advantage of online learning opportunities will do so through our own courses or Launch first. Launch is an approved MOCAP provider. Options not offered through either vendor can then be discussed with the student's counselor/principal.

Current course offerings through Launch can be found at: <https://fueledbylaunch.com/courses/>

Students wishing to take a course through a different vendor are required to set a meeting with their school counselor to seek approval. They will discuss possible options based on an individual basis.

Enrollment Procedures

In order to enroll in an online course under the provisions of Senate Bill 603, students must be a resident of the Smithville School District and enrolled in the district. Upon determining that online learning may be an option for a student, parents should contact the school counselor to pursue possible enrollment. A meeting will be scheduled with the student's counselor and administrator where student eligibility will be determined. The school district may deny a student/parent request to enroll in a online course at district cost if one or more of the following is true:

- The student has previously gained the credits provided from the completion of the online course.
- The online course is not capable of generating academic credit.
- The online course is inconsistent with the remaining graduation requirements of the student.
- The student has not completed the prerequisite coursework for the requested online course.
- The student has failed a previous online course(s).
- The course enrollment request does not occur within the same timeliness established by Launch, and/or the school district.

Should a student meet the eligibility expectations and the course requests are aligned to graduation requirements, he/she will be enrolled in the online courses agreed upon.

Homeschool Students

If a student who resides in the Smithville School District was homeschooled in the prior semester and wishes to take online courses at the district's expense, there are allowances for this. The following criteria must be met:

- The student resides in the district (and provides proof of residency) The student will look at SHS online courses and Launch courses first
- The student must meet all of the expectations (regarding prerequisites, etc.)
- The student may only enroll in a total of eight courses a semester during the school year or two courses during the summer semester (but may enroll in less than eight)

Scheduling

If a student has a schedule that includes both face-to-face and online courses, he/she may be required to remain on campus while working on the online course, depending upon when the online course work is occurring. This will be at the determination of the building administrator. Students who work off campus are responsible for their own transportation; the district will not provide transportation.

Progress Monitoring

Parents are given parent observer accounts to monitor progress of their students for Launch Classes.

District employees (when given permission) can monitor student progress using Launch Command Center.

State Testing

All MOCAP students are required to participate in the Missouri Assessment Program (MAP) and End of Course (EOC) testing when appropriate. MAP and EOC tests measure students' progress toward mastery of the Show-Me Standards, which are the educational standards in Missouri. All testing is conducted at the local school site in which the student resides or at the district office.

- MAP: All students in grades three through eight in Missouri will take the MAP test in communication arts and math. Students in grades five and eight will also take the MAP test in science.
- EOC: End-of-Course assessments are taken when a student has received instruction on the course-level expectations for an assessment, regardless of grade level (but typically in high school). EOC tests are required in the subject areas of Algebra I and/or Algebra II, Biology, English II and Government.

IEP/504 Students

Launch instructors are trained in accommodating students' needs. The school's process coordinator or 504 case manager will email your student's IEP or 504 to Launch so that it can be distributed to the student's teachers. Accommodations will be made accordingly.

Policy IKF: GRADUATION REQUIREMENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/16/2020 | **Last Reviewed Date:** 12/16/2020

The Board of Education for the Smithville R-II School District establishes the following graduation requirements as a condition of receiving a diploma. The superintendent or designee will regularly communicate these requirements to students and parents/guardians and recommend modifications to the Board when necessary.

Requirements

A student must meet the following requirements in order to graduate from the Smithville R-II School District, unless otherwise exempted. The student must:

1. Complete a total of 26 credits in grades 9 and above, including credits required by the State Board of Education.
2. Pass examinations on the provisions and principles of American history, American institutions, American civics, and the Missouri and U.S. Constitutions. (§§ 170.011, .345, RSMo.)
3. Successfully complete a course of instruction of at least one semester in length on the institutions, branches and functions of the government of the state of Missouri, including local governments, the U.S. government and the electoral process. (§ 170.011, RSMo.)
4. Have earned credit in the Smithville R-II School District's educational program between the ninth and twelfth grades.
5. Have taken all required end-of-course (EOC) examinations. (DESE Graduation Guidance)
6. Have received 30 minutes of cardiopulmonary resuscitation (CPR) instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking. (§ 170.310, RSMo.)

Exceptions

1. Graduation requirements for a student with a disability receiving special education services pursuant to the Individuals with Disabilities Education Act (IDEA) may be determined according to the student's individualized education program (IEP). Any specific graduation requirement may be waived if recommended by the student's IEP team. (DESE Graduation Guidance)
2. Students transferring from other Missouri school districts or charter schools, private or parochial schools, home schools, unaccredited schools, and schools in other states or countries will have their credits transferred in accordance with guidance from the Department of Elementary and Secondary Education (DESE) and may have some graduation requirements waived depending on the circumstances. (DESE Graduation Guidance)
3. The district will waive the requirement to pass examinations on the provisions and principles of American history, American institutions and the Missouri and U.S. Constitutions for students who transfer from a school

outside Missouri if they can document the successful completion of a course of instruction in the institutions, branches and functions of state government, including local governments, the U.S. government and the electoral process. Such instruction must have been completed in grades nine through twelve. The district will waive the requirement to pass a civics examination when recommended by the student's IEP team. (§ 170.011, RSMo., DESE Graduation Guidance)

4. Graduation requirements for foster care students will be modified or waived in accordance with law and Board policy IGBE. (§ 160.1990, RSMo.)
5. Students in the household of an active duty member of the military, including students in the household of certain veterans who are deceased or injured as defined by law, who transfer to the district may have graduation requirements modified or waived in accordance with law. (§ 160.2000, RSMo.)
6. Eligible students who successfully complete the Missouri Option Program will be awarded a high school diploma. (5 C.S.R. 20-500.330)

Earning Credit, Substituting Credit and Alternatives

1. The superintendent or designee is directed to assign credit values for courses offered by or through the school district and to develop formulas and procedures for awarding credit to students who transfer from a district that uses a different standard for awarding credit.
2. The Smithville R-II School District recognizes units of credit obtained through accredited schools and school districts, including credits earned through courses delivered primarily through electronic media, such as online courses. For the purposes of this policy, an "accredited school" is a Missouri public school, a Missouri charter school, the Missouri Course Access Program (MOCAP); a private agency where students with disabilities are placed by a public school; or any school or school district accredited by the Missouri State Board of Education, AdvancED or the Independent Schools Association of the Central States (ISACS). If a school or school district is located in another state, that school or school district must be accredited by that state's department of education, AdvancED, ISACS or the equivalent organizations. (§ 161.670, RSMo., DESE Graduation Guidance)
3. Students may earn advanced-standing credit by successfully completing high school-level courses prior to entering the ninth grade. Advanced-standing credit may be counted toward meeting all graduation requirements, including state minimum requirements. (DESE Graduation Guidance)
4. The district may waive one unit of academic credit in English language arts, mathematics, science or social studies, whichever is most appropriate, for students who successfully complete an eligible three-unit career/technical program. Students must request this credit waiver prior to enrolling in the career/technical program for which the waiver is sought. Students must take the end-of-course exam required for any waived course. Unless otherwise waived by law, students who waive a social studies unit under this section are still required to complete a course of at least one semester in length on the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States and the electoral process. Students are also required to meet state requirements regarding American civics. (DESE Graduation Guidance)
5. In addition to the waiver of credit above, a student may fulfill one unit of academic credit with a district-approved agriculture or career and technical education course for any English language arts, mathematics,

science or social studies unit required for high school graduation in any combination up to fulfilling one requirement in each of the four subject areas. The substitution may not be made for courses that require an end-of-course assessment. Unless otherwise waived by law, students who waive a social studies unit under this section are still required to complete a course of study of at least one semester in length covering the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States and the electoral process. Students are also required to meet state requirements regarding American civics. (§ 170.017, RSMo.)

6. The district may allow a student to fulfill one credit of any district-required mathematics, science or practical arts unit with a district-approved computer science course if the student has taken or is on track to take all courses that require end-of-course examinations for math and science. The district will notify all students relying on this provision that some institutions of higher education may require four units of academic credit in mathematics for college admission. The district will require the parent, guardian or legal custodian of each student to acknowledge in writing that taking a computer science course to fulfill a unit of academic credit in mathematics may have an adverse effect on college admission decisions. (§ 170.018, RSMo.)
7. Students may earn credit for a subject that has been embedded into another subject-area course in accordance with guidelines established by DESE. (DESE Graduation Guidance)
8. The superintendent or designee may approve credit earned on a proficiency basis if a student is able to demonstrate mastery of the competencies for a particular course and if state requirements are met for a quality, competency-based credit system. (DESE Graduation Guidance)
9. Students may earn credit by other means as approved by the Board and in accordance with law.

Diplomas and Certificates

Students who complete the district's graduation requirements or are otherwise entitled to a diploma in accordance with law and district policy will receive a district diploma.

District Diploma for Coursework Completed in Other Districts

In accordance with law and DESE guidance, the district may be required to issue a diploma to students who did not complete their education in the district but who graduated based on the district's graduation requirements. Such circumstances include, but are not limited to, situations where a foster student transfers from the district to another school or district or a student in the household of an active duty member of the military transfers to another district, in accordance with law. (§§ 160.1990, .2000, 167.019, RSMo.)

Diplomas from Other Districts

Students in the household of an active duty member of the military, including students in the household of certain veterans who are deceased or injured as defined by law, who transfer to the district at the beginning of or during their senior year and who will not meet the graduation requirements of the district by the end of the senior year may receive a diploma from the school district they are transferring from if they are able to meet the graduation requirements of that district. (§ 160.2000, RSMo.)

Foster care students who enroll in the district at the beginning of or during their senior year who cannot meet the district's graduation requirements by the end of the senior year, even after all alternatives have been considered, may receive a diploma from the previous school attended if they are eligible to receive a diploma from the previous school. (§ 160.1990, RSMo.)

Certificate of Attendance

Students with disabilities who reach age 21 or otherwise terminate their education and who have met the district's attendance requirements but have not completed the requirements for graduation may receive a certificate of attendance as directed by the student's IEP team. (DESE Graduation Guidance)

Career and Technical Education Certificate

In addition to receiving their graduation diploma, students may earn a career and technical education certificate (CTE) if they meet the standards created by the State Board of Education. (§ 170.029, RSMo.)

Seal of Biliteracy

The district may award a Missouri Seal of Biliteracy to students who have attained proficiency in English and at least one other language before high school graduation in accordance with rules established by DESE.

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

Policy IKFA: EARLY GRADUATION

Status: ADOPTED

Original Adopted Date: 04/21/2010

Students who wish to graduate early will be required to meet with a guidance counselor and submit written notification to the principal. The guidance counselor will notify the student's parents or guardians of the student's decision if the student is a dependent. The student will receive a diploma if the student has met the Smithville R-II School District's graduation requirements.

The student who chooses early graduation will be allowed to attend prom and participate in the spring graduation ceremonies but will be considered an alumnus for all other activities.

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

Policy IL-1: ASSESSMENT PROGRAM

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 05/15/2019

(K-12 Districts)

The district will use high-quality academic assessments as one indication of the success and quality of the district's education program. Further, the Board recognizes its obligation to provide for and administer assessments as required by law. The Board directs the superintendent or designee to create procedures governing assessments consistent with law and Board policy.

In cooperation with the administrative and instructional staff, the Board will regularly review student performance data and use this information to evaluate the effectiveness of the district's instructional programs, making adjustments as necessary.

The district will comply with all assessment requirements for students with disabilities mandated by federal and state law, including the Individuals with Disabilities Education Act (IDEA).

Participation

In order to achieve the purposes of the student assessment program and comply with state and federal law, the district requires all enrolled students to participate in all applicable aspects of the district assessment program, including statewide assessments.

District Assessment Plan

The superintendent or designee shall ensure that the district has a written assessment plan that will test competency in the subject areas of English, reading, language arts, science, mathematics, social studies and civics, as required by law.

The purposes of the districtwide assessment plan are to facilitate and provide information for the following:

1. *Student Achievement* - To produce information about relative student achievement so that parents/guardians, students and teachers can monitor academic progress.

2. *Student Guidance* - To serve as a tool for implementing the district's student guidance program.

3. *Instructional Change* - To provide data that will assist in the preparation of recommendations for instructional program changes to:

- Help teachers with instructional decisions, plans and changes regarding classroom objectives and program implementation.
- Help the professional staff formulate and recommend instructional policy.
- Help the Board of Education adopt instructional policies.

4. *School and District Evaluation* - To provide indicators of the progress of the district and individual schools toward established goals.

5. *Accreditation* - To ensure the district obtains and maintains accreditation.

There shall be broad-based involvement of staff and others with appropriate expertise in the development of the assessment program and its implementation. Instructional staff will be given training and responsibilities in coordinating the program. Every effort will be made to ensure that testing contributes to the learning process rather than detracts from it and that cultural bias does not affect the accuracy of assessments.

Reading Assessment

The district will administer a reading assessment to students in third, fourth, fifth and sixth grades to determine whether additional reading instruction and retention are needed, as required by law. The district will also administer a reading assessment to all students who transfer to the district in grades four, five or six, and to all students attending

summer school due to a reading deficiency, as required by law.

The reading assessment will be a recognized method or combination of methods of assessing a student's reading ability. Results of assessments will be expressed as reading at a particular grade level. The superintendent or designee will determine which methods of reading assessment the district will utilize.

English Proficiency Assessments

The district will annually assess the English reading, writing and oral language skills of district English Learner students in kindergarten through grade 12.

Statewide Assessments

The district will implement the components of the Missouri Assessment Program (MAP) in order to monitor the progress of all students in meeting the challenging academic standards set forth by the Missouri State Board of Education. The assessments will be the same for all students in the district, including those students identified as migratory or homeless, students in foster care and students with a parent/guardian who is an active duty member of the armed forces or who serves on full-time National Guard duty.

End-of-course (EOC) assessments will be administered in accordance with law and the rules of the Department of Elementary and Secondary Education (DESE). In courses where EOC assessments are given, the superintendent will determine what percent of the course grade will be decided by performance on EOC assessments.

If a student is taking a course that requires an EOC assessment and is failing the course or for some other reason may be required to retake the course, the district may choose to delay administration of the EOC assessment until the student has completed the course the second time. A team consisting of the course instructor, the principal and a counselor will determine when delayed administration of an EOC assessment is appropriate. In the case of a student with an individualized education program (IEP), the IEP team will make the determination.

EOC examinations may be waived for:

1. Students receiving special education services whose IEP teams have determined that the MAP-A alternative is the appropriate assessment;
2. English learner students who have been in the United States 12 or fewer months at the time of administration, in some circumstances; and
3. Foreign exchange students.

The School Board authorizes the superintendent to establish a process designed to encourage the students of this district to give their best efforts on each portion of any statewide assessment, which may include, but is not limited to, incentives or supplementary work as a consequence of performance.

National Assessment of Educational Progress

If chosen, the district will participate in the National Assessment of Educational Progress as required by law.

Assessments in Preparation for Postsecondary Education and Work Opportunities

The district encourages students to prepare for postsecondary education or work opportunities prior to graduating from the district. District staff will encourage students to take assessments necessary for pursuing postsecondary education, career training and employment. Such assessments may include, but are not limited to, the ACT, the ACT Plus Writing Assessment, the ACT WorkKeys assessments (WorkKeys) and the SAT. When the district determines it is economically feasible, the district may provide access to assessments at the district's expense. The superintendent or designee will work with testing companies to provide eligible students access to fee waivers and other resources so that all district students may access these assessments.

ACT/WorkKeys at State Expense

DESE may require school districts to administer the ACT as part of statewide testing requirements. When that occurs and the state funds the test, any student who would be allowed or required to participate in the ACT will have the opportunity, on any date within three months before the ACT administration, to participate in the WorkKeys at the state's expense in lieu of taking the ACT. Any student who participated in a state-funded administration of the WorkKeys shall not participate in any state-funded administration of the ACT.

ACT/WorkKeys at District Expense

Students who are required or allowed to participate in the ACT at district expense will have the opportunity, on any date within three months before the ACT administration, to participate in the WorkKeys at district expense. The district may also require the student to take the ACT.

High School Equivalency Examination

The district participates in the Missouri Option Program, a competency-based program that allows eligible students to earn a district diploma if the student passes the state high school equivalency examination.

Parental Notice

At the beginning of each school year, the district shall notify the parents/guardians of each student that the district will provide, upon request and in a timely manner, information regarding any state or district policy regarding student participation in any assessments. Such notice shall include information about state or local policies that would allow students to opt out of assessments. Missouri has no such policy, and the district expects all students to participate in all district or statewide assessments.

The district shall post on the district's website and, where practicable, on the website of each school in the district for each grade level in the district, information on any assessments required by state or federal law, including any assessments required by the district. The information shall include the subject matter being assessed, the purpose for the assessment, the source of the requirement for the assessment, and where the information on the assessment is available. The information shall also include the amount of time students will spend taking the assessments, the schedule for the assessments, and the time and format for disseminating the results, when available.

If the district does not operate a website, the district shall determine how to make the information widely available, including dissemination through the media, public agencies or directly to the parents/guardians.

The district will provide parents/guardians information, if available, on the level of achievement and academic growth of the student on each of the statewide assessments in which the student participates. The district will provide the information in an understandable and uniform format and, to the extent possible, the information will be written in a language the parent/guardian can understand. If it is not practical to provide written translations to parents/guardians, the information shall be orally translated for them. Upon request by a parent/guardian with a disability, the district will provide the information in an alternate format that is accessible to the parent/guardian.

Access to Assessments by Students Not Enrolled in the District

In order to foster positive community relationships and to promote the academic progress of all students located within the district, the district may, at its discretion, allow private and home-schooled students who reside within district boundaries but who are not enrolled in the district to participate in grade-level, end-of-course or other assessments if the assessments are funded by the state. These student scores shall not affect district accountability.

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<p><i>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.</i></p>

Policy JED: STUDENT ABSENCES AND EXCUSES

Status: ADOPTED

Original Adopted Date: 04/21/2010

The Board recognizes the importance of regular student attendance to a successful learning experience. Research supports the fact that attendance is crucial to improving student achievement. At least one (1) study identified attendance as the single greatest indicator of student achievement. The Board further recognizes that:

1. Frequent absences of students from regular classroom learning experiences disrupt the continuity of the instructional process.
2. The benefits of classroom instruction, once lost, cannot be entirely regained.
3. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences and study in order to meet the district's student achievement goals.
4. Holding students and their parents/guardians responsible for attendance is part of the district's larger mission to train students to be productive citizens and employees.
5. State law reflects the importance of regular attendance by establishing compulsory school attendance and charging this Board to enforce that law.
6. State law authorizes school boards to make all needful rules for organization and government in the district.

Therefore, regular and punctual patterns of attendance will be expected of each student enrolled in the Smithville R-II School District.

Development of Rules and Procedures

The superintendent, with the assistance of building-level administrators and other administrative and professional staff, shall establish rules and procedures for student attendance within the district. The primary purpose of the district's attendance rules and procedures shall be to change behavior, not to punish students. Such rules and procedures shall be published on the district's website and in appropriate handbooks and shall be subject to review by the Board of Education. The administration will develop rules and procedures that minimally include:

1. Clear and reasonable attendance standards with consistently enforced consequences for violating those standards.
2. Early intervention strategies for students in primary and elementary grades.
3. Targeted intervention strategies.
4. Strategies to increase engagement with students and families.

In developing these rules and procedures, the administration will collect data to determine why students are absent. Data collected will include, but not be limited to:

1. Reasons for student absences.
2. Family attitudes toward school attendance.
3. The extent to which frequently absent students feel engaged with the school.
4. The extent to which family members of students who are frequently absent feel engaged in student learning.

5. Academic needs of frequently absent students.
6. Nonacademic service needs of frequently absent students.

In response to the data collected, the superintendent or designee will implement one (1) or more of the following strategies:

1. Academic support programs for students and families.
2. Use of alternative educational methods, such as distance learning and homebound instruction.
3. Use of available, appropriate community resources.
4. Staff-Student advisory or mentoring programs designed to increase student engagement with the school.
5. Procedures for student and family contact when students are absent.

No rule or procedure will preclude a student from making up work missed due to any type of absence, including absences due to suspension. Procedures and rules must include a due process component that includes notice before consequences are imposed and that allows students and their parents/guardians to appeal any imposed consequence to the superintendent. The Board will not hear appeals of consequences for excessive absences.

The district will maintain a comprehensive system of attendance records for each student. Each teacher is responsible for the accurate reporting of daily attendance in the classroom. The building principal is responsible for supplying information to parents/guardians about student absences and for submitting attendance information to the superintendent's office.

The district will contact the Children's Division (CD) of the Department of Social Services or the local prosecutor in cases where the district has a reasonable suspicion that a student's lack of attendance constitutes educational neglect on the part of the parents/guardians or that parents/guardians are in violation of the compulsory attendance law. No such action will be taken unless other strategies and interventions have been implemented and proven ineffective.

If a student in foster care is absent from school due to a decision by a court or child-placing agency to change the student's placement or due to a verified court appearance or related court-ordered activity, the grades and credit of the student will be calculated as of the date the student left school, and no lowering of the student's grades shall occur as a result of the absence under these circumstances.

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

Administrative Procedure JED-AP(1): STUDENT ABSENCES AND EXCUSES - (Grades K-8)

Status: ADOPTED

Original Adopted Date: 05/20/2010 | **Last Revised Date:** 08/01/2010 | **Last Reviewed Date:** 08/01/2010

As directed by the Board, the following procedures will be used to implement the district's attendance policy.

Definitions

Attendance – A student is considered to be in attendance if the student is physically present in a class; participating in a district-sponsored or district-approved activity; participating in a class through alternative methods or media as allowed by Board policy; receiving homebound services; or receiving services at another location pursuant to law or by arrangement of the district.

Parent – A parent, guardian or person acting as a parent in the absence of the parent or guardian if the student is under 18. If the student is 18 or otherwise emancipated, the student will serve as the parent for purposes of this procedure.

Tardy – A student is tardy if the student arrives after the expected time class or school begins, as determined by the district. Tardiness will be counted as an absence in situations where the student arrives too late to have meaningful participation in the class, lesson or activity.

Truancy – A student is truant if the student is absent from class or school without the knowledge and consent of the parents and the administration. A student is also considered truant if the student leaves school without the consent of the principal or accumulates excessive unjustifiable absences, even with parental consent. Truancy is a type of unexcused absence.

Attendance Standards

The following absences will be excused. Documentation must be provided as indicated.

1. Illness or injury of the student, with written excuse from parent.
2. Illness or injury of a member of the student's family when the student's presence is necessary or expected, with written excuse from parent.
3. Medical appointments, with written appointment confirmation by medical provider.
4. Funeral, with written excuse from parent. The principal may require a program or other evidence of attendance as additional verification.
5. Religious observances, with written excuse from parent.
6. Other appointments that cannot be scheduled outside attendance hours, such as court appearances, with written excuse from parent.
7. Out-of-School suspension.

8. Visits with a parent or legal guardian who is an active duty member of the military who has been called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or combat support posting, with permission of the superintendent or designee.

All other absences and any absence for which required documentation is not provided are unexcused.

Consequences for Violations

Grades K-5

Attendance in early grades is crucial to later academic development. In addition, attendance habits are formed in early grades, and many later attendance problems can be averted with intensive family and student interventions in early grades. For this reason principals, with the assistance of building staff, will closely monitor student attendance and implement intervention strategies and other actions as follows:

1. Any time a student is absent and the parents have not contacted the school, the principal or designee will notify the teacher. The teacher will contact the parent by phone or in person.
2. When a student has accumulated five (5) excused absences or one (1) unexcused absence in any semester, the principal or designee will set up a conference with the parent at a time convenient for the parent to discuss the student's attendance and current level of academic performance. One (1) or more of the student's teachers will be in attendance. The purpose of the conference is to clarify the school's expectations regarding attendance and elicit suggestions from the parent on how to improve the student's attendance, including identifying reasons why the student is not attending school regularly.
3. When a student has accumulated eight (8) excused absences or two (2) unexcused absences in a semester, the principal will schedule a conference with the parents at a time convenient for the parents. All of the student's teachers will be present, and the parents will be encouraged to bring other family members. The purpose of this conference is to determine why the student is not attending school regularly; to examine the student's academic performance; to communicate district attendance expectations; to provide information about compulsory attendance laws and educational neglect; to elicit suggestions from family members about increasing the student's engagement with school; and to create an attendance plan that includes specific intervention strategies designed to improve the student's attendance.
4. When a student has accumulated ten (10) excused absences or three (3) unexcused absences in a semester, a staff member from the district will arrange an in-home visit to discuss the student's attendance plan and any necessary modifications to the student's attendance plan.
5. When a student has accumulated twelve (12) excused absences or three (3) unexcused absences in a semester, the district will determine whether there is reason to suspect educational neglect or whether the parent is violating the compulsory attendance laws. If so, the district will contact the Children's Division (CD) of the Department of Social Services or the local prosecutor.
6. More than twelve (12) excused absences or three (3) unexcused absences in a semester will be a factor in determining whether the student may be retained or required to attend summer school as a condition of promotion.

Students are expected to make up assignments from missed classes within the time period established by their teachers. Students who do not complete missed assignments in the required time may be required to attend academic support sessions outside of the regular school day.

Any conference may be waived by the principal if the absences were caused by a specific event or long-term illness.

In cases where the district is aware that a student must be absent for an extended period of time, the district will arrange for the student to receive instruction by other appropriate means.

Grades 6-8

The school may implement any of the consequences and interventions outlined above for students in grades six (6) through eight (8). Because students in grades six (6) through eight (8) are expected to take more responsibility for their actions, students will be included in conferences and interventions.

Students will be expected to make up all work regardless of whether an absence is excused or unexcused. Each teacher may set reasonable limits regarding the timeframe in which missed work may be completed. Attendance and participation are part of a successful learning experience. Except in certain situations with foster care children in accordance with law, students with more than nine (9) excused absences or any unexcused absences in any class in a semester will be issued an academic penalty in the form of grade reductions as follows:

Excused Absences	Grade Reduction	Unexcused Absences	Grade Reduction
10	2%	1	4%
11	4%	2	8%
12	8%	3	16%
13	16%	4	32%
14	32%	5 +	50%
15 +	50%		

This academic penalty represents the participation portion of the student's grade and is intended as a deterrent to excessive absences. Academic consequences accumulate more quickly for unexcused absences, since they are completely avoidable. Penalties are cumulative so that a student with ten (10) excused absences and one (1) unexcused absence would be penalized six (6) percent. Unexcused absences will not count in the excused total, so a student with nine (9) excused absences and one (1) unexcused absence would only receive a four (4) percent penalty.

Any student may reduce accrued absences by attending make-up study or counseling sessions scheduled by the principal during noninstructional times. The student must notify the principal that he or she wishes to make up attendance days, and the principal will provide the student information on the next available session. Make-up sessions do not match the educational value of actual class attendance, so no student will be allowed to make up more than five (5) absences by attending make-up sessions.

The district will contact the CD or the local prosecutor in cases where the district has a reasonable suspicion that a student's lack of attendance constitutes educational neglect on the part of the parents or that parents are in violation of the compulsory attendance law. No such action will be taken unless other strategies and interventions have been implemented and proven ineffective.

Notice and Due Process

A summary of the Board-adopted attendance policy and related procedures will be published in student and other

handbooks and posted on the district's website. In addition, students and their parents will be notified prior to the imposition of any consequence and given the opportunity to appeal the imposition of the consequence to the superintendent. On appeal, the student and his or her parents may present evidence that the student has missed fewer days than the district's records show or that an absence recorded as unexcused should have been recorded as excused. An appeal will not be taken based on whether the reason for the absence justifies an exception to this rule.

Intervention and Engagement Strategies

The district will utilize the following intervention and engagement strategies as part of the district's overall approach to improve student attendance and achievement. The superintendent or designee will:

1. Conduct community-wide public relations efforts that stress the importance of school attendance.
2. Collaborate with community groups and other organizations that engage youth in activities to create a consistent message about the importance of education.

Building-level administrators and staff will:

1. Post daily attendance in a prominent place by number, percentage and fraction so students and staff can monitor attendance levels. Individual student attendance information will not be publicly posted.
2. Provide recognition in the form of ribbons, book certificates, special recognition or other non-food rewards to students with improved attendance.
3. Assign truant students to academic support, detention or in-school suspension rather than out-of-school suspension.
4. Assign students who are frequently absent to a staff mentor or participation in a group advisory program.
5. Assign students to tutoring outside of the regular academic day.
6. Provide access to behavioral counseling, including information about community resources.

Evaluation

Principals, with the assistance of building staff, will conduct annual evaluations of all strategies used to improve student attendance. The evaluations will include:

1. A summary of which strategies are being implemented.
2. The number of participants.
3. Records of targeted interventions for particular students.

4. Changes in overall attendance rates.
5. Changes in attendance rates and academic achievement of students participating in the various strategies.
6. Changes in attendance rates and academic achievement of individual students receiving targeted intervention.
7. Any other data that can be used to assess the effectiveness of strategies and interventions.

Strategies found to be ineffective will be modified or replaced. The principal will provide evaluation information to the superintendent.

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

Administrative Procedure JED-AP(2): STUDENT ABSENCES AND EXCUSES - (Grades 9-12)

Status: ADOPTED

Original Adopted Date: 05/20/2010 | **Last Revised Date:** 08/01/2010 | **Last Reviewed Date:** 08/01/2010

As directed by the Board, the following procedures will be used to implement the district's attendance policy.

Definitions

Attendance – A student is considered to be in attendance if the student is physically present in a class; participating in a district-sponsored or district-approved activity; participating in a class through alternative methods or media as allowed by Board policy; receiving homebound services; or receiving services at another location pursuant to law or by arrangement of the district.

Parent – A parent, guardian or person acting as a parent in the absence of the parent or guardian if the student is under 18. If the student is 18 or otherwise emancipated, the student will serve as the parent for purposes of this procedure.

Tardy – A student is tardy if the student arrives after the expected time class or school begins, as determined by the district. Tardiness will be counted as an absence in situations where the student arrives too late to have meaningful participation in the class, lesson or activity.

Truancy – A student is truant if the student is absent from class or school without the knowledge and consent of the parents and the administration. A student is also considered truant if the student leaves school without the consent of the principal or accumulates excessive unjustifiable absences, even with parental consent. Truancy is a type of unexcused absence.

Attendance Standards

The following absences will be excused. Documentation must be provided as indicated.

1. Illness or injury of the student, with written excuse from parent.
2. Illness or injury of a member of the student's family when the student's presence is necessary or expected, with written excuse from parent.
3. Medical appointments, with written appointment confirmation by medical provider.
4. Funeral, with written excuse from parent. The principal may require a program or other evidence of attendance as additional verification.
5. Religious observances, with written excuse from parent.
6. Other appointments that cannot be scheduled outside attendance hours, such as court appearances, with written excuse from parent.
7. Out-of-School suspension.

8. Visits with a parent or legal guardian who is an active duty member of the military who has been called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or combat support posting, with permission of the superintendent or designee.

All other absences and any absence for which required documentation is not provided are unexcused.

Consequences for Violations

Students will be expected to make up all assignments from missed classes regardless of whether an absence is excused or unexcused. Each teacher may set reasonable limits regarding the timeframe in which missed work may be completed. Attendance and participation are part of a successful learning experience. Except in certain situations with foster care children in accordance with law, students with more than nine (9) excused absences or any unexcused absences in any class in a semester will be issued an academic penalty in the form of grade reductions as follows:

Excused Absences	Grade Reduction	Unexcused Absences	Grade Reduction
10	2%	1	4%
11	4%	2	8%
12	8%	3	16%
13	16%	4	32%
14	32%	5 +	50%
15 +	50%		

This academic penalty represents the participation portion of the student's grade and is intended as a deterrent to excessive absences. Academic consequences accumulate more quickly for unexcused absences, since they are completely avoidable. Penalties are cumulative so that a student with ten (10) excused absences and one (1) unexcused absence would be penalized six (6) percent. Unexcused absences will not count in the excused total, so a student with nine (9) excused absences and one (1) unexcused absence would only receive a four (4) percent penalty.

Any student may reduce accrued absences by attending make-up study or counseling sessions scheduled by the principal during noninstructional times. The student must notify the principal that he or she wishes to make up attendance days, and the principal will provide the student information on the next available session. Make-up sessions do not match the educational value of actual class attendance, so no student will be allowed to make up more than five (5) absences by attending make-up sessions.

The district will contact the Children's Division (CD) of the Department of Social Services or the local prosecutor in cases where the district has a reasonable suspicion that a student's lack of attendance constitutes educational neglect on the part of the parents or that parents are in violation of the compulsory attendance law. No such action will be taken unless other strategies and interventions have been implemented and proven ineffective.

Notice and Due Process

A summary of the Board-adopted attendance policy and related procedures will be published in student and other handbooks and posted on the district's website. In addition, students and their parents will be notified prior to the

imposition of any consequence and given the opportunity to appeal the imposition of the consequence to the superintendent. On appeal, the student and his or her parents may present evidence that the student has missed fewer days than the district's records show or that an absence recorded as unexcused should have been recorded as excused. An appeal will not be taken based on whether the reason for the absence justifies an exception to this rule.

Intervention and Engagement Strategies

The district will utilize the following intervention and engagement strategies as part of the district's overall approach to improve student attendance and achievement. The superintendent or designee will:

1. Conduct community-wide public relations efforts that stress the importance of school attendance.
2. Collaborate with community groups and other organizations that engage youth in activities to create a consistent message about the importance of education.

Building-level administrators and staff will:

1. Contact the family any time a student is absent.
2. Assign truant students to academic support, detention or in-school suspension rather than out-of-school suspension.
3. Assign students who are frequently absent to a staff mentor or participation in a group advisory program.
4. Assign students to tutoring outside of the regular academic day.
5. Provide access to behavioral counseling, including information about community resources.
6. Facilitate family counseling sessions focusing on the power of the family to provide solutions.
7. Conduct in-home visits.
8. Post attendance numbers and percentages each day to make students and staff aware of the attendance rate. Create friendly competition by posting attendance rates by grade level or class. Individual student attendance information will not be publicly posted.

Evaluation

Principals, with the assistance of building staff, will conduct annual evaluations of all strategies used to improve student attendance. The evaluations will include:

1. A summary of which strategies are being implemented.

2. The number of participants.
3. Records of targeted interventions for particular students.
4. Changes in overall attendance rates.
5. Changes in attendance rates and academic achievement of students participating in the various strategies.
6. Changes in attendance rates and academic achievement of individual students receiving targeted intervention.
7. Any other data that can be used to assess the effectiveness of strategies and interventions.

Strategies found to be ineffective will be modified or replaced. The principal will provide evaluation information to the superintendent.

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

Policy JEDB: STUDENT DISMISSAL PRECAUTIONS

Status: ADOPTED

Original Adopted Date: 04/21/2010

It is the goal of the Smithville R-II School District to provide a safe environment for students. The district recognizes that rules regarding the dismissal of students are a necessary part of the district's safety program. District administrators will publicize this policy to parents and create procedures regarding the dismissal of students.

Dismissal from School

District administrators will create student dismissal procedures that protect the safety of students while also addressing the necessary flow of traffic to and from school. These procedures may vary depending on the age of the student. District personnel will monitor the parking lot and other locations where students board the district's transportation or meet parents or others. At the request of a parent, school personnel will verify the identity of a parent or other authorized person before releasing the student. District staff may refuse to release a student and will notify the principal if they have concerns regarding the student's safety or whether a person is authorized to transport the student. Otherwise the district will assume that the student knows with whom he or she may leave.

Early Dismissal

Students shall not be excused into any person's custody without the direct prior approval and knowledge of the building principal or designee. Each building principal will establish procedures to validate requests for early dismissal to assure that students are released only for proper reasons and only to authorized persons.

Procedures must adhere to the following rules:

- ▶ Students will only be released to the parent, guardian or designee of the parent or guardian or to other individuals or agencies as permitted or required by law.
- ▶ The district will release a student to either parent unless the district has a valid court order directing otherwise or unless the parent requesting release is only entitled to supervised visitation. If district staff have concerns about releasing the student to a parent, the student may be held while additional precautions are taken, including, but not limited to, verifying custody orders, contacting the other parent or contacting appropriate authorities.
- ▶ Students who are 17 years old and living independently and students 18 or older must validate their own attendance and dismissal.
- ▶ Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's parent or guardian.
- ▶ Any person requesting release of a student must present proper identification prior to release of the student.

For the purposes of this policy, a parent is defined as a biological or adoptive parent, including parents who are unmarried; a guardian; or an individual acting as a parent in the absence of the parent or guardian.

Dismissal from School Activities

If an activity occurs immediately after school, the district will follow the same procedures used for dismissing students from the regular school day. Otherwise, students are expected to return from activities with the student's parents or the same person(s) who transported them to the activity. If the district provides the student transportation to an activity, the student is expected to return using district transportation. However, district administrators may develop procedures for releasing students from a school activity to parents or other authorized persons, keeping the safety of students in mind.

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

Policy JFCA: STUDENT DRESS CODE

Status: ADOPTED

Original Adopted Date: 04/21/2010

The Board of Education recognizes the value of allowing individual student expression as well as the necessity of protecting student health and safety and maintaining an atmosphere conducive to education. Student dress code procedures must be designed with the goal of balancing these competing interests.

All dress code procedures will adhere to health and safety codes and comply with applicable law. Dress that materially disrupts the educational environment will be prohibited. The Smithville R-II Board of Education believes that dress promoting the use of drugs, alcohol, tobacco or criminal or sexual activity does disrupt the educational environment. No procedure will impose dress and grooming rules based on gender in violation of Title IX. District procedures will specifically define ambiguous terms, and examples will be provided when practicable.

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

Administrative Procedure JFCA-AP(1): STUDENT DRESS CODE

Status: ADOPTED

Original Adopted Date: 05/20/2010

The Board of Education expects student dress and grooming to be neat, clean and in good taste so that each student may share in promoting a positive, healthy and safe atmosphere within the school district.

Student dress and grooming will be the responsibility of the individual and parents/guardians, within the following guidelines:

1. Dress and grooming will be clean and in keeping with health, sanitary and safety requirements.
2. All students must wear shoes, boots or other types of footwear.
3. Dress and grooming will not disrupt the educational environment.
4. Class activities that present a concern for student safety may require the student to adjust hair and/or clothing during the class period in the interest of maintaining safety standards.
5. Additional dress guidelines may be imposed upon students participating in certain extracurricular activities.

When, in the judgment of the principal, a student's appearance or mode of dress does not comply with the above criteria, the student may be required to make modifications. No employee or volunteer shall direct a student to remove an emblem, insignia or garment, including a religious emblem, insignia or garment, as long as it is worn in a manner that does not promote disruptive behavior.

Additional requirements may be detailed in building handbooks.

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

Policy JFCF: BULLYING

Status: ADOPTED

Original Adopted Date: 04/21/2010 | Last Revised Date: 11/16/2016

General

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

Definitions

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

Cyberbullying – A form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. The district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when cyberbullying does not involve district property, activities or technology resources, the district will impose consequences and discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

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

Designated Officials

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

The district compliance officer appointed in policy AC will serve as the districtwide antibullying coordinator. The antibullying coordinator will receive all completed investigative reports from all buildings and analyze the reports to identify any information that would inform the district's antidiscrimination and antibullying education and training programs. In addition, the antibullying coordinator will assist in making any relevant reports as required by state and federal law.

Reporting Bullying

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

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

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

Investigation

Within two school days of receiving a report of bullying, the principal or designee will initiate an investigation of the

incident. Reports that involve students from multiple buildings will be investigated cooperatively by the principals of each building involved, or those principals may request that the district's compliance officer designated in policy AC conduct the investigation. If at any time during the investigation the principal determines that the bullying involves illegal discrimination, harassment or retaliation as described in policy AC, the principal will report the incident to the compliance officer designated in that policy, who will assist in the investigation. If the alleged bullying involves a special education student or a student with disabilities, the principal will also notify the special education director.

The investigation shall be completed within ten school days of the date the report of bullying was received unless good cause exists to extend the investigation. Upon completion of the investigation, the principal will decide whether bullying or harassment occurred and, if so, whether additional discipline is warranted in accordance with the district's student discipline code. The principal will generate a written report of the investigation and findings and send a copy of the completed report to the district's antibullying coordinator. The principal or designee will document the report in the files of the victim and the alleged or actual perpetrator of bullying. All reports will be kept confidential in accordance with state and federal law.

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

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

Consequences

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

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

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

Policy Publication

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

Training and Education

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

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

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

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

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

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

Additional School Programs and Resources

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

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

Policy JFCG: HAZING

Status: ADOPTED

Original Adopted Date: 11/16/2016

In order to promote a safe learning environment for all students, the Smithville R-II School District prohibits all forms of hazing.

For purposes of this policy, hazing is defined as any activity, on or off school grounds, that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or district-sponsored activity.

Hazing may include those actions that subject a student to extreme mental stress including, but not limited to, sleep deprivation, physical confinement, forced conduct that could result in extreme embarrassment or criminal activity, or other stress-inducing activities. Hazing may also include, but is not limited to: acts of physical brutality; whipping; beating; branding; exposing to the elements; forcing inhalation or consumption of any food, liquor, drug, tobacco product, or other substance; or any other forced physical activity that could adversely affect the physical health or safety of an individual.

Hazing can occur even when all students involved are willing participants. Hazing does not occur when a student is required to audition or try out for an organization when the criteria are reasonable, approved by the district and legitimately related to the purpose of the organization.

District staff, coaches, sponsors and volunteers will not permit, condone or tolerate any form of hazing or plan, direct, encourage, assist in, engage in or participate in any activity that involves hazing. District staff will report incidents of hazing to the building principal. The principal shall promptly investigate all complaints of hazing and administer appropriate discipline to all individuals who violate this policy. District staff who violate this policy may be disciplined or terminated.

Students participating in or encouraging inappropriate conduct will be disciplined in accordance with JG-R1. Such discipline may include, but is not limited to, suspension or expulsion from school and removal from participation in activities. The district will report hazing incidents to law enforcement when required by law. Students who have been subjected to hazing are instructed to promptly report such incidents to a school official.

The superintendent will provide for appropriate training designed to assist staff, coaches, sponsors and volunteers in identifying, preventing and responding to incidents of hazing.

The district shall annually inform students, parents/guardians, district staff and volunteers that hazing is prohibited. This notification may occur through the distribution of the written policy, publication in handbooks, presentations at assemblies or verbal instructions by a coach or sponsor at the start of a season or program.

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

Policy JFCH: STUDENT ALCOHOL/DRUG ABUSE

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/12/2019 | **Last Reviewed Date:** 12/12/2019

The Smithville R-II School District is concerned with the health, welfare and safety of its students. Therefore, use, sale, transfer, distribution, possession or being under the influence of unauthorized prescription drugs, alcohol, narcotic substances, unauthorized inhalants, controlled substances, illegal drugs, counterfeit substances and imitation controlled substances is prohibited on any district property, in any district-owned vehicle or in any other district-approved vehicle used to transport students to and from school or district activities. This prohibition also applies to any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district. The use, sale, transfer or possession of drug-related paraphernalia is also prohibited.

For the purpose of this policy a controlled substance shall include any controlled substance, counterfeit substance or imitation controlled substance as defined in the Narcotic Drug Act, § 195.010, RSMo., and in schedules I, II, III, IV and V in section 202(c) of the Controlled Substances Act, 21 U.S.C. § 812(c).

Students may only be in possession of medication as detailed in Board policy JHCD. Searches of persons reasonably suspected to be in violation of this policy will be conducted in accordance with Board policy.

Any student who is found by the administration to be in violation of this policy shall be referred for prosecution and subject to disciplinary action up to and including suspension, expulsion or other discipline in accordance with the district's discipline policy. Strict compliance is mandatory. The school principal shall immediately report all incidents involving a controlled substance to the appropriate local law enforcement agency and the superintendent. All controlled substances shall be turned over to local law enforcement.

Students with disabilities who violate this policy will be disciplined in accordance with policy JGE.

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

Policy JFCJ: WEAPONS IN SCHOOL

Status: ADOPTED

Original Adopted Date: 04/21/2010

The Board recognizes the importance of preserving a safe educational environment for students, employees and patrons of the district. In order to maintain the safety of the educational community, the district will strictly enforce the necessary disciplinary consequences resulting from the use or possession of weapons on school property. No student may possess a weapon on school property at any time, except as specifically authorized during a school-sponsored or school-sanctioned activity permitting weapons. The school district will provide secured storage of student firearms if necessary.

School property is defined as: Property utilized, supervised, rented, leased, or controlled by the school district including but not limited to school playgrounds, parking lots and school buses, and any property on which any school activity takes place.

A weapon is defined to mean one or more of the following:

1. A firearm as defined in 18 U.S.C. § 921.
2. A blackjack, concealable firearm, firearm, firearm silencer, explosive weapon, gas gun, knife, knuckles, machine gun, projectile weapon, rifle, shotgun, spring gun, switchblade knife, as these terms are defined in § 571.010, RSMo.
3. A dangerous weapon as defined in 18 U.S.C. § 930(g)(2).
4. All knives and any other instrument or device used or designed to be used to threaten or assault, whether for attack or defense.
5. Any object designed to look like or imitate a device as described in 1-4.

Pursuant to the Missouri Safe Schools Act and the federal Gun-Free Schools Act of 1994, any student who brings or possesses a weapon as defined in #1 or #2 above on school property will be suspended from school for at least one (1) calendar year or expelled and will be referred to the appropriate legal authorities. The suspension or expulsion may be modified on a case-by-case basis upon recommendation by the superintendent to the Board of Education. Students who bring or possess weapons as defined in #3, #4 and #5 and not otherwise included in #1 and #2, will also be subject to suspension and/or expulsion from school and may be referred to the appropriate legal authorities.

Students with disabilities who violate this policy will be disciplined in accordance with policy JGE.

This policy will be submitted annually to the state Department of Elementary and Secondary Education along with a report indicating any suspensions or expulsions resulting from the possession or use of a firearm as defined in 18 U.S.C. § 921. The report will include the name of the school in which the incidents occurred, the number of students suspended or expelled and the types of weapons involved.

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

Policy JFG: SEARCHES OF STUDENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/16/2020 | **Last Reviewed Date:** 12/16/2020

The district respects the privacy of students. However, in order to maintain a safe learning environment and properly investigate potential misconduct, district personnel may search student property or district property used by students and, in some limited situations, may require students to undergo drug and/or alcohol testing. All searches will be conducted professionally and in accordance with law. The superintendent or designee is directed to provide staff with appropriate training and is authorized to contact the district's attorney for advice prior to conducting any search.

Searches by District Personnel

Searches of District Property

Students do not have an expectation of privacy in district-provided property. Lockers, desks, technology and other district property are provided for the convenience of students and are subject to periodic inspection in accordance with law.

Searches of Student Property

Student property, including vehicles parked on district property, may be searched based on reasonable suspicion of a violation of law, district policy or other rules applicable to students. Reasonable suspicion must be based on facts known to the administration, credible information or reasonable inference drawn from such facts or information. Searches of student property shall be limited in scope based on the original justification for the search. The privacy and dignity of students shall be respected. Searches shall be carried out in the presence of adult witnesses when possible.

Searches of Students

If reasonable under the circumstances, district administrators performing a search may require students to empty pockets or remove jackets, coats, shoes and other articles of exterior clothing that when removed do not expose undergarments not otherwise observable.

District administrators will contact law enforcement officials to perform a search if they reasonably suspect that a student is concealing controlled substances, drug paraphernalia, weapons, stolen goods or evidence of a crime beneath his or her clothing and the student refuses to surrender such items. District administrators may contact law enforcement officials for assistance in performing a search in any case in which a student refuses to allow a search or in which the search cannot be conducted safely.

District employees, administrators and volunteers, other than commissioned law enforcement officials, shall not strip search students, as defined in state law, except that an administrator may conduct such a search if a commissioned law enforcement officer is not immediately available and the administrator has reason to believe that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others.

If a student is strip searched, as defined in state law, by an administrator or a commissioned law enforcement officer, the district will attempt to notify the student's parents/guardians as soon as possible. For the purposes of this section, the term "strip search" shall not include the removal of clothing in order to investigate the potential abuse or neglect of a student, give medical attention to a student or screen a student for medical conditions.

Drug-Detection Dogs

The district may arrange for law enforcement officials to use professionally trained dogs to detect the presence of drugs on district property. A dog alerting to the presence of drugs will constitute reasonable suspicion for district administrators to conduct a search. Drug-detection dogs will not come into direct contact with students. The superintendent or designee shall develop procedures for the use of drug-detection dogs.

Student Drug and Alcohol Testing

If district personnel have reasonable suspicion that a student is inebriated or has come to school soon after consuming drugs or alcohol, the district may require the student to participate in a drug or alcohol test given by district authorities. If the student refuses to participate, the student may be disciplined as if the student tested positive for the substance.

In accordance with law, the district may implement a random student drug-testing program for students in extracurricular activities.

School Resource Officers

A school resource officer (SRO) may accompany district officials executing a search or may perform searches under the direction of district officials based on the reasonable suspicion standard. However, the SRO may choose not to participate in the search if the SRO believes that such participation might interfere with the successful future criminal prosecution of the student.

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

Policy JG: STUDENT DISCIPLINE

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/16/2020 | **Last Reviewed Date:** 12/16/2020

It is essential that the district maintain a safe school environment and a climate that allows teachers to communicate effectively with all students in the class and allows all students in the class to learn. Discipline will be equitably applied and viewed as a learning opportunity with the ultimate goal of improving behavior, safety and the school climate. The district seeks to minimize the unnecessary exclusion of students from classrooms and school and encourages the superintendent and district staff to exclude students only when necessary to maintain a safe and appropriate learning environment.

The superintendent or designee is authorized to contact the district's attorney for advice on the legality of district discipline or the discipline process. The Board encourages the superintendent to recommend changes to Board policy related to student discipline as needed.

Discipline Code

To assist district staff in maintaining the necessary education environment, the Board of Education has created a discipline code that addresses the consequences for students whose conduct is prejudicial to good order and discipline in the schools or impairs the morale or good conduct of other students.

The district's comprehensive written code of conduct includes, but is not limited to, this policy, JG-R1, JGA, JGB, JGD, JGE, JGF and associated procedures. The district's comprehensive written code of conduct will be placed on the district's website, and a copy will be available in the superintendent's office during normal business hours. The code of conduct will be distributed to all students and their parents/guardians at the beginning of each school year, which may be accomplished by directing students and parents/guardians to the district's website. These policies, regulations and procedures will apply to all students in attendance in the district's instructional and support programs as well as at district-sponsored activities.

Equity

All district staff are required to enforce district policies, regulations and procedures in a manner that is consistent, developmentally appropriate and equitable. District staff who increase or decrease the consequences for student misconduct based on individual circumstances must document the reasons for the variance. The superintendent or designee will regularly review district discipline data to determine whether district policies are being equitably enforced and, when necessary, make recommendations to the Board for policy changes, training or resources to further the district's goals for providing equitable education to all students.

Discipline for Off-Campus Misconduct

Students may be disciplined for misconduct that occurs off district grounds and outside a district activity when allowed by law including, but not limited to, the following situations:

1. The district's technology is used.
2. The student's conduct negatively impacts the education environment or there is a nexus to the education environment.
3. The student has been charged with, convicted of, or pled guilty to the commission of a felony in a court of general jurisdiction(not a juvenile court). The Board may suspend such students after a hearing in accordance with law.
4. The student has been indicted on, charged with or convicted of one of the specific crimes listed in § 167.171, RSMo. (see in policy JEC) or a petition has been filed or adjudicated in juvenile court involving one of the specific crimes listed in § 167.171, RSMo. The district shall exclude such students from school or from the

general education environment after appropriate due process.

5. The student transfers to the district during a suspension or expulsion from another public school or a private or parochial school, and the district determines that the conduct would have resulted in a suspension or expulsion in this district. The district may honor a student's suspension or expulsion in such cases after providing appropriate due process when necessary.

Immediate Removal

The Board authorizes the immediate removal of a student upon a finding by a principal or superintendent that the student poses a threat of harm to self or others, as evidenced by the prior conduct of such student. Any such removal will be subject to the appropriate due process procedures and in accordance with law.

Enforcement

Building principals are responsible for the development and enforcement of additional student conduct rules needed to maintain proper behavior in schools under their supervision. All such rules shall be consistent with Board-adopted discipline policies and regulations.

Teachers have the authority and responsibility to make and enforce necessary rules for discipline in the classroom, subject to review by the building principal. The Board expects each teacher to maintain a satisfactory standard of conduct in the classroom.

All district staff enforcing student discipline should seek to minimize, as much as possible, the amount of instructional time the student loses.

Training

All district employees shall annually receive instruction related to the specific contents of the district's comprehensive code of conduct and any interpretations necessary to implement its provisions including, but not limited to, confidentiality requirements and the approved methods for dealing with acts of school violence and disciplining students with disabilities.

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

Regulation JG-R1: STUDENT DISCIPLINE

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 09/15/2021 | **Last Reviewed Date:** 09/15/2021

The Student Code of Conduct is designed to foster student responsibility, respect for others, and to provide for the orderly operation of district schools. No code can be expected to list each and every offense that may result in disciplinary action; however, it is the purpose of this code to list certain offenses which, if committed by a student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, any aggravated circumstance of any offense, or any action involving a combination of offenses may result in disciplinary consequences that extend beyond this code of conduct as determined by the principal, superintendent and/or board of education. In extraordinary circumstances where the minimum consequence is judged by the superintendent or designee to be manifestly unfair or not in the interest of the district, the superintendent or designee may reduce the consequences listed in this policy, as allowed by law. This code includes, but is not necessarily limited to, acts of students on district property, including playgrounds, parking lots and district transportation, or at a district activity, whether on or off district property. The district may also discipline students for off-campus conduct that negatively impacts the educational environment, to the extent allowed by law.

Reporting to Law Enforcement

It is the policy of the Smithville R-II School District to report all crimes occurring on district property to law enforcement including, but not limited to, the crimes the district is required to report in accordance with law. A list of crimes the district is required to report is included in policy JGF.

The principal shall also notify the appropriate law enforcement agency and superintendent if a student is discovered to possess a controlled substance or weapon in violation of the district's policy.

In addition, the superintendent shall notify the appropriate division of the juvenile or family court upon suspension for more than ten days or expulsion of any student who the district is aware is under the jurisdiction of the court.

Documentation in Student's Discipline Record

The principal, designee or other administrators or school staff will maintain all discipline records as deemed necessary for the orderly operation of the schools and in accordance with law and policy JGF.

Conditions of Suspension, Expulsion and Other Disciplinary Consequences

All students who are suspended or expelled, regardless of the reason, are prohibited from participating in or attending any district-sponsored activity, or being on or near district property or the location of any district activity for any reason, unless permission is granted by the superintendent or designee. When appropriate, the district may prohibit students from participating in activities or restrict a student's access to district property as a disciplinary consequence even if a student is not suspended or expelled from school. Likewise, a student may become ineligible for or be required to forfeit any honors and awards as a disciplinary consequence.

In accordance with law, any student who is suspended for any offenses listed in § 160.261, RSMo., or any act of violence or drug-related activity defined by policy JGF as a serious violation of school discipline, shall not be allowed to be within 1,000 feet of any district property or any activity of the district, regardless of whether the activity takes place on district property, unless one of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian, custodian or another adult designated in advance, in writing, to the student's principal by the student's parent, legal guardian or custodian, and the superintendent or designee has authorized the student to be on district property.
2. The student is enrolled in and attending an alternative school that is located within 1,000 feet of a public school in the district.

3. The student resides within 1,000 feet of a public school in the district and is on the property of the student's residence.

Students who violate the prohibitions in this section may be suspended or expelled in accordance with the offense, "Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences," listed below.

Pursuant to law, no student will be confined in an unattended locked space except in an emergency situation while awaiting the arrival of law enforcement personnel.

Impact on Grades

As with any absence, absences due to an out-of-school suspension may result in the student earning an incomplete or other consequences in accordance with the district's policy on absences.

Prohibited Conduct

The following are descriptions of prohibited conduct and potential consequences for violations. Building-level administrators are authorized to more narrowly tailor potential consequences as appropriate for the age level of students in the building within the ranges established in this regulation. In addition to the consequences specified here, school officials will notify law enforcement and document violations in the student's discipline file pursuant to law and board policy.

Academic Dishonesty – Cheating on tests, assignments, projects or similar activities; plagiarism; claiming credit for another person's work; fabrication of facts, sources or other supporting material; unauthorized collaboration; facilitating academic dishonesty; and other misconduct related to academics.

First Offense: No credit for the work, grade reduction, or replacement assignment.

Subsequent Offense: No credit for the work, grade reduction, course failure, or removal from extracurricular activities.

Arson – Starting or attempting to start a fire, or causing or attempting to cause an explosion.

First Offense: Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion. Restitution if appropriate.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion. Restitution if appropriate.

Assault

1. Using physical force, such as hitting, striking or pushing, to cause or attempt to cause physical injury; placing another person in apprehension of immediate physical injury; recklessly engaging in conduct that creates a grave risk of death or serious physical injury; causing physical contact with another person knowing the other person will regard the contact as offensive or provocative; or any other act that constitutes criminal assault in the third or fourth degree.

First Offense: Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Knowingly causing or attempting to cause serious physical injury or death to another person, recklessly causing serious physical injury to another person, or any other act that constitutes assault in the first or second degree.

First Offense: 10-180 days out-of-school suspension or expulsion.

Subsequent Offense: Expulsion.

Automobile/Vehicle Misuse – Uncourteous or unsafe driving on or around district property, unregistered parking, failure to move vehicle at the request of school officials, failure to follow directions given by school officials or failure to follow established rules for parking or driving on district property.

First Offense: Suspension or revocation of parking privileges, detention, or in-school suspension.

Subsequent Offense: Revocation of parking privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.

Bullying and Cyberbullying (see board policy JFCF) – Intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for their physical safety or property; that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying includes, but is not limited to, physical actions, including violence, gestures, theft or property damage; oral, written or electronic communication, including name-calling, put-downs, extortion or threats; or threats of reprisal or retaliation for reporting such acts. Cyberbullying is a form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager.

First Offense: Detention, in-school suspension, or 1-180 days out-of-school suspension.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

Bus or Transportation Misconduct (see board policy JFCC) – Any offense committed by a student on transportation provided by or through the district shall be punished in the same manner as if the offense had been committed at the student's assigned school. In addition, transportation privileges may be suspended or revoked.

Dishonesty – Any act of lying, whether verbal or written, including forgery.

First Offense: Nullification of forged document. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Nullification of forged document. Detention, in-school suspension, or 1-180 days out-of-school suspension.

Disrespectful or Disruptive Conduct or Speech (see board policies AC and ACA if illegal harassment or discrimination is involved) – Verbal, written, pictorial or symbolic language or gesture that is directed at any person that is in violation of district policy or is otherwise rude, vulgar, defiant, considered inappropriate in educational settings or that materially and substantially disrupts classroom work, school activities or school functions. Students will not be disciplined for speech in situations where it is protected by law.

First Offense: Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Subsequent Offense: Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Drugs/Alcohol (see board policies JFCH and JHCD)

1. Possession, sale, purchase or distribution of any over-the-counter drug, herbal preparation or imitation drug or herbal preparation.

First Offense: In-school suspension or 1-180 days out-of-school suspension.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

2. Possession of any controlled substance or illegal drug under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act, unauthorized prescription drug, alcohol, narcotic substance, unauthorized inhalant, counterfeit drug, imitation controlled substance, or drug-related paraphernalia, including vaping devices. Attendance while under the influence of or soon after consuming any of the above substances.

First Offense: In-school suspension or 1-180 days out-of-school suspension.

Subsequent Offense: 11-180 days out-of-school suspension or expulsion.

3. Sale, purchase or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances or drug-related paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act.

First Offense: 1-180 days out-of-school suspension or expulsion.

Subsequent Offense: 11-180 days out-of-school suspension or expulsion.

Extortion – Threatening or intimidating any person for the purpose of obtaining money or anything of value.

First Offense: Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Failure to Care for or Return District Property – Loss of, failure to return, or damage to district property including, but not limited to, books, computers, calculators, uniforms, and sporting and instructional equipment.

First Offense: Restitution. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Restitution. Detention or in-school suspension.

Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences – Violating the conditions of a suspension, expulsion or other disciplinary consequence including, but not limited to, participating in or attending any district-sponsored activity or being on or near district property or the location where a district activity is held. See the section of this regulation titled, "Conditions of Suspension, Expulsion and Other Disciplinary Consequences."

As required by law, when the district considers suspending a student for an additional period of time or expelling a student for being on or within 1,000 feet of district property during a suspension, consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether the student's presence is disruptive to the educational process or undermines the effectiveness of the district's discipline policy.

First Offense: Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion. Report to law enforcement for trespassing if expelled.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion. Report to law enforcement for trespassing if expelled.

False Alarms (see also "Threats or Verbal Assault") – Tampering with emergency equipment, setting off false alarms, making false reports, communicating a threat or false report for the purpose of frightening or disturbing people, disrupting the educational environment, or causing the evacuation or closure of district property.

First Offense: Restitution. Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: Restitution. In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Fighting (see also, "Assault") – Mutual combat in which both parties have contributed to the conflict either verbally or by physical action.

First Offense: Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Gambling – Betting on an uncertain outcome, regardless of stakes; engaging in any game of chance or activity in which something of real or symbolic value may be won or lost. Gambling includes, but is not limited to, betting on outcomes of activities, assignments, contests and games.

First Offense: Principal/Student conference, loss of privileges, detention, or in-school suspension.

Subsequent Offense: Principal/Student conference, loss of privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.

Harassment, including Sexual Harassment (see board policies AC and ACA and note that additional provisions of the code of conduct may apply to the student's behavior)

1. Use of material of a sexual nature or unwelcome verbal, written or symbolic language based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law.

First Offense: Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Unwelcome physical contact of a sexual nature or that is based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law.

First Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

3. Student is found "responsible" for sexual harassment under Title IX upon conclusion of a formal complaint under policy ACA.

Any Offense: 10-180 days out-of-school suspension or expulsion.

Hazing (see board policy JFCG) – Any activity that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or district-sponsored activity. Hazing can occur even when all students involved are willing participants.

First Offense: In-school suspension or 1-180 days out-of-school suspension.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

Incendiary Devices or Fireworks – Possessing, displaying or using matches, lighters or other devices used to start fires unless required as part of an educational exercise and supervised by district staff; possessing or using fireworks.

First Offense: Confiscation. Warning, principal/student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Nuisance Items – Possession or use of items such as toys, games, and portable media players that are not authorized for educational purposes.

First Offense: Confiscation. Warning, principal/student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Public Display of Affection – Consensual physical contact that is inappropriate for the school setting including, but not limited to, kissing and groping.

First Offense: Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Detention, in-school suspension, or 1-10 days out-of-school suspension.

Sexting and/or Possession of Sexually Explicit, Vulgar or Violent Material (see board policies AC and ACA) – Students may not possess or display, electronically or otherwise, sexually explicit, vulgar or violent material including, but not limited to, pornography or depictions of nudity, violence or explicit death or injury. This prohibition does not apply to curricular material that has been approved by district staff for its educational value. Students will not be disciplined for speech in situations where it is protected by law.

First Offense: Confiscation. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Sexual Activity – Consensual acts of sex or consensual simulations of sex including, but not limited to, intercourse or oral or manual stimulation.

First Offense: Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

Subsequent Offense: Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Technology Misconduct (see board policies EHB and KKB and procedure EHB-AP1)

1. Attempting, regardless of success, to: gain unauthorized access to a technology system or information; use district technology to connect to other systems in evasion of the physical limitations of the remote system; copy district files without authorization; interfere with the ability of others to utilize district technology; secure a higher level of privilege without authorization; introduce computer viruses, hacking tools, or other disruptive/destructive programs onto or using district technology; or evade or disable a filtering/blocking device.

First Offense: Restitution. Principal/Student conference, loss of user privileges, detention, or in-school suspension.

Subsequent Offense: Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

2. Using, displaying or turning on pagers, phones, personal digital assistants, personal laptops or any other personal electronic devices during the regular school day, including class change time, mealtimes or instructional class time, unless the use is part of the instructional program, required by a district-sponsored class or activity, or otherwise permitted by the building principal.

First Offense: Confiscation, principal/student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation, principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

3. Violations, other than those listed in (1) or (2) above, of board policy EHB, procedure EHB-AP1 or any policy or procedure regulating student use of personal electronic devices.

First Offense: Restitution. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

4. Use of audio or visual recording equipment in violation of board policy KKB.

First Offense: Confiscation. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Theft – Theft, attempted theft or knowing possession of stolen property.

First Offense: Return of or restitution for property. Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

Subsequent Offense: Return of or restitution for property. 1-180 days out-of-school suspension or expulsion.

Threats or Verbal Assault – Verbal, written, pictorial or symbolic language or gestures that create a reasonable fear of physical injury or property damage.

First Offense: Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Tobacco

1. Possession of any tobacco products, electronic cigarettes (vaping products), other nicotine-delivery products, including vaping devices, or imitation tobacco products, as defined in policy AH, on district property, on district transportation or at any district activity. Nicotine patches or other medications used in a tobacco cessation program may be possessed only in accordance with district policy JHCD.

First Offense: Confiscation of prohibited product. Principal/Student conference, 1-10 days in-school suspension, or out-of-school suspension.

Subsequent Offense: Confiscation of prohibited product. 10-180 days out-of-school suspension.

2. Use of any tobacco products, electronic cigarettes (vaping products), imitation tobacco products or other nicotine-delivery products, as defined in policy AH, on district property, on district transportation or at any district activity. Nicotine patches or other medications used in a tobacco cessation program may be used only in accordance with district policy JHCD.

First Offense: Confiscation of prohibited product. Principal/Student conference, 10 days in-school suspension, or out-of-school suspension.

Subsequent Offense: Confiscation of prohibited product. 10 days in-school suspension, or out-of-school suspension.

Truancy or Tardiness (see board policy JED and procedures JED-AP1 and JED-AP2) – Absence from school without the knowledge and consent of parents/guardians and the school administration; excessive non-justifiable absences, even with the consent of parents/guardians; arriving after the expected time class or school begins, as determined by the district.

First Offense: Principal/Student conference, detention, or 1-3 days in-school suspension.

Subsequent Offense: Detention or 3-10 days in-school suspension, and removal from extracurricular activities.

Unauthorized Entry – Entering or assisting any other person to enter a district facility, office, locker, or other area that is locked or not open to the general public; entering or assisting any other person to enter a district facility through an unauthorized entrance; assisting unauthorized persons to enter a district facility through any entrance.

First Offense: Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

Vandalism (see board policy ECA) – Willful damage or the attempt to cause damage to real or personal property belonging to the district, staff or students.

First Offense: Restitution. Principal/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: Restitution. In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Weapons (see board policy JFCJ)

1. Possession or use of any weapon as defined in board policy, other than those defined in 18 U.S.C. § 921, 18 U.S.C. § 930(g)(2) or § 57010, RSMo.

First Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

2. Possession or use of a firearm as defined in 18 U.S.C. § 921 or any instrument or device defined in § 571.010, RSMo., or any instrument or device defined as a dangerous weapon in 18 U.S.C. § 930(g)(2).

First Offense: One calendar year suspension or expulsion, unless modified by the board upon recommendation by the superintendent.

Subsequent Offense: Expulsion.

3. Possession or use of ammunition or a component of a weapon.

First Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

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

Policy JGA-2: CORPORAL PUNISHMENT

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 06/15/2011

For the purposes of this policy, corporal punishment is the use of physical force as a method of correcting student behavior. No person employed by or volunteering on behalf of the Smithville R-II School District shall administer corporal punishment or cause corporal punishment to be administered upon a student attending district schools.

A staff member may, however, use reasonable physical force against a student for the protection of the student or other persons or to protect property. Restraint of students in accordance with the district's policy on student seclusion, isolation and restraint is not a violation of this policy.

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

Policy JGE: DISCIPLINE OF STUDENTS WITH DISABILITIES

Status: ADOPTED

Original Adopted Date: 04/21/2010

It is the goal of the Smithville R-II School District to provide a safe and productive learning environment for all students. The district does not believe in a double standard for misbehavior and holds the welfare and safety of all persons in the district in highest regard. Students with disabilities will be disciplined in accordance with the district's discipline code applicable to all students, subject to the modifications mandated by law. All students, including those with disabilities, will be referred for law enforcement action when required by law and when their conduct constitutes a crime.

The district will comply with all state and federal laws governing the discipline of students with disabilities, including the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, applicable regulations and state and local plans for compliance with the law. In addition to the process outlined in special education law, students with disabilities will receive the same due process afforded other students.

The Board delegates to the superintendent or designee the authority to seek the removal of a student with a disability as allowed by federal or state law to an alternative educational setting through the state hearing process or to seek a court injunction ordering removal or a different educational placement.

The superintendent or designee will provide all district employees training on violence prevention, the district's discipline code and the legal requirements for disciplining students with disabilities. The Board delegates to the superintendent or designee the authority to contact the district's legal counsel for legal advice or training on the district's responsibilities.

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

Policy JGF: DISCIPLINE REPORTING AND RECORDS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | Last Revised Date: 07/19/2017

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

Definitions

The following definitions and terms apply to this policy:

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

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

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

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

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

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

Reporting to School Staff

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

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

Reporting to Law Enforcement Officials

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

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

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

* Immediate reporting of third-degree assault under § 565.054, RSMo., may not be required if an agreement with law enforcement exists.

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

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

School districts may report or disclose education records to law enforcement entities and juvenile justice authorities if the disclosure concerns the law enforcement entity's or juvenile justice authority's ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is

disclosed must comply with applicable restrictions set forth in state and federal law.

Reporting Third-Degree Assault

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

Student Discipline Records

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

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

Confidentiality

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

Liability

Teachers and authorized district personnel, including volunteers selected with reasonable care by the district, shall not be civilly liable when acting in accordance with the Board's policies, including the Board's discipline policies, or when reporting acts of school violence or threatened acts of school violence to the appropriate supervisor or other person, pursuant to law and district policy.

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

Policy JHC: STUDENT HEALTH SERVICES AND REQUIREMENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/18/2019

The Board of Education supports the health and physical well-being of students by establishing a districtwide coordinated student health services program. The district nursing staff has oversight of the coordinated student health services program and will work with the School Health Advisory Council (SHAC), which is composed of a school nurse, a counselor and Board-appointed members of the community. The purpose of the SHAC is to incorporate community priorities and values into the district's student health services. The meetings, records and votes of the SHAC will adhere to the requirements of the Missouri Sunshine Law.

Nurses employed to staff the health services program shall serve under the direction of the superintendent or designee and, to the extent required by law, under the supervision of a physician or registered nurse, who may be offsite. The nurse or designee will be responsible for all notifications to parents/guardians regarding health services. The services provided by the nursing staff will include:

1. Administration of laws that protect the health of children attending public schools in Missouri, including:
 1. Ensuring compliance with immunization requirements.
 2. Excluding students who have contagious diseases from attendance when authorized by law.
 3. Reporting the presence or suspected presence of diseases mandated for reporting by law.
2. Emergency first aid treatment for injury or illness occurring during the school day.
3. The administration of medication, including emergency medications stocked by the district, pursuant to Board policy.
4. Assistance in carrying out the district's responsibilities outlined in Section 504 plans, individualized health plans (IHPs) or individualized education programs (IEPs).
5. Guidance and counseling concerning health problems of students.
6. Maintenance of student health records, including the maintenance of emergency information forms for each student. The nurse will store health records in a secure location, and any health information provided to the nurse orally will be reduced to writing and stored appropriately. The superintendent or designee shall have access to student health records when there is a legitimate educational purpose or access is necessary to supervise staff. District employees shall not share information regarding a student's health in front of other students or staff members who do not have a need to know the information. Student records will be stored and disclosed in accordance with Board policy.
7. Age-appropriate health education in the district's instructional program, in accordance with Missouri School Improvement Program (MSIP) Standards and Missouri Grade-Level Expectations (GLEs), including information

about the prevention and control of communicable diseases, the use of standard precautions when handling bodily fluids, allergy prevention and response, diabetes, asthma and other chronic conditions. The nurse will maintain information developed by the Missouri Department of Health and Senior Services (DHSS) relating to human papillomavirus (HPV) and may provide this information directly to parents/guardians but not to students. The nurse will also provide parents/guardians and students information that is produced by or similar to information produced by the Centers for Disease Control and Prevention on influenza and influenza vaccinations.

8. Screening for health conditions in accordance with Board policy and administrative procedures.
9. Notification of the school principal if informed of a condition that could require accommodation under federal law.
10. Sharing information with parents/guardians about publicly available health insurance options for students.
11. Development and annual review of a Health Services Plan.
12. Training staff as necessary to implement the district's health and safety program.
13. Such other services as assigned by the supervising principal or superintendent.

Contraceptives

The district and its agents may not provide contraceptive devices or contraceptive drugs. Referral to the family practitioner for such devices or drugs will be made only in accordance with the parental notification checklist requirements of state law.

Physical Examinations and Screenings

"Screening" is the use of a procedure to examine a large population to determine the presence of a health condition or risk factor in order to identify those who need further evaluation. Screening tests for various health conditions (such as vision and hearing) will be conducted in accordance with administrative procedures. Subject to a written agreement, the district may solicit or permit an outside entity to assist with student health screening. The agreement will include a provision requiring the entity to turn over all records collected during the screening, destroy the information after providing it to the district, keep all student information confidential and hold the district harmless for the entity's actions. The superintendent or designee may contact the district's attorney for assistance in drafting the agreement.

Parents/Guardians will receive a written notice of any screening result that indicates a condition that might interfere with a student's academic progress or health.

In general, the school district will not conduct physical examinations of a student without parental consent unless the health or safety of the student or others is in question or unless by court order.

Further, parents/guardians will be notified of the specific or approximate dates during the school year when any nonemergency, invasive physical examination or screening administered by the district is conducted that is:

1. Required as a condition of attendance.

2. Administered by the school and scheduled by the school in advance.

3. Not necessary to protect the immediate health and safety of the student or other students.

As used in this policy, the term "invasive physical examination" means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision, head lice or scoliosis screening.

Parents/Guardians or eligible students will be given the opportunity to opt out of the above-described nonemergency, invasive physical examination or screening.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Missouri State High School Activities Association (MSHSAA) will be required to follow the rules of that organization.

All parents/guardians will be notified at least at the beginning of the school year of the district's policy on physical examinations and screening of students. Parents/Guardians will also be notified within a reasonable period of time after any substantive change in the policy.

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

Policy JHCB: IMMUNIZATION OF STUDENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/16/2020 | **Last Reviewed Date:** 12/16/2020

It is the policy of the Smithville R-II School District that all students attending the district schools shall be immunized in accordance with law.

The district will not allow a student to attend school until the district has satisfactory evidence on file demonstrating that the student has been immunized, that the immunization process has begun and satisfactory progress is being accomplished or that the student is exempted from obtaining immunizations in accordance with law.

Immunization Exceptions

A student is exempted from obtaining immunizations if the district has the completed, original forms from the Missouri Department of Health and Senior Services (DHSS) necessary to prove that the student will not be immunized for religious or medical reasons. An exemption for medical reasons requires certification by a licensed doctor of medicine or doctor of osteopathy that either the immunization would seriously endanger the child's health or life or that the child has documentation of laboratory evidence of immunity to the disease. An exemption for religious reasons requires written certification from one parent/guardian that immunization of the student violates his or her religious beliefs.

Homeless students, students in the custody of the Children's Division (CD) of the Department of Social Services and students in the household of an active duty member of the military who do not have an exemption and cannot provide evidence of having received immunizations required under Missouri law shall be immediately enrolled and given 30 days to provide satisfactory evidence that the student has completed all age-appropriate immunizations or has begun the process of immunization. If the student has begun the process of immunization, the student may continue to attend as long as the process is being accomplished according to the schedule recommended by DHSS.

Failure to Provide Evidence of Required Immunizations

The district will exclude from school all students who are not immunized or exempted as required by law.

The district must report to DHSS the names of any parents/guardians who neglect to immunize their student or refuse to permit the immunization of a nonexempted student. The district will also report to the CD any instance of educational or medical neglect.

Pursuant to law, any contacts with parents/guardians regarding immunizations will also include information about influenza and influenza vaccines.

District-Sponsored Preschool, Daycare Centers and Nursery Schools

No child is permitted to enroll in or attend district-sponsored preschools, daycare centers or nursery schools until the district has satisfactory evidence demonstrating that the child has been immunized unless:

1. There is satisfactory proof that immunizations are in progress and that the process is being accomplished in accordance with the schedule recommended by DHSS; or
2. The student is homeless or in the custody of the CD and cannot provide satisfactory evidence of required immunizations. Such students will be given 30 days to provide satisfactory evidence of completion or evidence that immunizations are in process.
3. A parental, medical or religious exemption is on file. Exemptions must be on original forms from DHSS.

Upon request from a parent/guardian of a student enrolled in or attending district-sponsored preschools, daycare centers or nursery schools, the district will inform the parent/guardian whether any student enrolled or currently attending the facility in which the district-sponsored preschool, daycare center or nursery school is located has an immunization exemption on file. The district will verify only whether any student has an exemption on file. The district will not release any information that would identify a particular student with an exemption or a particular

type of exemption.

The district will notify parents/guardians at the time of initial enrollment of their student in district-sponsored preschools, daycare centers or nursery schools that they may request notice from the district as to whether any students currently enrolled in or attending the facility have an immunization exemption on file with the district.

Records

The superintendent or designee shall institute procedures for the maintenance of health records that show the immunization status of every child enrolled or attending in the district and for the completion of all necessary reports in accordance with guidelines prepared by DHSS.

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

Policy JHCD: ADMINISTRATION OF MEDICATIONS TO STUDENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 12/18/2019

Definitions

Authorized Prescriber – Includes a healthcare provider licensed or otherwise authorized by state law to prescribe medication.

Diabetes Medical Management Plan – A document developed by the student's personal healthcare team that sets out the health services needed by the student at school and that is signed by the student's personal healthcare team and parent/guardian.

Medications – For the purposes of this policy, medications include prescription drugs and over-the-counter drugs, including herbal preparations and vitamins. Medications also include substances that claim or purport to be medicinal or performance enhancing, including essential oils.

General

The Smithville R-II School District prohibits students from possessing or self-administering medications while on district grounds, on district transportation or during district activities unless explicitly authorized in accordance with this policy. However, the Board recognizes that some students may require medication for chronic or short-term illnesses to enable them to remain in school and participate in the district's education services. The Board directs the superintendent or designee to employ, contract with and train the necessary personnel to administer medications to students. Medications will be administered at school only when it is not possible or effective for the student to receive the medication at home.

Parents/Guardians are encouraged to submit any relevant information regarding the medications their student needs, including a diabetes medical management plan or other information the district may use to develop an individualized education program (IEP), Section 504 Plan or individualized health plan (IHP). The district will review all information submitted by the parents/guardians and work with them to create a plan to meet the student's medical needs while at school or school activities.

The superintendent, in collaboration with the district nursing staff, will establish administrative procedures for storing and administering medications in compliance with this policy and pursuant to state and federal law.

Nurses and Other Personnel

The administration of medications is a nursing activity that must be performed by or under the supervision of a registered professional nurse (RN). Other district personnel may be required to administer medications to a student as long as they have been appropriately trained and are supervised by an RN. An appropriately licensed member of the nursing staff will be responsible for:

1. Developing procedures for the training of unlicensed personnel in the administration of medications;
2. Devising protocols for the administration of medications by unlicensed personnel; and
3. Training unlicensed personnel in the administration of medications.

District employees who administer medications must maintain documentation of all medications provided to students and stored on district property.

Nurses and other staff administering medications will take precautions when administering medications and, when necessary, will clarify authorized prescriber orders prior to administering medications.

In accordance with law, any trained or qualified employee will be held harmless and immune from civil liability for administering medication in good faith and according to standard medical practices. A qualified employee is one who has been trained to administer medication according to standard medical practices.

Over-the-Counter Medications

The district may administer over-the-counter medication to a student upon receipt of a written request and if the district has received permission to do so from the parent/guardian. Over-the-counter medications must be delivered to the school principal or designee in the manufacturer's original packaging and will only be administered in accordance with the manufacturer's label.

Prescription Medications

Smithville R-II School District health personnel are dedicated to providing the highest level of service to our students. When possible, parents/guardians are encouraged to administer medication at home using a schedule that will not require doses during school hours. However, a child's health care provider may deem it necessary for medication to be taken during school hours. If so, all prescribed medication must be accompanied by written permission from a licensed physician. The district may administer prescription medication to a student if the district has received permission to do so from the parent/guardian and appropriate direction on how the medication is to be administered. The prescription label will be considered the equivalent of a prescriber's written direction, and a separate document is not needed.

Medications District Personnel Will Not Administer

Unless required by law to administer a medication to accommodate a disability, nurses who question the necessity of administering a particular medication during the school day may, after consultation with the superintendent or designee, require a written directive by the student's healthcare provider that states why the medication must be administered at school. The district may also refuse to administer any medication for other reasons listed in this policy. The district will not administer any medication that is not regulated by the U.S. Food and Drug Administration.

The district may refuse to administer medications in an amount exceeding the recommended daily dosage listed in the *Physician's Desk Reference (PDR)* or other recognized medical or pharmaceutical text unless the district has verified the dosage with the prescriber. Except for the medications that are used only in an emergency situation, the district will not knowingly administer the first dose of any medication. The district expects parents/guardians to administer medications at home or by coming to the school to administer the medications themselves when possible.

Staff, students and all other individuals are prohibited from possessing or administering any medication that is illegal pursuant to state or federal law on district grounds, on district transportation or during district activities. The superintendent or designee is authorized to obtain a legal opinion from the district's attorney when there is a question regarding the legality of administering any medication.

Medical Marijuana and Cannabidiol (CBD) Oil

The district does not permit the possession or administration of marijuana or marijuana-infused products for medicinal purposes on district property or at district events since these products are prohibited under federal law.

In accordance with state law, parents/guardians with a valid hemp extract registration card may possess CBD oil on district property for the purpose of administering it to their students who are less than 18 years old for the treatment of epilepsy. Students 18 and older with a valid hemp extract registration card may possess CBD oil on district property for the limited purpose of bringing it to the health office where it will be stored with other medications and administered to the student by the nursing staff for the treatment of epilepsy. Students who have an actual prescription for a medication containing CBD will be permitted to possess and administer the prescription medication in accordance with this policy.

When applicable, district staff will administer prescription medication containing CBD in the same manner used to administer other prescription medication.

Student Possession and Self-Administration of Medications

The district prohibits students from possessing or self-administering medications unless the student is allowed by law to do so and has been given permission in accordance with this section.

A student with an IEP or Section 504 plan may possess and self-administer medications in accordance with the IEP or Section 504 plan. Students who do not have an IEP or Section 504 plan may possess and self-administer medications in accordance with 1) or 2) below:

1. Students with Diabetes: Upon written request of the parent/guardian and upon authorization by a student's diabetes medical management plan, the district will permit a student with diabetes to perform blood glucose checks, administer insulin through the student's insulin delivery systems, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes. The district will permit the student to possess on his or her person at all times all necessary supplies and equipment to perform these monitoring and treatment functions. The student shall have access to a private area for performing diabetes care tasks should the parent/guardian or student request such access. Students with diabetes who wish to possess and self-administer medications are subject to the same requirements (below) as students with other health conditions.
2. Students with Other Chronic Health Conditions: Students may possess and self-administer medications for the treatment of asthma, anaphylaxis and other chronic health conditions in accordance with this policy and law. The district will not permit students to possess and self-administer medications unless all of the following requirements are met:
 - ▶ The medication was prescribed or ordered by the student's physician.
 - ▶ The physician has provided a written treatment plan for the condition for which the medication was prescribed or authorized that includes a certification that the student is capable of and has been instructed in the correct and responsible use of the medication and has demonstrated to the physician or the physician's designee the skill level necessary to use the medication.
 - ▶ The student has demonstrated proper self-administration technique to the school nurse.
 - ▶ The student's parent/guardian has signed a statement authorizing self-administration and acknowledging that the district and its employees or agents will incur no liability as a result of any injury arising from the self-administration of such medication unless such injury is a result of negligence on the part of the district or its employees or agents.

Permission to possess and self-administer medications may be revisited if there is evidence that the student is not handling or administering the medication appropriately or that the student's actions may be harming his or her own health or the health and safety of others.

Emergency Medications

All student-occupied buildings in this district are equipped with prefilled epinephrine auto syringes and asthma-related rescue medications. The school nurse or another employee trained and supervised by the school nurse may administer these medications when they believe, based on training, that a student is having a serious or life-threatening reaction or episode. A prescription or written permission from a parent/guardian is not necessary to administer these medications in an emergency situation.

Epinephrine and asthma-related rescue medications will be administered only in accordance with written protocols provided by an authorized prescriber. The Board will purchase an adequate supply of prefilled epinephrine auto syringes and asthma-related rescue medications based on the recommendation of the school nurse, who will be responsible for maintaining adequate supplies based on previous use levels and replacing expired syringes and medications.

The school principal or designee will maintain a list of students who cannot, according to their parents/guardians, receive epinephrine or asthma-related rescue medications. A current copy of the list will be kept with the medications at all times.

Consequences

Students who possess or consume medications in violation of this policy while on district grounds, on district

transportation or during a district activity may be disciplined up to and including suspension or expulsion. Employees who violate this policy may be disciplined up to and including termination. District administrators will notify law enforcement when they believe a crime has occurred.

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

Policy JHDA: SURVEYING, ANALYZING OR EVALUATING STUDENTS

Status: ADOPTED

Original Adopted Date: 04/21/2010

Inspection

Any parent may inspect, upon request, any instructional material used as part of the educational curriculum and all instructional materials, including teachers' manuals, films, tapes or other supplementary material, that will be used in connection with any survey, analysis or evaluation as part of any applicable program. Further, a parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to a student. The term "instructional material" does not include academic tests or academic assessments.

In general, the district will not collect, disclose or use personal student information for the purpose of marketing or selling that information or otherwise providing the information to others for that purpose. In the rare case where the district may collect information from students for the purpose of marketing or selling that information, parents may inspect any instrument used before the instrument is administered or distributed to a student, upon request and in accordance with Board policy.

Consent Required

In accordance with law, no student, as part of any program wholly or partially funded by the U.S. Department of Education, shall be required to submit to a survey, analysis or evaluation (hereafter referred to as "protected information survey") that reveals any of the following information without written consent of a parent:

1. Political affiliations or beliefs of the student or the student's parent.
2. Mental or psychological problems of the student or the student's family.
3. Sex behavior or attitudes.
4. Illegal, antisocial, self-incriminating or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers.
7. Religious practices, affiliations or beliefs of the student or the student's parent.
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

Notice and Opportunity to Opt Out

In accordance with law, parents will receive prior notice and an opportunity to opt a student out of:

1. Any other protected information survey, as defined above, regardless of the funding source.
2. Any nonemergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent and not necessary to protect the immediate health and safety of a student, or any physical exam or screening permitted or required under state law, except for hearing, vision or scoliosis screenings.
3. Activities involving the collection, disclosure or use of personal information obtained from students for marketing, selling or otherwise distributing information to others.

The district will directly notify parents at the beginning of the school year of the specific or approximate dates during the school year when the above-listed activities will occur or are expected to be scheduled.

Notification of Policy and Privacy

In accordance with law, parents will be directly notified of this policy at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

The district will take measures to protect the identification and privacy of the students participating in a protected information survey, regardless of the source of funding. These measures may include limiting access to the completed surveys and the survey results as allowed by law. All student educational records will be protected in accordance with law and Board policy JO.

The provisions of this policy applicable to parents will transfer to a student who is 18 years old or emancipated.

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

Policy JHDF: SUICIDE AWARENESS AND PREVENTION

Status: ADOPTED

Original Adopted Date: 07/18/2018

Purpose

Suicide is a leading cause of death among youths in Missouri and is a public health concern impacting all Missouri citizens. The Smithville R-II School District 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.
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.

* Call
988

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.

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.

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

Policy JO-1: STUDENT RECORDS

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 07/15/2020

(K-12 Districts)

In order to provide students with appropriate instruction and educational services, it is necessary for the district to maintain extensive and sometimes personal information about students and families. These records must be kept confidential in accordance with law, but must also be readily available to district personnel who need the records to effectively serve district students.

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

Definitions

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

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

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

Health Information

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

Parent and Eligible Student Access

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

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

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

Directory Information

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

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

The school district designates the following items as directory information.

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

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

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

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

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

Law Enforcement Access

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

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

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

Children's Division Access

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

Military and Higher Education Access

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

Volunteer Access

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

Records Retention

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

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

Administrative Procedure JO-1-AP(1): STUDENT RECORDS - (K-12 Districts)

Status: ADOPTED

Original Adopted Date: 05/20/2010 | **Last Revised Date:** 07/15/2020

Definitions

For the purposes of this procedure, the following terms are defined:

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

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

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

Education Record – A record that is directly related to a personally identifiable student and that is maintained by the school district or an agent acting on behalf of the school district. An education record may include information that is handwritten, in print or recorded using digital, electronic or other means and includes biometric records such as fingerprints. Education records do not include:

1. Records kept in the sole possession of the maker of the record, used only as a personal memory aid and not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Records created and maintained by the school district law enforcement unit for law enforcement purposes.
3. An employment record that relates exclusively to an individual in his or her capacity as an employee of the school district and that is not available for use for any other purpose.
4. Records that contain information about a student after he or she is no longer in attendance at the district and that are not directly related to the person's attendance as a student, such as alumni records.
5. Grades on peer-graded papers before they are collected and recorded by a teacher.

Directory Information – Information contained in an education record of a student that generally would not be considered harmful or an invasion of privacy if disclosed. The school district defines directory information in policy JO.

Health Records – Any record relating to a student's health or disability including, but not limited to, doctor's orders, doctor's notes, medical evaluations, medical diagnoses, information regarding medications, Section 504 plans, individualized education programs (IEP) and individualized health plans (IHP). A health record is a type of education record.

School Official – A person who has a legitimate educational interest and who meets one of the following criteria:

1. A person employed by the district as an administrator, supervisor, instructor or support staff member, including health or medical staff.
2. A School Board member of the Smithville R-II School District.

3. A person paid by the district to perform a special task that requires access to student records, such as an attorney, auditor, medical consultant or therapist.
4. Members of the school district's law enforcement unit in accordance with federal guidance.
5. A person serving on an official committee, such as a disciplinary committee, a care team, a threat-assessment team or grievance committee, or who is assisting another school official in performing his or her tasks.
6. A contractor, consultant, volunteer or other party performing services on behalf of the district if 1) the service would have otherwise been performed by district employees, 2) the person or party is under the direct control of the district regarding the use and maintenance of education records, and 3) the person or party agrees to follow confidentiality laws regarding the redisclosure of information. In accordance with law, volunteers must have successfully completed a background check to have access to student records.

Legitimate Educational Interest – A school official has a legitimate educational interest if the official is:

1. Performing a task that is specified in his or her position description or by a contract.
2. Performing a task related to a student's education in accordance with the school official's position.
3. Performing a task related to the discipline of a student in accordance with the school official's position.
4. Providing a service or benefit relating to the student or student's family, such as healthcare, counseling, job placement or financial aid.
5. Maintaining the safety and security of the campus.
6. Under the direct supervision of a staff member and, with authorization from the district, assisting a staff member in performing his or her job.

Education Records

A. General

1. Education records shall be retained according to the guidelines set forth in the retention schedules developed by the Office of the Missouri Secretary of State. The district will not destroy an education record if there is an outstanding request by a parent or eligible student to review the record.
2. Teacher and staff comments on education records will be professional and for the limited purpose of serving the student.

3. Parents and/or students may refuse to disclose a student's Social Security number to the district unless required by law.
4. Pursuant to state law, the permanent record of a student reading below the fifth-grade reading level at the end of his or her sixth-grade year shall carry a notation advising that such student has not met minimal reading standards. The notation shall stay on the student's record until such time as the district determines that the student has met minimal reading standards.
5. It is the responsibility of the principal and the professional staff of the school to see that such records are kept secure and confidential and are utilized in accordance with the law.

B. Review of Education Records by Parents or Eligible Students

1. Education records shall be open for inspection by parents and eligible students. Both parents have access to their child's school records until and unless a court order, statute or legally binding document limits or revokes these rights. Therefore, a copy of any applicable court order or other legal document must be filed with the school principal in order to demonstrate to the district that a parent's access rights are limited or denied. If a school employee has good reason to believe, based on personal knowledge or information from a reliable source, that a parent's access rights have been limited by a court order or other document that is not on file with the district, the employee may delay that parent's access for a reasonable amount of time, but no longer than three business days, in order to verify whether such an order has been issued or such a document exists. If no such order or document is found, the parent's request will be granted.
2. The parents or the eligible student should submit to the school principal a written request that identifies as precisely as possible the record or records they wish to inspect. The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access must be given as soon as possible, but within three business days. However, the period for document production may exceed three days for reasonable cause.
3. If a parent or eligible student requests an education record that contains information on more than one identifiable student, the district will not disclose the record unless the district is able to effectively redact information pertaining to the other student(s), all parents or eligible students consent to the disclosure in writing, or the law otherwise allows for the disclosure.
4. If a parent or eligible student believes the education records related to the student contain information that is inaccurate, misleading or in violation of the student's privacy, the parent or eligible student may ask the district to amend the record by following the appeals process outlined in this procedure.

C. Transfer of Education Records

1. The district will respond to a request for records from another school district enrolling a student within five business days of receiving the request. However, if the student's record has been marked pursuant to notification by the Missouri State Highway Patrol that the student has been classified as a missing child, the record shall not be forwarded to the requesting district, and the district will notify

the missing persons unit of the Missouri State Highway Patrol of the record request.

2. Upon notification that a student has transferred to any other school district, the district will forward to the superintendent of the new district any written notification the Smithville R-II School District has received from a juvenile officer, sheriff, chief of police or other appropriate law enforcement authority that a petition has been filed in juvenile court alleging that the student has committed an offense listed in § 167.115.1, RSMo., and the notification of disposition of such case.

D. Annual Notification of Rights to Parents and Students

1. The district shall annually notify eligible students currently in attendance and parents of students currently in attendance of their rights under the Family Educational Rights and Privacy Act (FERPA) and FERPA regulations by publication in the student handbook(s) or by distributing notification to the parents and eligible students at the beginning of the school year.
2. The district shall annually notify eligible students currently in attendance and parents of students currently in attendance of the directory information the district will release without written permission.
3. The district shall notify parents, and secondary school students who are at least 18, that the district is required to release the student's name, address and telephone listing to military recruiters and institutions of higher education upon request. The district will also notify parents, and secondary school students who are at least 18, that they may request in writing that the district not release this information, and the district will comply with the request.
4. The district will notify parents at least annually of its policy on the collection, disclosure or use of personal information collected from students for the purposes of marketing or for selling or otherwise providing that information to others for a marketing purpose, including arrangements to protect student privacy that are provided by the district in the event of such collection, disclosure or use (see policies JHDA and KI). Parents will be directly notified annually at the beginning of the school year of the specific or approximate dates during the school year when such collection, disclosure or use of personal information is scheduled or expected to be scheduled. The district will also offer an opportunity for the parent or eligible student to opt the student out of participation in any such activity.

E. Annual Notification of Directory Information

1. The district shall annually notify parents and eligible students of the directory information the district will release without written consent. Parents or eligible students will have ten school days after the annual public notice to provide notice in writing to the school district that they choose to not have this information released. Unless notified to the contrary in writing within the ten-school-day period, the school district may disclose any of those items designated as directory information without the parent's or eligible student's prior written consent, including in print and electronic publications of the school district.
2. Even if parents or eligible students notify the district in writing that they do not want directory

information disclosed, the district may still disclose the information if required or allowed to do so by law. For example, the district may require students to disclose their names, identifiers or district e-mail addresses in classes in which they are enrolled, or students may be required to wear, publicly display or disclose a student identification card or badge that exhibits information that is designated as directory information.

3. Directory information is considered a "public record" that must be released by the district to any person who requests it under the Missouri Sunshine Law.

F. Release of Education Records

Disclosure of information from a student's education records will be made only with the written consent of the parent or eligible student, subject to the following exceptions. The district may disclose education record information without consent in accordance with law, including when the disclosure is:

1. To school officials who have a legitimate educational interest in the records.
2. To officials of another school in which a student is enrolled or seeks or intends to enroll as long as the disclosure is for purposes related to the enrollment or transfer.
3. Directory information. If the district annually notifies parents and eligible students that directory information may be released without prior written consent and gives parents and eligible students the opportunity to notify the district in writing that they do not want the information released, the district may release directory information without prior consent.
4. To military recruiters or institutions of higher education that have requested the names, addresses and telephone listings of secondary school students. However, if a parent, or a secondary school student who is at least 18, submits a written request, the district will not release the information without first obtaining written consent from the parent or the student.
5. To organizations conducting studies for or on behalf of the district or other educational agencies or institutions to develop, validate or administer predictive tests, administer student aid programs or improve instruction if the legal requirements for disclosure are met.
6. To state and local authorities, when allowed by state statute, if the disclosure concerns law enforcement's or juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed may be required to certify in writing that the information will not be disclosed to any other party except as allowed by law or with the written consent of the parent.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1986.

9. To parents of a student who is not an eligible student unless a court order, statute or legally binding document relating to divorce, separation or custody prohibits the release of the record.
10. To the student.
11. To comply with a judicial order or a lawfully issued subpoena. Unless otherwise ordered, and except in cases where a parent is a party to a court proceeding involving child abuse or neglect or dependency matters and the order or subpoena is issued in the context of that proceeding, the district will make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or student may seek protective action.
12. In connection with a student's request for or receipt of financial aid to determine the eligibility, amount or conditions of the financial aid or to enforce the terms and conditions of the aid.
13. To authorized representatives of the comptroller general of the United States, the attorney general of the United States, the secretary of the U.S. Department of Education or state and local education authorities in connection with an audit or evaluation of federally or state-supported education programs or for the enforcement of or compliance with federal legal requirements relating to these programs.
14. To appropriate parties when there is an articulable and significant threat to the health or safety of a student or other persons. The nature of the threat and the persons to whom the information was disclosed must be recorded.
15. To an agency, caseworker or other representative of a state or local child welfare agency or tribal organization who has a right to access the student's case plan, as determined by the state or tribal organization, when such agency or organization is legally responsible for the care and protection of the student. This disclosure is limited to student records or information from those records used for the purpose of addressing the student's education needs.
16. To other persons authorized to receive education records pursuant to FERPA and 34 C.F.R., Part 99, or other applicable laws.

G. Redisclosure

In accordance with law, the district may disclose personally identifiable information from education records only on the condition that the person to whom the information is disclosed will not redisclose the information to other persons or entities without the prior consent of the parent or eligible student. When required by law, a party may be required to first sign a statement in which he or she agrees to abide by this provision and agrees to use the information disclosed only for the purposes for which the disclosure was made. This provision does not apply to disclosures made to the officers, employees and agents of the person or entity to which the information was released for the purposes for which the disclosure was made; disclosures made to the student or parents of a dependent or minor student; disclosures made to comply with a judicial order or subpoena; and disclosures of directory information.

H. Recordkeeping

Unless exempted below, the school district will maintain a record of all requests for and disclosures of information from a student's education records. The district will maintain the record of requests and disclosures with the education records of the student as long as the records are maintained. The record will indicate the name of the party making the request, any additional party to whom the information may be redisclosed and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or the eligible student.

When the district discloses personally identifiable information from education records to third parties without parental consent in a health or safety emergency, the district will record the articulable and significant threat to the health or safety of individuals that formed the basis for the disclosure and the parties to whom the district disclosed the information.

The district is not required to maintain a record of requests by or disclosures to:

1. The parent or eligible student.
2. School officials within the district who have a legitimate educational interest in the student's education records.
3. A party with written consent from the parent or eligible student.
4. A party seeking directory information.
5. A party seeking or receiving the records as directed by a law enforcement subpoena if the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

I. Charging Fees

The district may charge a fee for copies of student education records, unless the charge effectively prevents a parent or eligible student from exercising the right to inspect and review the student's education records. The fee will not exceed the amount authorized under the Missouri Sunshine Law.

J. Appeals Procedures

Parents or eligible students have the right to request correction of education records that they believe are inaccurate, misleading or in violation of their privacy rights. Following are the procedures for the correction of

education records:

1. Parents or the eligible student must ask the school district to amend a record. In so doing, they must identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy rights. The request should be made to the building principal.
2. The building principal or an employee designated by the superintendent will decide, within a reasonable period of time after receiving the request, whether to amend the record as requested. The district will notify the parents or eligible student of the decision and, if the request for amendment is denied, will inform them of their right to a hearing to challenge the content of the student's education records on the grounds that the information included is inaccurate, misleading or in violation of the student's privacy rights.
3. The school district will hold a hearing within a reasonable period of time after a request for a hearing is received. The district will notify the parents or eligible student, reasonably in advance, of the date, place and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the district. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or eligible student may be assisted by one or more individuals of their choice, including an attorney.
5. The hearing officer will prepare a written decision based solely on the evidence presented at the hearing and provide a copy to the district and the parents or the eligible student within a reasonable period of time after the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If the hearing officer decides that the information is inaccurate, misleading or in violation of the student's privacy rights, the district will amend the record and notify the parents or eligible student of the amendment in writing.
7. If the hearing officer decides that the challenged information is not inaccurate, misleading or in violation of the student's privacy rights, the district will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the school district discloses the contested portion of the record, it must also disclose the statement.

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

Administrative Procedure KB-AP(1): PUBLIC INFORMATION PROGRAM - (K-12 Districts)

Status: ADOPTED

Original Adopted Date: 05/20/2010 | **Last Revised Date:** 05/15/2019

In accordance with law and to protect the district's students, the district will conduct criminal background checks on persons who are employed, volunteer or otherwise work in the district, using the Missouri Automated Criminal History Site (MACHS). The district and district employees will comply with state and federal law, rules, procedures and policies regarding the receipt, use and dissemination of criminal history record information of any individual.

Definitions

Authorized Persons - Individuals determined by the superintendent or designee to need access to or need to view criminal history record information in their official capacity with the district.

Criminal History Record Information (CHRI) - A criminal history of an individual obtained through the Missouri State Highway Patrol (MSHP) and/or the Federal Bureau of Investigation (FBI) using the individual's fingerprints. CHRI includes information on the arrest, detention, complaint, indictment or former criminal charge of an individual as well as the disposition of any charges.

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

Security Incident - An act of violating an explicit or implied security policy regarding CHRI including, but not limited to:

1. Attempts (either failed or successful) to gain unauthorized access to a system or its data.
2. Unwanted disruption or denial of service.
3. The unauthorized use of a system for the processing or storage of data.
4. Changes to system hardware, firmware or software characteristics without the district's knowledge, instruction or consent.

Privacy Rights

Before requesting CHRI on any individual, the district will give the individual written notification that his or her fingerprints will be used to obtain the CHRI of the individual, and the district will provide the individual a copy of the statement "Noncriminal Justice Applicant's Privacy Rights" and the FBI's "Privacy Act Statement." All employees must agree in writing to allow the district to share their information with state and federal Rap Back criminal background check programs according to the terms of those programs.

Use

The district and its employees, officers and agents will only obtain CHRI when authorized by law and will only use CHRI or the personally identifiable information first obtained by the district in CHRI for the purposes of determining whether a person should be employed by or volunteer with the district or be employed by a contractor doing business with the district, as allowed by law.

Opportunity to Correct

Before releasing information regarding an individual to another district or taking adverse action against a person because of CHRI, the district will notify the individual who is the subject of the CHRI and give that person a reasonable opportunity to dispute and correct the record unless the person has declined to do so. If the individual is an applicant for employment with the district or a contractor doing business with the district and the position needs to be filled quickly, the district will not delay the employment decision solely because the individual seeks to correct his or her CHRI.

Access and Retention

Only authorized persons within the district may access, view or use CHRI. Authorized persons may not share or otherwise disclose information contained in CHRI to unauthorized persons unless explicitly allowed for in this procedure.

In general, the district will not print or electronically store CHRI within the district and instead will leave the information on the MSHP's secure website. The district will note in an employee's, volunteer's or applicant's personnel file that the background check was completed and whether the person was determined to be cleared for employment or assignment. In rare situations, the district may print or electronically share records when necessary to determine whether the person is authorized to work in or with the district. In those situations, the physical or electronic copy will be destroyed immediately after the decision is made.

The district will release CHRI to DESE or to other Missouri public school districts seeking to employ the subject of the CHRI upon request by the individual if the district still has access to the information on the MSHP's secure website. The information will be sent by U.S. Mail or encrypted e-mail.

The district may run a background check on employees of or applicants for employment with a contractor that does business with the district, but the district will not provide CHRI to the contractor. Instead, the district will provide a clearance letter notifying the contractor whether the employee is cleared to provide services in the district. The district will not disseminate CHRI across state lines.

Upon request the district will provide a copy of the CHRI to the person who is the subject of the background check. The CHRI will only be released to the individual and not to relatives, spouses or friends. The district will note in the dissemination log that a copy was provided to the individual.

Recordkeeping

Authorized district employees will document when CHRI is disseminated to the individual who is the subject of the CHRI or any authorized person other than DESE or other Missouri public schools. Dissemination logs will minimally include the name of the subject of record, the person or agency requesting the information, a description of the record that was shared, the purpose for the request, how the record was sent or received, the date the information was released, and the name of the person who disseminated the information. This log will be retained for a minimum of three years or until the district is audited, unless the log is needed for other purposes.

Security

The district will provide for the security of any CHRI received, including the appropriate administrative, technical and physical safeguards to provide for the security and confidentiality of the information. This includes, but is not limited to, the following:

1. The district will not routinely maintain physical copies of CHRI; however, in the rare instance where the district has physical copies of CHRI, the district will restrict access to authorized persons only. Physical copies of CHRI, if any, will be maintained in a controlled, secure environment, such as a locked cabinet in a room that is free from public or unauthorized access. The room or the locked cabinet will include an "Authorized Personnel Only" sign.
2. The district will not routinely maintain electronic copies of CHRI; however, in the rare instance where the district has electronic copies of CHRI, the district will restrict access to authorized persons only. Electronic data will be protected with encryption as designed by the state or federal government or will only be accessible by individual password. Computers, printers and monitors used to access CHRI must be situated to prevent unauthorized viewing of the information. CHRI cannot be accessed using computers available to the general public or personal devices. CHRI will not be stored on a server that is unprotected or accessible by an unauthorized entity.
3. CHRI will not be relocated, transmitted or transported outside a secure location unless encrypted according to FBI standards or transported in a locked container or in folders where the information is not visible to the public. A log must be kept if electronic information systems, such as a laptop, flash drive or CD with CHRI information on it, leave a secured area.
4. The district will dispose of records securely. Physical records will be cross-shredded or incinerated. If the district contracts out for record destruction, the destruction must be supervised. Electronic records will be deleted and overwritten as required by the state.
5. The district will not provide auditors access to CHRI unless the auditor is authorized by the MSHP or the FBI.

Security Incident Response Plan

All district employees will immediately report information security incidents--such as the theft or loss of physical records or the hacking or failure of electronic systems--or suspicions that an incident has or will take place to the designated security officer. The security officer will document receipt of all reports, investigate incidents and report incidents to the MSHP.

CHRI Security Officer

The district designates the following individual to act as the district's CHRI security officer, also referred to as the local agency security officer (LASO) by the MSHP:

Ashley Jones, PHR, SHRM-CP

Director of Human Resources

655 Commercial Ave.

Smithville, MO 64089

Phone: 816-532-0406 / Fax: 816-532-4192

jonesa@smithville.k12.mo.us

The security officer shall:

1. Maintain a list of users who have access to CHRI.
2. Identify and maintain a list of persons who are authorized to use the approved hardware, software and firmware to access CHRI from the MSHP and ensure no unauthorized individuals have access to this technology.
3. Identify and document how the equipment is connected to the state system.
4. Ensure that personnel security screening procedures are being followed.
5. Ensure that approved and appropriate security measures are in place and working as expected.
6. Promptly notify the MSHP of any security incidents.
7. Support any district security audits.

Training

The district will train all employees who have access to CHRI on the rules and responsibilities for the receipt, use and dissemination of the information.

Consequences

Failure to follow this procedure or any laws or rules regarding the access, receipt, use or dissemination of CHRI for any individual will result in appropriate discipline and may result in termination and criminal charges.

Applicability

Applicants and employees fingerprinted before the district's Rap Back activation date or before July 1, 2015, must be fingerprinted to be included in the state and national Rap Back programs. All current district employees who fall into this category shall be fingerprinted in a timely manner.

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

Policy KI: PUBLIC SOLICITATIONS/ADVERTISING IN DISTRICT FACILITIES

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 07/19/2017

It is the intent of the district to operate a nonpublic forum and, except as allowed in this policy, advertisement is prohibited on district property. For the purposes of this policy, advertisement includes, but is not limited to, in-person solicitation; signage; verbal announcements using communication equipment; pamphlets; handouts; distribution through district technology; other distribution of information regarding products or services available or for sale; or the solicitation of information including, but not limited to, political campaigning. This policy does not prohibit speech in circumstances where it is protected by law.

General Rule

The district may control the content of advertising as allowed by law. Minimally, advertisement on district property or at district events may not include information or materials that:

1. Are obscene to minors.
2. Are libelous.
3. Are pervasively indecent or vulgar (secondary schools) or contain any indecent or vulgar language (elementary schools).
4. Advertise any product or service not permitted to minors by law.
5. Constitute insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion or ethnic origin).
6. Present a clear and present likelihood that, either because of their content or their manner of distribution, they will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities or will cause the commission of unlawful acts or the violation of lawful school procedures.

District-Sponsored Advertisement

This policy is not intended to limit the use of district resources or forums by district personnel to distribute district-sponsored information or advertisements. District-sponsored groups may distribute advertisement to employees and students as determined appropriate by the superintendent or designee and school principal. Materials from extracurricular organizations or professional groups created by the district are considered district sponsored.

Groups Affiliated with the District

The district may allow groups affiliated with the district to advertise on district property in the same manner and to the same extent that district-sponsored groups are allowed to advertise. For the purpose of this policy, a group is affiliated with the district if it is recognized by the Board and 1) working collaboratively with the district, such as a business partner, or 2) is a group that is created solely to work with the district, its staff, students and parents and to raise funds for district activities such as parent-teacher associations or booster clubs.

Curriculum-Related Advertisement

District staff may use resources with reasonable advertising content when such resources are consistent with and related to the district's curriculum and compliant with the district's wellness policy and procedures. District staff may

distribute advertisements regarding programs, events, contests and other activities that are not sponsored by the district when those events are consistent with and related to the district's curriculum. District staff may invite companies, organizations or individuals to advertise during school hours or school events if the school principal determines that the information provided is consistent with and related to the district's curriculum.

Distribution Directly to Students

Only curriculum-related advertisement, district-sponsored advertisement and advertisement by groups affiliated with the district may be distributed directly to students by placing the item in the student's backpack, folder or other conveyance; handing the material to students; placing the material at the student's assigned place; or instructing the student to pick up material at a designated location. Placing items in a designated location where they are available to students is not direct distribution if students are not instructed to pick up the materials.

Distribution to Staff

The district's intercampus mail, staff mailboxes and district e-mail are reserved for communication between employees regarding district business or for distribution of district-sponsored advertisement or advertisement from groups affiliated with the district.

Advertising from any other person or group will be made available to staff by placement in staff work areas or on designated bulletin boards not easily accessible to students. Such advertising must be provided first to the school principal and must clearly state that the district does not sponsor or endorse the information. School principals may establish uniform rules about the length of time an advertisement will be available and may limit the number of advertisements available at one time.

Distribution by Students

Students may distribute district-sponsored advertisements on district property during noninstructional time as allowed by the school principal and group sponsor. Students may distribute noncurricular student publications and other advertisements not sponsored by the district during noninstructional time only in accordance with Board policy IGDBA.

Distribution by Student-Initiated Noncurricular Groups

Student-initiated noncurricular groups that meet in district facilities shall have the same access to district communication tools and media, including publications, websites and intercom, and are subject to the same provisions on the distribution and content of materials as district-sponsored noncurricular groups. The district may require these groups to clearly state on any advertisement or information that the group is not sponsored by the district.

Advertisement in Designated Locations

School principals may designate a bulletin board, table or other specific location where information regarding nonprofit community events targeting students and parents may be posted or otherwise advertised. All groups fitting this description will be allowed to submit advertising to be placed at the designated location. Such advertising must be provided to the school principal first and must clearly state that the district does not sponsor or endorse the information. School principals may establish uniform rules about the length of time an advertisement will be available and may limit the number of advertisements available at one time.

Distribution at District Events

Only district-sponsored advertisement and advertisement from groups affiliated with the district may be distributed at district events, unless the district sells advertisement opportunities as described below.

Groups Using District Facilities

Boy Scouts, Girl Scouts and other Title 36 youth groups and their official affiliates who meet in district facilities pursuant to the Board's policy on use of facilities may distribute advertising during any meeting, activity or event held in accordance with that policy and applicable procedures but otherwise have no greater ability to advertise or distribute information in schools than groups not using district facilities.

Revenue-Generating Advertising on District Property or in District Publications

The district may accept or solicit advertising for use on the district's website and in gymnasiums, athletic fields and

other facilities.

The district may accept or solicit advertising on extracurricular activity schedules, programs, newspapers, yearbooks or other district-sponsored publications at the discretion of the principal of the school involved. The district will also sponsor a vendor fair that outside groups and businesses may participate in.

Student publications and the advertising in those publications are district-sponsored speech subject to editorial control over content in accordance with law.

All such advertising must be compliant with the district's wellness policy and procedures.

Collecting, Disclosing or Using Information for Marketing

In general, the district will not collect, disclose or use personal information from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose unless required by law. For the purposes of this policy, "personal information" means individually identifiable information, including a student's or parent's first and last name, a home or other physical address, a telephone number and Social Security number.

In the rare case where the district may collect or disclose students' personal information or allow another group or entity to collect or disclose students' personal information for the purpose of marketing or selling that information, the district will directly notify the parents/guardians in accordance with law at least annually at the beginning of the school year of the specific or approximate dates when such information will be collected. Parents/Guardians, upon request, may inspect any instrument used to collect personal information for the purpose of marketing or selling that information before the instrument is administered or distributed to a student. All parents/guardians and students of appropriate age may decline to provide the information requested.

This portion of the policy does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions, to the extent allowed by law and Board policy.

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

Policy KKB: AUDIO AND VISUAL RECORDING

Status: ADOPTED

Original Adopted Date: 04/21/2010 | **Last Revised Date:** 02/16/2022 | **Last Reviewed Date:** 02/16/2022

Definitions

Audio Recording – Registering sounds on tape, digitally or by other mechanical or electronic means.

Recording – For the purposes of this policy, "recording" means audio and visual recording.

Visual Recording – Registering visual images on film, tape, digitally or by other mechanical or electronic means.

General Rule

The district may create audio and visual recordings on district property, on district transportation or at district activities for:

1. Providing security;
2. Maintaining order;
3. Professional staff development;
4. Educational purposes; and
5. Other purposes related to furthering the educational mission of the district.

However, because the district predominantly serves minors, is subject to a number of confidentiality laws, respects parent/guardian and community privacy concerns and seeks to minimize disruption to the education environment, the district prohibits other persons or entities from making audio or visual recordings unless authorized in this policy.

Administrator Authority

The superintendent or designee has the authority to authorize audio and visual recording on district property or at a district activity. Likewise, even if recording is authorized under this policy, the superintendent or designee may prohibit any person or entity from recording:

1. To protect privacy interests;
2. To comply with copyright or other licensing or intellectual property limitations;
3. If the recording creates a disruption to the education or working environment;
4. If the recording is done in a location where a person may be in a state of undress; or
5. For other legitimate reasons as determined by the superintendent or designee.

Board Meetings, Performances and Activities Open to the General Public

The district allows audio and visual recording at performances, events and activities that the general public is invited to attend (such as athletic competitions, concerts and plays, open board meetings and board committee meetings) as long as district guidelines applicable to those events are followed and unless recording is prohibited by licensing or other intellectual property laws.

Events Sponsored by Individuals or Entities Authorized to Rent or Use District Facilities

The district may allow audio and visual recording of events or activities sponsored by an outside entity authorized to use or rent district facilities if permitted by the event sponsor.

Research and Educator Preparation

With permission from the superintendent or designee, staff and students may be recorded for research purposes or by preservice education professionals for evaluation purposes. Consent from all relevant parties must be secured when required by law.

Recording by the Media

The media may make audio or visual recordings on district property or at district events as authorized by the superintendent or designee.

Recording by Students

In addition to other recording authorized in this policy, students may make audio and visual recordings on district property or at district activities if allowed by a teacher or activity sponsor as part of the class or activity or as permitted by the principal, superintendent or designee. Students may be disciplined, excluded from district activities and prohibited from attending with a phone or other recording device if the student makes recordings in violation of this policy and other district rules regarding recording.

Recordings by Parents/Guardians or Family Members of Students

In addition to other recording authorized in this policy, parents/guardians or family members of students may be allowed to record performances or events to which only parents/guardians or family members are invited, such as family nights and graduation celebrations, at the discretion of the principal, superintendent or designee. However, the recording must respect the privacy of other students and families present.

Recording by District Employees and Agents

District employees and agents may make and use audio or visual recordings for professional staff development use, for educational purposes or for other purposes related to furthering the educational mission of the district when authorized by the principal, superintendent or designee. Otherwise, recording is prohibited. Recordings obtained while acting as a district employee or agent may not be used for personal purposes or posted on social media unless authorized by a supervisor.

Recording Meetings

In general, the district prohibits the recording of employee meetings and meetings between employees and parents/guardians unless authorized by the superintendent or designee.

Recording Meetings under the IDEA or Section 504

A student's parent or legal guardian may audio record any meeting about the student held under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, including individualized education program (IEP) and Section 504 meetings. The parent or legal guardian seeking to record must notify the district no less than 24 hours prior to the time the meeting is scheduled to occur. Recordings made by the parent/guardian will remain the property of the parent/guardian, but the district may make its own recording. Everyone present during a recorded meeting must be notified that the meeting is being recorded unless the recording is done in such a manner that it is obvious to those present that the meeting is being recorded.

Undisclosed Recording or Transmitting

The district prohibits undisclosed recordings where persons involved do not consent to the recording and it is not otherwise obvious that recording equipment is present or being used, unless the superintendent or designee determines in rare circumstances that such recordings are necessary for security reasons. The district prohibits the simultaneous electronic transmission of any conversation by any person to a third party without the consent of all involved in the conversation even if the conversation is not recorded.

Use of Unmanned Aircraft Systems

Anyone seeking to operate unmanned aircraft systems (UAS) on or over district property or at a district event must

receive authorization from the superintendent or designee. Authorization will be granted only when such operation is on behalf of the district, supports the mission of the district or otherwise serves a public purpose.

All UAS with the potential to capture or produce visual images of district property or district events must be operated in accordance with applicable Federal Aviation Administration regulations or safety guidelines.

Search the index for this section and the cross references to identify related policies, administrative procedures and forms.

Policy KLA: CONCERNS AND COMPLAINTS REGARDING FEDERAL PROGRAMS

Status: ADOPTED

Original Adopted Date: 03/14/2018

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

Process

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

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

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

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

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

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

Documentation and Release of Information

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

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

Prohibition against Retaliation

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

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