Grandview R-II School District
August 20, 2020
7:00 p.m.
Board Of Education Regular Meeting Minutes
Open Session

I. Call to Order

1. Call to order and welcome guests

Meeting was called to order by Bob Gearhart at 7:00 p.m.

2. Roll Call

Bob Gearhart, President	☐	Steve Kuczka, Member	☐
Brian Dugan, Vice President	☐	Cynthia Modrosic, Member	☐
Tim Brown, Member	☐	Amy Smith, Member	☐
Kenneth Ramsey, Member	☐		

3. Approval of Agenda

As presented: ✓ As amended: ☐ Time: _____ pm
The following items were added:

_____

_____

The following items were removed:

_____

_____

Motion: Brian Dugan Second: Tim Brown Yea: 7 Nay: 0 Abstain: 0

II. Approval of Consent Agenda Items

A. Minutes of Previous Regular Session
B. Transfer Items
C. Payment of bills
D. Financial Report

As presented: ✓ As amended: _____
The following items were added or removed:

Motion: Brian Dugan Second: Tim Brown Yea: 7 Nay: 0 Abstain: 0

III. Administrator Reports

A. Principals Report

April Byrd

- Enrollment: 240 (PK-4 only, 5th moved to M.S.)
    - (PK-4th enrollment in the spring was 232)

- Open House went well, it was so exciting to welcome back our families again!
    - Thank you to all the parents and families for being patient as we navigate the constant changes being thrown our way.
    - We will continue to ensure a positive school environment this year, while also keeping student health and safety a priority.

- We currently have 41 elementary students that have selected virtual instruction (17% of the building)
    - Virtual families were able to pick up their school-provided chromebooks tonight at open house.

- We are able to fill all three preschool classes of 10 to make 30 total with no one on the waiting list.
    - Several families decided to withdraw their children due to COVID concerns.

- I applied for and was awarded a $2,400 grant through ITEF (Innovative Technology Education Fund) for staff professional development.
    - All elementary teachers will be trained in nonviolent crisis intervention in September through these grant funds.

Crystal Eoff

- We currently have 101 students who receive special education services
    - 23 have selected virtual instruction
        - 23% SPED students

- SPED teachers have been working diligently to make contact to all of the students on their caseload to complete the new Form G Distance Learning

- Start of the year there is always some transfer in students
    - Scheduling IEP meetings with families.

- Professional Development for teachers will look differently this year
    - Lots of virtual training taking place vs the in person option

- Teachers are excited to be back to school and working with students

Deb Stukey

- Enrollment: 312 students

- Open House was done virtually. I also held a Principal meeting where parents could come to ask questions.

- We have completed 2 of the 3 days of registration and schedule/computer pick up for our high school students.
    - Students and parents both seemed to be excited about school starting.
    - Parents and families have been very flexible and okay with the new changes to make our school areas safe. .

- Our virtual school participants have been growing over the last few days.
    - 58 virtual instruction students, 19% of our student body.

- We received a $3,119.86 “Lean into Learning” grant from Innovative Technology Education Fund.
    - Provides funds for CPI training for our HS and Special Education staff.
        - How to deal with trauma, crisis, anxiety both for our staff and students.
        - How to help students to de-escalate in times of anxiety and how to solve issues in non-violent ways.
        - Bruce Hunter is coming tomorrow to work with our HS staff.
        - Special Education staff will receive training at a later date.

Don Jeffries

Activities

- Fall Sports
    - Football – 32 players
    - Volleyball – 23 players
    - Cross Country – 8 runners
    - Cheerleading – 13 cheerleaders
    - Dance – 6 dancers
    - Band – 32 players
- Middle school will begin volleyball and football practice Monday
    - Cheerleading starts Tuesday
- No Football Jamboree
- First games
    - Football August 28
    - Volleyball September 1
- Senior Nights will be the first home game

Middle School

- Enrollment – 181
    - 44 virtual
- Open Houses went well
    - 5th Grade was Monday
        - 28 students' families attended
    - 6th Grade was Tuesday
        - 22 28 students' families attended
    - 7th and 8th Grade was Thursday
        - 82 28 students' families attended
    - We are reaching out to the virtual families who did not attend open house
- We are excited about the addition of the new Middle School Cafeteria
- Two new staff members
    - Kristie Lewis
        - Counsleor
    - Kyle Hartrup
        - 7th and 8th Grade Math

B. Bond Project Update

Ed Boyer

- Thanks the district for hiring us to build your additions
- Mr. Davis did a great job with "value engineering"
- Over 40 thousand credit in high school and 20 grand in credit for middle school

Allen Davis

- It's been a pleasure to work with Mr. Boyer
- Many extra things were discussed and he input was given to help

C. Superintendent's Report

- Last Wednesday added a level of Orange to the COVID ranking levels
    - Took Jefferson County to the Orange level
- DESE recommends that School Leaders should require face coverings
- Spectator plan will be released
    - Up to 50% capacity with social distancing
        - Football - 350
        - High School Gym - 300
        - Middle School Gym - 100
    - Pass List
        - Players will be able to take two people away
        - Players will be limited on a home game depending on the 2 person rule for the away team
- All county superintendents received an e-mail from the health department today. They will recommend that all high schools in Jefferson County be only virtual for the first few weeks of school and sports should be postponed until Spring.

IV. Items for Decision

A. Bus Route Approval Policy #5630

Motion: Brian Dugan Second: Cynthia Modrosic Cost: $ _____

Motion presented: Approve the bus routes as presented.

Yea: 7 Nay: 0 Abstain: 0 Time: 9:06 pm

B. Setting of Special Meeting to Set the Tax Rate (Required Annually)

Motion: Brian Dugan Second: Amy Smith Cost: $ _____

Motion presented: Hold the required annual special Board Meeting to set the tax rate on September 17th, 2020, at 6:45pm

Yea: 7 Nay: 0 Abstain: 0 Time: 9:08 pm

C. Superintendent's Evaluation Goals

Motion: Brian Dugan Second: Cynthia Modrosic Cost: $ _____

Motion presented: Approve Mr. Zoph's goals for the 2020-2021 school year.

Yea: 7 Nay: 0 Abstain: 0 Time: 9:13 pm

D. Policy Approvals

Motion: Brian Dugan Second: Steve Kuczka Cost: $ _____

Motion presented: Approve Policy 1300, Regulation 1300, Policy 1301, Regulation 1301, Policy 2640, Policy 2763, Policy 4810, Policy 5205, Policy 5330, Policy 6145, Regulation 2870, and Regulation 6145 as presented.

Yea: 7 Nay: 0 Abstain: 0 Time: 9:20 pm

E. Resignations (Executive Session)

F. Hiring (Executive Session)

VI. Items for Discussion/Information

A. MSBA Conference

Conference will be completely virtual.

VII. Executive Session

1. **Item (Executive Session)**
2. **Item (Executive Session)**

Recess for Executive Session

Motion: Brian Dugan Second: Cynthia Modrosic Time: 9:25 pm

	Yea	Nay	Abstain
Bob Gearhart, President	✓	☐	☐
Brian Dugan, Vice President	✓	☐	☐
Tim Brown	✓	☐	☐
Kenneth Ramsey	✓	☐	☐
Steve Kuczka	✓	☐	☐
Cynthia Modrosic	✓	☐	☐
Amy Smith	✓	☐	☐

Time: pm

At 10:23 pm the Board returned to regular session to report the following results concerning items on the agenda:

Adjournment

Motion: Tim Brown Second: Cynthia Modrosic

Yea: 7 Nay: 0 Time: 10:23 pm

Board minutes are not official until approved by the Board at the next regular meeting.

Employee Disease Protection

All employees who chose to wear N95 respiratory protection are required to receive proper fitting and training. The district will provide access to fitting and training for all employees the district requires to use an N95 respirator.

Prohibition Against Harassment, Discrimination and Retaliation

The District is committed to maintaining an educational and workplace environment that is free from discrimination, harassment, and retaliation in admission or access to, or treatment or employment in, its programs, services, activities and facilities. The District is committed to providing equal opportunity in all areas of education, recruiting, hiring, retention, promotion and contracted service.

In its programs and activities, the District does not discriminate on the basis of race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic protected by law and as required by Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and Title II of the Americans with Disabilities Act of 1990, and state law. In addition, the District provides equal access to the Boy Scouts of America and other designated youth groups. Further, no person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination based on the above listed characteristics under a school nutrition program for which the District receives federal financial assistance from the U.S. Department of Agriculture (USDA Food and Nutrition Service).

This Policy governs the District's compliance with the laws identified above, outside of Title IX. The following person is designated and authorized as the District's Compliance Officer to coordinate compliance with the laws identified above (outside of Title IX), including to handle inquiries or complaints regarding the District's non-discrimination policies:

[Insert the following information below for each designated Compliance Officer; the Title IX Coordinator is designated in Policy and Regulation 1301 and may be the same person. The District may choose to include only the position title, rather than an individual's name, but the address, phone number, and email must be connected to the designated individual.]

Title and/or Name
Address
Number
Email

A complaint by students, employees, parents, and patrons of the District alleging harassment, discrimination, or related retaliation based on a protected classification under the laws identified above (outside of Title IX) should be filed in accordance with the procedures outlined in Regulation 1300. A complaint regarding sexual harassment or related retaliation of a student or employee under Title IX and that is alleged to have occurred on or after August 14, 2020, should be filed in accordance with the procedures outlined in Regulation 1301. A complaint regarding the identification, evaluation, educational program, or placement of a child with a disability under Section 504 should be filed in accordance with the procedures outlined in Regulation 2110.

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Prohibition Against Sexual Harassment and Retaliation under Title IX

Sexual harassment as protected by law is prohibited in this District. The District also prohibits retaliation against a person who files a complaint of sexual harassment or who participates in an investigation of allegations of sexual harassment under this Regulation.

This Policy governs the District's compliance with Title IX of the Education Amendments of 1972. The following person is designated and authorized as the District's Title IX Coordinator, with the responsibility to identify, prevent, and remedy unlawful harassment and retaliation under Title IX in the District:

[Insert the following information below for each designated Title IX Coordinator; the Compliance Officer is designated in Policy and Regulation 1300 and may be the same person. The District may choose to include only the position title, rather than an individual's name, but the address, phone number, and email must be connected to the designated individual.]

Title and/or Name
Address
Number
Email

A complaint regarding sexual harassment or related retaliation of a student or employee under Title IX and that is alleged to have occurred on or after August 14, 2020, should be filed in accordance with the procedures outlined in Regulation 1301. A complaint by students, employees, parents, and patrons of the District alleging harassment, discrimination, or related retaliation based on a protected classification under the laws identified above (outside of Title IX) should be filed in accordance with the procedures outlined in Regulation 1300. A complaint regarding the identification, evaluation, educational program, or placement of a child with a disability under Section 504 should be filed in accordance with the procedures outlined in Regulation 2110.

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Discipline

Student Use of Tobacco, Alcohol, Drugs and Vapor Products

Smoking

The Board of Education believes that smoking; the use of any tobacco products; vapor products and substances appearing to be tobacco products are detrimental to the health and well-being of staff and students. This prohibition includes electronic cigarettes, vaping and similar objects used in conjunction with vaping. Therefore, the Board prohibits the use, sale, transfer and possession of tobacco products, vapor products, and substances appearing to be tobacco products or vapor products, i.e. e-cigarettes, vaping paraphernalia, at school and at school activities.

Alcohol and Drug Use

The improper use of controlled substances, alcohol and substances represented to be such is detrimental to the health and welfare of students and is detrimental to discipline in school. Such conduct, as well as the possession of drug paraphernalia, is prohibited and is subject to disciplinary action as set forth in Regulation 2610.

Pursuant to 29 U.S.C. 705(20)(c)(iv), a student with a 504/ADA disability who is currently engaging in the illegal use of alcohol or drugs is not considered a student with a disability under those laws and the District, may take disciplinary action – to the same extent that disciplinary action is taken against nondisabled students – in relation to that use or possession of alcohol or drugs. In such cases, the due process procedures contained in the Section 504 regulations will not apply to protect those students. This provision does not apply to students who are identified as disabled under the Individuals with Disabilities Education Act. However, school personnel may remove an IDEA disabled student to an interim alternative educational setting for not more than 45 school days without regard to whether that student's behavior is a manifestation of his/her disability where that student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the District's jurisdiction. "Illegal drug," as it pertains to the discipline of IDEA students, means a controlled substance but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or under any other authority.

The determination of whether or not a student is under the influence of alcohol or a controlled substance is based upon a variety of information including but not limited to, physical appearances, speech patterns, and witnesses' statements. While not required, District administrators may request a student suspected of alcohol use to submit to a Breathalyzer. Conduct that includes possession of or use of alcohol or controlled substances as well as the possession of drug paraphernalia is prohibited and is subject to disciplinary action as set forth in Regulation 2610.

CBD Products

Due to the lack of consistency in labeling related to the potency of many CBD and similar products; due to the lack of research into the long-term effects of these products; and due to the overriding concern for the health and safety of District students, CBD and similar products are prohibited on school premises and at school related activities. Penalties for violations of this policy will be consistent with the penalties for alcohol and drug possession.

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Student Welfare

Temporary Alternative Placement Agreements

If a parent/guardian is temporarily unable to provide care or support for their child and if the child is not in imminent danger of death; serious bodily injury or being sexually abused; an adult relative and the parent/guardian of the child may enter into a Temporary Alternative Placement Agreement ("Agreement") with Missouri's Children's Division.

The Agreement provides for a placement with an adult relative for a period of ninety (90) days. The adult relative shall make the day-to-day decisions for the child including educational, medical decisions, as well as enrollment in school for the term of the Agreement.

The adult caregiver (relative) is required to notify the District of the Agreement and is required to provide the District with a copy of the Agreement.

This provision will become effective only when the Children's Division has prepared and disseminated Rules and Regulations governing such Agreements.

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Building and Grounds Management

Lead Testing in Water Samples

The District may elect to test samples of potable water in District facilities serving students under first grade in buildings built prior to 1996. The purpose of such testing would be to determine the presence of and quantity of lead. If election to test is made, the District will submit sample(s) to a department of health approved laboratory for analysis for the presence of lead. Written sampling results will be submitted to the Department of Health within seven (7) days of receipt.

If any of the submitted samples exceed standards set by the U.S. Environmental Protection Agency (EPA), the District will promptly notify by written or electronic communication to the parents/guardian of all enrolled students. Notice to parents/guardians will include the:

1. Sampling location within the building;
2. EPA's website for information for lead in the drinking water; and
3. The specific lead level in each testing site.

If any of the samples are at or below five parts per billion, parental notification may be made by posting on the District's website.

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Purchasing and Supply Management

Anti-Israel Boycott Prohibition

The District will not contract to acquire or dispose of services, supplies, information, technology, or construction for a total potential value of One Hundred Thousand Dollars ($100,000.00) or more with any company that is engaged presently or during the term of the contract in a boycott of goods and services from the State of Israel.

This prohibition will also protect companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of Israel, or persons, or entities doing business in the State of Israel. This provision shall not apply to contractors with fewer than ten (10) employees. ("Anti-Discrimination Against Israel Act")

Bidders for contracts described in this Policy will be required to submit with their bid a certification of compliance with this Policy (Form 5330). In addition, all contracts subject to this Policy will contain a contract provision certifying compliance with the "Anti-Discrimination Against Israel Act."

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INSTRUCTIONAL SERVICES **Policy 6145**
(Regulation 6145)

Curriculum Services

Service Animals in Schools

This policy governs the presence of service animals in the District's buildings, on school property (including school buses), and at school activities. The Board of Education adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from District programs, activities and services, and to ensure that the District does not discriminate on the basis of disability.

Students and/or adults with disabilities may be accompanied by a service animal as defined by federal and Missouri law on school property, in school buildings, and at school functions as permitted by law and subject to the conditions of this Policy.

Service Animals

Under federal law, a "service animal" means "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability." Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition (See, however, provisions on miniature horses below). The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Under Missouri law, the term "service dog" is defined as a dog that is being or has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Service dogs include but are not limited to: guide dogs, hearing dogs, medical alert or response dogs, mobility dogs, and mental health service dogs or psychiatric service dogs. Under Missouri law, "mental health service dog" or "psychiatric service dog" is defined as: a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition or developmental disability recognized in the most recently published Diagnostic and Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with difficulties directly related to the owner's psychiatric disability, medical condition, or developmental disability." An emotional support dog, whose purpose is to provide comfort or companionship does not meet the definition of a service dog under Missouri or federal law.

The District will permit the use of a miniature horse as a service animal if: (1) the miniature horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability.

In determining whether to permit the use of a miniature horse as a service animal, the District will consider: (1) the type, size and weight of the miniature horse and whether the facility can accommodate these features; (2) whether the handler has sufficient control of the miniature horse; (3) whether the miniature horse is housebroken; and (4) whether the miniature horse's presence compromises legitimate safety requirements that are necessary for the safe operation of the facility.

All additional requirements outlined in this Policy which apply to service animals, shall apply to miniature horses.

If an individual with a disability requests to use a service animal in a District building, on District property, in a District vehicle or at a District function, the District will not ask about the nature or extent of the person's disability. However, the District may make the following inquiries to determine whether an animal qualifies as a service animal: (1) whether the animal is required because of a disability; and (2) what work or task the animal has been trained to perform. The District may not make these inquiries when it is readily apparent that an animal is trained to work or perform tasks for an individual with a disability.

The District will not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

Misrepresentation of Service Dogs

In accordance with Missouri law, a person knowingly misrepresenting a dog as a service dog for the purpose of receiving accommodations of the Americans with Disabilities Act will be guilty of a class C misdemeanor and shall be civilly liable for damages resulting from such misrepresentation.

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Equal Opportunity

Prohibition Against Harassment, Discrimination and Retaliation

Harassment or discrimination because of an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic protected by law is prohibited in this District. The District also prohibits retaliation against a person who files a complaint of discrimination or harassment or participates in an investigation of allegations of harassment or discrimination.

This Regulation governs and outlines the procedure for filing a complaint by students, employees, parents, and patrons of the District alleging harassment, discrimination, or related retaliation based on a protected classification under the laws identified in Policy 1300 (outside of Title IX). A complaint regarding sexual harassment or related retaliation of a student or employee under Title IX and that is alleged to have occurred on or after August 14, 2020, should be filed in accordance with the procedures outlined in Regulation 1301. A complaint regarding the identification, evaluation, educational program, or placement of a child with a disability under Section 504 of the Rehabilitation Act of 1973 should be filed in accordance with the procedures outlined in Regulation 2110.

DISTRICT'S COMPLIANCE OFFICER

The following person has been designated as the District's Compliance Officer to handle inquiries or complaints regarding the District's non-discrimination policies:

[Insert the following information below for each designated Compliance Officer; the Title IX Coordinator is designated in Regulation 1301 and may be the same person. The District may choose to include only the position title, rather than an individual's name, but the address, phone number, and email must be connected to the designated individual.]

Title and/or Name
Address
Number
Email

The District has designated the Compliance Officer with the responsibility to identify, prevent, and remedy unlawful discrimination and harassment in the District. The Compliance Officer is in charge of assuring District compliance with this Policy and Regulation, Title VII of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; as well as other state and federal nondiscrimination laws. See Regulation 1301 for the individual(s) designated by the District to be the Title IX Coordinator with the responsibility to identify, prevent, and remedy unlawful harassment and related retaliation in accordance with Title IX of the Education Amendments of 1972.

The Compliance Officer will:
1. *Receive complaints of discrimination or harassment based on an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic protected by law.
2. Oversee the investigative process.

3. Assess the training needs of District staff and students in connection with the dissemination, comprehension, and compliance with this Regulation.
4. Arrange for necessary training required for compliance with this Regulation.
5. Insure that investigations are conducted by an impartial investigator.
6. In the event the complaint is about the Compliance Officer or Compliance Officer's immediate supervisor, the District will consider appointment of an outside investigator.

*If any complaint involves allegations against the Compliance Officer, the Complaint shall be filed directly with the Superintendent, unless the Superintendent is the Compliance Officer, or President of the Board of Education.

DEFINITIONS

For the purpose of this Regulation, the following terms are defined:

Compliance Officer: The District employee(s) designated by the Board of Education to coordinate the District's compliance with District policy, Missouri statutes, and federal laws regarding discrimination, harassment and retaliation based on an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic or any other characteristic that is protected by law.

Day: A calendar day. All timeframes and deadlines may be extended by the District for good cause, including but not limited to Board-approved holiday breaks and building closures.

Disability: A physical or mental impairment that substantially limits a major life activity.

Discrimination: Adverse conduct directed at an individual or group based on race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law. The encouragement, cooperation, coercing, or support of adverse conduct that is based on race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law is discrimination.

Harassment: Harassment is conduct, including but not limited to, intimidation, ridicule or insult, toward an individual or group because of race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law and is so severe or pervasive that it:

- Affects an individual's ability to work in, participate in, or benefit from an educational program or activity; and
- Creates an intimidating, threating, abusive hostile or offensive environment; or
- Has the purpose or effect of substantially or unreasonably altering the work or educational environment.

For the purposes of this Regulation, sexual harassment is defined as unwelcome conduct of a sexual nature or based upon sex when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or consequence 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.

A student regardless of age cannot consent to behavior of a sexual nature with an adult irrespective of the circumstances.

Retaliation: Adverse conduct including, but not limited to, conduct of a coercive, intimidating, threatening, discriminatory, or harassing nature because of an individual's good faith complaint, participation in the investigation, testifying, or resolution of discriminatory or harassing conduct based on an individual's race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic that is protected by law.

Student: An individual that is currently enrolled as a student of the District.

Illustrations and Examples of Prohibited Harassment

For the purpose of this Regulation, the determination if conduct as unwelcome is a fact-intensive question that shall be considered on a case-by-case basis.

Examples of Sexual Harassment

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Legitimate, non-sexual physical conduct necessary to avoid physical harm to persons or property, to console an individual, or spontaneous movement during a sporting activity is not sexual harassment.

Depending on the circumstances and application of the definitions immediately above in this Regulation, examples of conduct which may or may not constitute sexual harassment, include, but are not limited to:

- sexual advances;
- request for sexual favors;
- threatening an individual for not agreeing to submit to sexual advancement;
- sexually motivated touching of an individual's intimate parts;
- coercing, forcing, or attempting to coerce or force the touching of an individual's intimate parts;
- display of drawings, graffiti, cartoons, pictures, symbols or other written material of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- sexually provocative or explicit speech;
- communications about or rating an individual as to his/her body, sexual activity, or performance; and
- verbal abuse of a sexual nature.

Examples of Race, Color, Nation Origin, Ancestry, Religion, Disability, Age or Genetic Information Harassment

As defined in this Regulation, examples of conduct that may be considered harassment based on an individual's race, color, national origin, ancestry, religion, disability, age, or genetic information, or any other characteristic that is protected by law include, but are not limited to:

- display of drawings, graffiti, cartoons, pictures, symbols or other written material;
- jokes;
- gestures;
- slurs, derogatory stereotypes or remarks, rumors, name-calling, insults, teasing, or taunting;
- threats or intimidating conduct;
- hostile action, physical aggression or violence; and
- damage or theft of property.

OBLIGATION TO REPORT

The District is steadfastly committed to providing an inclusive environment that is free from discrimination and harassment for all of its students and staff. Unless a concern is informally resolved, staff and students shall report all incidents of discrimination, harassment and retaliation to the Compliance Officer as set forth in this Regulation. When a formal complaint is filed with the Compliance Officer, the investigation and complaint process detailed below will be used, including a possible determination by the Compliance Officer that the incident has been appropriately addressed through the informal process. Reports of discrimination, harassment and/or related retaliation must contain as much specific information as possible to allow for proper assessment of the nature, extent and urgency of preliminary investigative procedures.

INTERIM MEASURES

The District will take action to protect a complainant or persons subjected to discrimination, harassment, or retaliation as necessary during the course of an investigation. Appropriate interim measures will be offered and may include, but are not limited to, physical separation, contact limitations, reassignment, alternative work or assignments, altering class or bus seating assignments, additional supervision, counseling, training, warning, conferences, exclusion and employee suspension pending an investigation as permitted by the District's policies and law. Additional interim measures to prevent retaliation may include, but are not limited to, notification of the retaliation prohibition, confirming the individual knows how to report retaliation, and follow-up contact.

INVESTIGATION AND RESPONSE

The District will investigate allegations of harassment, discrimination, and/or retaliation and take appropriate steps reasonably calculated to resolve the situation, eliminate the misconduct, prevent its recurrence and as appropriate, remedy its effects. The District will take equitable and remedial action within its authority on complaints that come to the attention of the District, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement and/or the Children's Division. Regardless of whether the misconduct is reported to law enforcement and/or the Children's Division, school staff will investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation.

Engaging in harassment, discrimination, and/or retaliation will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in District activities. Anyone else who engages in harassment, discrimination, and retaliation on school

property or at school activities will have their access to school property and activities restricted, as appropriate.

Employees and students should fully cooperate with investigation process.

Informal Process for Resolution

The District takes seriously the obligation to investigate complaints of discrimination, harassment, or retaliation and to take appropriate remedial measures when necessary. The District recognizes that the obligation to investigate and remedy may be accomplished through an informal process, depending on the circumstances.

Anyone may use informal procedures to report and resolve complaints of harassment, discrimination, and retaliation. If a staff member receives an informal complaint of harassment, discrimination, and/or retaliation and the complaint cannot be resolved informally, the staff member shall inform their relevant building administrator or supervisor. The administrator/supervisor may attempt to resolve the matter informally and should inform complainants of this Regulation.

Building administrators/supervisors shall provide information to the Compliance Officer on a regular basis about complaints reported and resolved through the informal process.

Informal complaints may become formal complaints at the request of the complainant, parent/guardian, or the District.

During the course of the informal complaint process, the District will take prompt and effective steps reasonably calculated to end the harassment, discrimination, and retaliation and to correct any effects on the complainant.

Informal remedies may include, but are not limited to:

- If the complainant so desires, an opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- Developing a safety plan;
- Separating students; or
- Providing staff and/or student training.

The District will inform the complainant (and their parent/guardian when applicable) how to report any subsequent problems. Additionally, the District may conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems.

Formal Process for Resolution

Step One – Complaint to District

Anyone may initiate a formal complaint of harassment, discrimination, or retaliation by filing a written complaint with the District’s Compliance Officer. At any step in the formal resolution process, where

appropriate, the District will take interim measures to protect the complainant or alleged victim before the final outcome of the District's investigation. Additionally, the District may appoint an outside investigator at any step of the informal or formal resolution process. A subordinate shall not investigate his/her supervisor.

The following process will be followed at Step One:

Filing of Complaint

- All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute harassment, discrimination or retaliation. The Compliance Officer may draft the complaint based on the report of the complainant for the complainant to review and approve. The Compliance Officer may also conclude that the District needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- Formal complaints must be submitted to the Compliance Officer.
- A charge or complaint of discrimination, harassment, or retaliation filed with an outside agency does not constitute a formal complaint or trigger an obligation to follow the formal complaint investigation procedures as contemplated under this Regulation.

Investigation of Complaint

- The Compliance Officer will receive and investigate all formal, written complaints of harassment, discrimination or retaliation or will investigate if information in the Officer's possession leads them to believe further investigation is required. The Compliance Officer will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Compliance Officer will provide the complainant a copy of this Regulation.
- Investigations will be carried out in a manner that is adequate in scope, reliability and impartiality. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused party, will have an opportunity to identify witnesses and present relevant evidence. The District and complainant may also agree to resolve the complaint in lieu of an investigation.
- When the investigation is completed, the Compliance Officer will compile a written report of the investigation. The report may include a recommendation of appropriate action to remedy the allegations included in the complaint. The Compliance Officer will forward the report and recommendations to the Superintendent. If the Superintendent is the subject of the complaint, the report and recommendations will be forwarded to the Board President.

Response to Complaint

- The Superintendent will review the report completed by the Compliance Officer.
- The Superintendent will respond in writing with a Letter of Outcome to the complainant and the accused party within thirty (30) calendar days of the Compliance Officer's receipt of the written complaint, unless otherwise agreed to by the complainant or if circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the District will notify the complainant in writing of the reason for the extension and the anticipated response date.
- The Letter of Outcome will include: 1) a statement of the outcome of the investigation including whether a preponderance of the evidence establishes that harassment, discrimination, and/or retaliation occurred in violation of Policy 1300; 2) if violation of Policy 1300 is found to have occurred, the assurance that the District will take steps to prevent recurrence and remedy its effects

on the complainant and others, if appropriate; and 3) notice of the right to appeal to the school board and the necessary filing information.

- Any corrective measures deemed necessary will be instituted as promptly as reasonable.
- The District will inform the complainant (and their parent/guardian if the complainant is a student) how to report any subsequent problems. Additionally, where appropriate the District will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to respond and appropriately address continuing or new problems.
- If the Superintendent is the subject of the complaint, the actions set forth herein to be completed by the Superintendent will be completed by the Board President.

Step Two – Appeal to Board of Education

Notice of Appeal

- The complainant or accused party may appeal to the Board of Education by filing a written notice of appeal with the secretary of the Board within ten (10) calendar days following receipt of the Letter of Outcome.
- On receipt of the written appeal, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting, unless otherwise agreed to by the complainant and the superintendent or for good cause.
- Parties will be allowed to provide comment and information as the Board deems relevant and material.

Board Decision

- Unless otherwise agreed to by the appealing party, the Board will provide written notice of its determination within thirty (30) calendar days following the filing of the notice of appeal and provide the appealing party with a copy of the determination.

RETALIATION

The District prohibits retaliation against a person who files a complaint of discrimination or harassment, and further prohibits retaliation against a person who participates in related proceedings or investigations.

Notwithstanding this provision, employees or students found to have intentionally made false or materially misleading allegations of suspected discrimination, harassment and/or related retaliation under this Regulation may be disciplined, up to and including dismissal or expulsion.

CONFIDENTIALITY

The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses to the extent possible, consistent with applicable law, the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. However, pursuant to the District's discretion, information may be disclosed, if necessary, to aid in the investigation, resolution, or appeal of the complaint.

CONSEQUENCES AND REMEDIES

The District will take prompt, effective and appropriate action to address substantiated discrimination, harassment or retaliation, prevent its recurrence and remedy its effects.

Consequences

Consequences for violations of this Policy and Regulation may have educational, restorative, rehabilitative and/or punitive components.

Conduct constituting harassment, discrimination or retaliation as defined in this Regulation will be subject to discipline including, but not limited to, written warning or reprimand, conference, required training, “no contact” order, reassignment, probation, suspension or termination for employees, suspension or expulsion for students, or exclusion from District property.

In the event that the evidence suggests that the conduct at issue is also a crime in violation of a Missouri criminal statute, the District Compliance Officer shall report the conduct to the appropriate law enforcement agency charged with responsibility for handling such crimes.

As required by and in compliance with law and District policy, a report will be made to the Missouri Children’s Division if there is reasonable cause to suspect abuse or neglect of a child.

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

Remedies

The District will consider remedies for the victim as appropriate including, but are not limited to, providing additional resources such as counseling, moving or reassignment of the perpetrator, or allowing the victim to retake or withdraw from a class.

An allegation of discrimination, harassment and/or related retaliation complaint may not necessarily stop, delay or affect pending personnel actions. This includes, but is not limited to, performance evaluations or disciplinary actions related to a reporter who is not performing at acceptable levels or standards or who has violated district policies or regulations.

TRAINING & PUBLICATION OF POLICY

The District will train its employees on this Policy and Regulation. The training will include the requirements of nondiscrimination and the appropriate responses to discrimination, harassment, and retaliation. The District will notify its employees to report complaints of discrimination, harassment or retaliation in accordance with this Policy. This training will be provided to employees on an annual basis, and at such other times as the Superintendent, in consultation with the District’s Compliance Officer, determines is necessary or appropriate. Additionally, the District will provide additional training to the District Compliance Officer on identifying, investigating, and reporting on acts that may constitute discrimination, harassment or retaliation. District students will be notified regarding this Policy. This Policy will be posted on the District’s website and available in Central Office.

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Equal Opportunity

Prohibition Against Sexual Harassment and Retaliation under Title IX

This Policy governs a complaint of sexual harassment or retaliation of a student or employee, as such conduct is defined and regulated under Title IX of the Education Amendments of 1972, and that is alleged to have occurred on or after August 14, 2020. If any provision of Title IX or its regulations is held invalid or unenforceable by a court, agency, or department with legal jurisdiction over the District, the corresponding provisions in this Policy shall likewise be rendered invalid and not enforced.

A complaint by students, employees, parents, and patrons of the District alleging harassment, discrimination, or related retaliation based on a protected classification under the laws identified in Policy 1300 (outside of Title IX) should be filed in accordance with the procedures outlined in Regulation 1300. A complaint regarding the identification, evaluation, educational program, or placement of a child with a disability under Section 504 of the Rehabilitation Act of 1973 should be filed in accordance with the procedures outlined in Regulation 2110.

DISTRICT'S TITLE IX COORDINATOR

The following person has been designated as the District's Title IX Coordinator:

[Insert the following information below for each designated Title IX Coordinator; the Compliance Officer is designated in Policy and Regulation 1300 and may be the same person. The District may choose to include only the position title, rather than an individual's name, but the address, phone number, and email must be connected to the designated individual.]

Title and/or Name
Address
Number
Email

The District has designated the Title IX Coordinator with the responsibility to identify, prevent, and remedy unlawful harassment and retaliation under Title IX in the District. The Title IX Coordinator is in charge of assuring District compliance with Regulation 1301 and Title IX of the Education Amendments of 1972. See Policy and Regulation 1300 for the individual(s) designated by the District to be the Compliance Officer with the responsibility to identify, prevent, and remedy unlawful discrimination and harassment in accordance with Title VII of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; as well as other state and federal nondiscrimination laws.

DEFINITIONS

For the purpose of this Regulation, the following terms are defined:

Actual Knowledge: Notice of sexual harassment or allegations of sexual harassment to any employee (other than the respondent) in an education program or activity of the District against a person in the United States. Actual knowledge does not include constructive notice.

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Day: A calendar day. All timeframes and deadlines may be extended by the District for good cause, including but not limited to Board-approved holiday breaks and building closures.

Education program or activity: Locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

Formal complaint: A document filed by a complainant, or a parent or legal guardian of a student complainant, alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. Additionally, a formal complaint can be completed and signed by the Title IX Coordinator, if , in their sole discretion, they conclude that the District needs to conduct an investigation based on information in their possession, regardless of the complainant's interest in filing a formal complaint. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District. The complainant must physically or digitally sign the formal complaint, or otherwise indicate that the complainant is the person filing the formal complaint. If the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant.

Respondent: An individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

Retaliation: Intimidation, threats, coercion, or discrimination of an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report of complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this Regulation.

Sexual harassment: Conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning an aid, benefit, or service of an education program or activity 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 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).

Supportive measures: Non-disciplinary, non-punitive, individualized services. Appropriate supportive measures shall be offered to the complainant and may be offered the respondent, as appropriate and depending on the individual circumstances of the situation. Supportive measures may include, but are not limited to, physical separation, contact limitations, reassignment, alternative work or assignments, altering class or bus seating assignments, additional supervision, counseling, training, and conferences.

Illustrations and Examples of Prohibited Sexual Harassment

For the purpose of this Regulation, the determination if conduct is prohibited under Title IX is a fact-intensive question that shall be considered on a case-by-case basis. Legitimate, non-sexual physical conduct necessary to avoid physical harm to persons or property, to console an individual, or spontaneous movement during a sporting activity is not sexual harassment.

Depending on the circumstances and application of the definitions immediately above in this Regulation, examples of conduct which may or may not constitute sexual harassment, include, but are not limited to:

- sexual advances;
- request for sexual favors;
- threatening an individual for not agreeing to submit to sexual advancement;
- sexually motivated touching of an individual's intimate parts;
- coercing, forcing, or attempting to coerce or force the touching of an individual's intimate parts;
- display of drawings, graffiti, cartoons, pictures, symbols or other written material of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- sexually provocative or explicit speech;
- communications about or rating an individual as to their body, sexual activity, or performance; and
- verbal abuse of a sexual nature.

OBLIGATION TO REPORT

The District is steadfastly committed to providing an inclusive environment that is free from sexual discrimination and harassment for all of its students and staff. Staff with actual knowledge of behaviors that may constitute sexual harassment and related retaliation as defined in this Regulation shall report it to the Title IX Coordinator. When a formal complaint is filed with the Title IX Coordinator, the grievance process detailed below will be used. Reports of sexual harassment and/or related retaliation must contain as much specific information as possible to allow for proper assessment of the nature and extent of the investigative procedures.

RESPONSE TO ACTUAL KNOWLEDGE OF SEXUAL HARASSMENT OR RELATED RETALIATION

When the District has actual knowledge of sexual harassment or related retaliation under Title IX, the Title IX Coordinator shall:

1. Promptly contact the complainant to discuss the availability of supportive measures;

2. Consider the complainant's wishes with respect to supportive measures;

3. Explain the process for filing a formal complaint under this Regulation; and

4. Inform the complainant of the availability of supportive measures regardless of whether a formal complaint is filed under this Regulation.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process outlined in this Regulation. The District will only impose disciplinary consequences against a respondent for violations of this Regulation after the grievance process has been completed; however, the District may impose disciplinary consequences against a respondent for other violations of the District's Board of Education Policies prior to the conclusion of the grievance process outlined in this Regulation. If there is an immediate threat to the physical health or safety of any student arising from the allegation of sexual harassment that justifies removal, the respondent's placement shall be changed, including removal from the District. Immediately following the removal, the respondent shall be given notice and an opportunity to challenge the decision to the Superintendent in writing. The Superintendent shall issue a written decision on the respondent's challenge and such decision shall be final. If the respondent is an employee, the employee may be placed on administrative leave during the pendency of the grievance process.

GRIEVANCE PROCESS FOR FORMAL COMPLAINT

During the grievance process for a formal complaint, the District shall treat the complainant and the respondent equitably. The District will ensure that relevant evidence is objectively evaluated, including both inculpatory and exculpatory evidence, and that credibility determinations are not based on a person's status as a complainant, respondent, or witness. Additionally, the Title IX Coordinator, the investigator, all decision-makers, and any facilitator of the informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or individually. Furthermore, the District shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Formal Complaint

Formal complaints of sexual harassment under this Regulation must be submitted to the Title IX Coordinator.

A charge or complaint of sexual harassment or retaliation filed with an outside agency does not constitute a formal complaint with the District or trigger the District's obligation to follow the formal complaint grievance process as contemplated under this Regulation.

If a formal complaint involves allegations against the Title IX Coordinator, the formal complaint shall be filed directly with the Superintendent, unless the Superintendent is the Title IX Coordinator, or President of the Board of Education.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:

1. Provide written notice of the allegations, the grievance process, and any informal resolution process to the complainant and the respondent to give both parties the proper time to prepare a response before an interview;

2. Inform the complainant and the respondent of the prohibition against making false statement or knowingly submitting false information;

3. Inform the complainant and the respondent that they may have an advisor (who may be but who is not required to be an attorney) present during any of their own subsequent meetings; and

4. Offer supportive measures in an equitable manner to the complainant and the respondent, when appropriate.

The Title IX Coordinator, at their discretion, may consolidate formal complaints if they arise out of the same facts or circumstances. If, in the course of the investigation process as outlined below in this Regulation, the investigator decides to investigate new allegations about the complainant or the respondent that are not included in a written notice previously provided to the complainant and respondent, the Title IX Coordinator will provide another written notice of the additional allegations to the complainant and the respondent.

The Title IX Coordinator must dismiss a formal complaint for any of the following reasons:

1. The conduct alleged in the formal complaint would not constitute sexual harassment even if proved.

2. The conduct alleged in the formal complaint did not occur in the District's education program or activity.

3. The conduct alleged in the formal complaint did not occur within the United States.

The Title IX Coordinator may dismiss a formal complaint for any of the following reasons:

1. The complainant has notified the District in writing that the complainant would like to withdraw the formal complaint or any allegations.

2. The respondent is no longer enrolled or employed by the District.

3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint.

If the Title IX Coordinator dismisses a formal complaint, written notice of the dismissal, including the reasons for dismissal, shall be provided to the complainant and the respondent. If a complainant or respondent wishes to appeal a dismissal of a formal complaint, they should follow the appeal process outlined in this Regulation. Dismissal of a formal complaint does not preclude the District from investigating, taking action, or imposing discipline outside of this Regulation related to the alleged conduct and in accordance with any other Board policy or regulation.

Investigation

The Title IX Coordinator, or a designee, shall serve as the investigator and be responsible for investigating formal complaints in an equitable manner that involves an objective evaluation of all relevant evidence. The District may appoint an outside investigator when appropriate. A subordinate shall not investigate his or her supervisor.

The burden for obtaining evidence sufficient to reach a determination regarding responsibility rests on the District and not the complainant or respondent.

The investigator shall initiate an investigation within five (5) days of the receipt of the formal complaint by the Title IX Coordinator, unless good cause exists to extend this timeframe. All investigations shall:

1. Provide an equal opportunity for the complainant and the respondent to present witnesses and evidence;

2. Not restrict the ability of either the complainant or the respondent to discuss the allegations under investigation or to gather and present relevant evidence;

3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;

4. Provide the complainant and the respondent with the same opportunities to have an advisor present during any grievance proceeding;

5. Provide to the complainant and the respondent whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the individual to prepare to participate;

6. Provide the complainant and the respondent an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and

7. Result in the creation of an investigative report that fairly summarizes relevant evidence.

Employees and students should fully cooperate with the investigation process under this Regulation.

Prior to the completion of the investigative report, the investigator shall send to the complainant and the respondent the evidence related to the investigation to inspect and review. The complainant and the respondent shall have ten (10) days to submit a written response which the investigator shall take into consideration in creating the final investigative report.

At the close of the investigation, a written final investigative report will be delivered to the complainant and the respondent. The final investigative report should be completed within thirty (30) days of the initiation of the investigation, unless good cause exists to extend this timeframe.

Upon receipt of the final investigative report, the complainant and the respondent shall have ten (10) days to submit a written response to the report to the investigator and to submit written, relevant questions to be asked of any party or witness prior to the determination of responsibility.

Determination of Responsibility

For the purposes of a determination of responsibility, the decision-maker shall be the Superintendent or their designee; however, the decision-maker shall not be the Title IX Coordinator or the investigator. The decision-maker shall receive the final investigative report as well as any written responses and additional questions to be asked that were timely submitted by the complainant and the respondent. Upon a determination of relevance, the decision-maker will facilitate the exchange of written questions as submitted by the complainant and the respondent, provide the complainant and the respondent with submitted answers (if any), and allow for additional, limited follow-up questions from the complainant and respondent.

Within a reasonably prompt time frame, the decision-maker shall make a determination of responsibility based on the final investigative report, the evidence, and all written responses timely submitted by the complainant and the respondent, and without any live testimony or hearing.

The decision-maker shall provide the written determination to the complainant and the respondent, along with information regarding the procedures and allowable bases to appeal the decision. The written determination shall include:

1. The allegations potentially constituting sexual harassment;

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 methods used to gather other evidence;

3. Findings of fact supporting the determination;

4. Conclusions regarding the application of the District's code of conduct to the facts; and

5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the recipient to the complainant.

The preponderance of the evidence standard shall be used in making a determination of responsibility.

If a determination of responsibility against a respondent is made, the District shall impose consequences as described below in this Regulation. After a determination of responsibility is made, the Title IX Coordinator shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment and to restore equal access to the education program or activity.

Appeal

Either the complainant or the respondent may appeal from a determination of responsibility or a dismissal of a formal complaint (or any allegations therein) for any of the following reasons:

1. A procedural irregularity that affected the outcome of the investigation;

2. New evidence that was not reasonably available at the time of the determination and that could affect the outcome of the investigation; or

3. A conflict of interest on the part of the Title IX Coordinator, investigator, or decision-maker.

Appeals shall be submitted to the Title IX Coordinator within five (5) days of a determination of responsibility or dismissal of a formal complaint (or any allegation therein). If an appeal is not timely submitted, the determination of responsibility or the dismissal of a formal complaint (or any allegation therein) becomes final.

Upon receipt of an appeal, the Title IX Coordinator shall provide written notice of the appeal to the complainant and the respondent. During the appeal process, the complainant and the respondent shall have a reasonable, equal opportunity to submit written statements in support of or in challenge of the appeal to the designated decision-maker on appeal; however, both the complainant and the respondent are limited on appeal to submission of only written statements. There will be no live or oral testimony.

After review of the appeal, investigative report, and any written statement submitted by the complainant and the respondent, the designated decision-maker on appeal, who shall not be the Title IX Coordinator, investigator, or the decision-maker of a dismissal or determination of responsibility, shall issue a written decision describing the result of the appeal and the rationale for the result. The written decision shall be provided to the complainant and the respondent. This decision shall be final.

Informal Resolution

At any time after a formal complaint is filed and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process to address the allegations made in the formal complaint. The informal resolution process is voluntary and does not involve a full investigation and adjudication under the grievance process in this Regulation. If the complainant and respondent both elect to engage in the informal resolution process, their voluntary consent shall be made in writing and all timeframes and deadlines in this Regulation shall be suspended.

An informal resolution may include, but is not limited to the following:

- If the complainant so desires, an opportunity for the complainant to explain to the respondent that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the respondent that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- Developing a safety plan;
- Separating students; or
- Providing staff and/or student training.

The informal resolution process shall not be made available to formal complaints alleging sexual harassment under this Regulation of a student by an employee.

RETALIATION

The District prohibits retaliation against a person who files a formal complaint of sexual harassment under this Regulation, and further prohibits retaliation against a person who participates in related investigations.

Notwithstanding this provision, employees or students found to have intentionally made knowingly false or materially misleading allegations of suspected harassment and/or related retaliation under this Regulation may be disciplined, up to and including dismissal or expulsion.

CONFIDENTIALITY

The District will respect the privacy of the complainant, the respondent, and the witnesses to the extent possible, consistent with applicable law as well as the District's legal obligations to investigate, to take appropriate action, and to conform with disclosure obligations as identified in this Regulation.

The complainant and the respondent shall not disclose any information obtained during the grievance process in violation of the Family Educational Rights and Privacy Act or for any purpose outside of participation in the grievance process.

CONSEQUENCES

Where a determination of responsibility for sexual harassment or related retaliation as defined in this Regulation has been made, the District will provide remedies to the complainant designed to restore or preserve equal access to the District's education program or activity.

Consequences for violations of this Regulation may have educational, restorative, rehabilitative and/or punitive components.

Conduct constituting sexual harassment or related retaliation as defined in this Regulation will be subject to discipline including, but not limited to, written warning or reprimand, conference, required training, "no contact" order, reassignment, probation, suspension or termination for employees, suspension or expulsion for students, or exclusion from District property.

In the event that the evidence suggests that the conduct at issue is also a crime in violation of a Missouri criminal statute, the Title IX Coordinator shall report the conduct to the appropriate law enforcement agency charged with responsibility for handling such crimes.

As required by and in compliance with law and District policy, a report will be made to the Missouri Children's Division if there is reasonable cause to suspect abuse or neglect of a child.

RECORD KEEPING

The District shall maintain for a period of seven (7) years records of the following:

1. Each investigation and determination of responsibility made under this Regulation, including disciplinary sanctions imposed on the respondent and remedies provided to the complainant;

2. Any appeal decided under this Regulation;

3. Any informal resolution reached under this Regulation;

4. Materials used for training the Title IX Coordinator, investigator, decision-makers, and facilitators of the informal resolution process under this Regulation; and

5. Actions taken in response to actual knowledge of sexual harassment or related retaliation under this Regulation, including supportive measures designed to restore or preserve equal access to the District's education program or activity.

TRAINING & PUBLICATION OF POLICY

The District will train its employees on the definition of sexual harassment and retaliation under this Regulation and the duty to report when they have actual knowledge of sexual harassment. This training will be provided to employees on an annual basis, and at such other times as the Superintendent, in consultation with the District's Title IX Coordinator, determines is necessary or appropriate. Additionally, the District will provide training to the Title IX Coordinator, investigator, decision-makers, and facilitators of the informal resolution process on identifying, investigating, and reporting on acts that may constitute sexual harassment or related retaliation under Title IX, and such training materials will be posted on the District's website. District students will be notified regarding this Regulation. This Regulation will be posted on the District's website and available in Central Office.

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Administering Medicines to Students

Prescription Medication

The student's authorized prescriber shall provide a written request that the student be given medication during school hours. The request shall state the name of the student, name of drug, dosage, frequency of administration, route of administration, and the prescriber's name. The diagnosis/indication for use of the medicine shall be provided. When possible, the prescriber should state adverse effects and applicable emergency instructions.

The District shall require that a prescription label be properly affixed to the medication in question. Said label must contain the name of the student, name of the drug, dosage, frequency of administration, route of administration, diagnosis and the prescriber's name.

A parent/guardian must request in writing that the School District comply with the authorized prescriber's request to give medication. (The District will not administer the initial dose of any new prescription except in an emergency.)

Over-the-Counter Medication

The student's authorized prescriber shall provide a written request that the student be given medication during school hours. The request shall state the name of the student, name of drug, dosage, frequency of administration, route of administration, and the prescriber's name. The diagnosis/indication for use of the medicine shall be provided. When possible, the prescriber should state potential adverse effects and applicable emergency instructions.

A parent/guardian will provide a written request that the District comply with the authorized prescriber's request to give medication.

Emergency Medication

Written standing orders will be obtained annually for the administration of emergency medication.

Storage and Administration of Medication

A parent/guardian or other responsible party designated by the parent/guardian will deliver all medication to be administered at school to the school nurse or designee. All medication, prescription or over-the-counter, must be in a pharmacy or manufacturer-labeled container. The District shall provide secure, locked storage for medication to prevent diversion, misuse, or ingestion by another individual.
The administration of medication, including over-the-counter medications, is a nursing activity, governed by the State of Missouri Nursing Practice Act. It must be performed by the registered professional school nurse. The nurse may delegate and supervise the administration of medication by unlicensed personnel who are qualified by education, knowledge and skill to do so. The

registered nurse must provide and document the requisite education, training, and competency verification. The nurse is also empowered to contact the prescriber or pharmacist filling the prescription to discuss the prescription if the nurse has questions regarding the administration of such medication. Qualified employees will be held harmless and immune from civil liability for administering medication or medical services in good faith and according to standard medical practices.

School employees who are not qualified according to standard medical practices will not be required to administer medications or medical services. Such unqualified employees who refuse to administer medications or medical services will not be subject to disciplinary action for such refusal.

Pre-filled Auto Syringes

A school nurse or other school employee trained and supervised by the nurse may be authorized by the Board of Education to maintain an adequate supply of pre-filled auto syringes of epinephrine with fifteen hundredths milligram (15/100 mg) or three tenths milligram (3/10mg) delivery at school. The school nurse shall recommend to the school board, through the superintendent, the number of pre-filled epinephrine auto syringes to be maintained at each school. Licensed school nurses have the discretion to use an epinephrine auto syringe on any student the school nurse believes is having a life-threatening anaphylactic reaction based upon the nurses training in recognizing an acute episode of an anaphylactic reaction. Trained employees administering life-saving methods will be immune from civil liability for administering life-saving methods for administering a pre-filled auto syringe in good faith consistent with standard medical practices.

Self-Administration of Medication

Students with asthma, anaphylaxis, or any chronic health condition may carry with them for self-administration metered-dose inhalers containing "rescue" medication. Possession and self-administration of these prescription medications must comply with the Missouri Safe Schools Act, 1996. The directives of this Act will be given to each parent/guardian who requests that his/her student be permitted to carry and self-administer such medication. A permission form for self-administration (Form 2870) is required. Provided however, that:

1. A licensed physician has prescribed or ordered such medications for use of the student and has instructed the student in the correct and responsible use of such medications;

2. The student has demonstrated to the student’s licensed physician or designee and the school nurse, the skill level necessary to use the medications and any device necessary to administer such medications;

3. The student’s physician has appended and signed a written treatment plan for managing asthma and anaphylaxis episodes of the student and for medications for use of the student. Such plan will include a statement that the student is capable of self-administering the medication under the treatment plan;

4. The student’s parent/guardian has completed and submitted to the school the student’s treatment plan and liability statement.

5. The student's parent/guardian has signed a statement acknowledging that the district and its employees will incur no liability as a result of any injury arising from self-administration of medication by the student or administration of such medication by school staff. (see Form 2870.1)

The authorization for the possession and self administration of medication to treat a student's asthma or anaphylaxis permits authorized students to possess and self administer such student's medication while in school, at a school sponsored activity, and in transit from school or school sponsored activity. Such authorization will be effective for the school year when issued and for the school attended when the authorization is issued. Such authorization must be renewed each subsequent year in order to remain effective. Information concerning the student's condition treatment plan, authorization, and related documents will be kept on file in the school nurse's office and be easily accessible in the event of an asthma or anaphylaxis emergency. Duplicate prescribed medication, as described in this policy, will be kept in the school's nurses' office and be reasonably accessible to the student and school staff in the event of an asthma or anaphylactic emergency.

Cardiopulmonary Resuscitation Training

Upon Board of Education authorization, the District will provide instruction in cardiopulmonary resuscitation to District students grades 9-12. The instruction will be part of a health educational course and will include hands-on practice and skill testing to support cognitive learning. However, the District may elect to develop an agreement with a first responder to provide the required practice and testing. Students with disabilities may participate to the extent appropriate as determined by the student's IEP or 504 Plan.

Automated External Defibrillators

Should the District acquire an automated external defibrillator and maintain it on school premises, the District will:

a) Comply with applicable regulations;
b) Ensure the defibrillator is tested at least every two years and after every use;
c) Ensure that the defibrillator is maintained according to the manufacturer's operation and maintenance guidelines;
d) Ensure that an inspection is made of the defibrillator at least every ninety (90) days for potential issues related to its operation, including blinking lights or defects suggesting tampering or other problems.

Any person who gratuitously and in good faith renders emergency care by use of the District's defibrillator will not be liable for any civil damages or subject to any criminal penalty unless the user acts in a reckless or wanton negligent manner.

Where the District possess and maintains a defibrillator, training will be provided along with existing training in cardiopulmonary resuscitation for students in grades 9-12. Such defibrillator training will follow the standards set by the American Red Cross, the American Heart Association or similar training from a nationally recognized organization.

Administration of Asthma Rescue Medication

The Board of Education, by a majority vote, may authorize a licensed registered nurse to maintain a supply of asthma related rescue medication at each District school. The nurse will recommend the quantity of such medication to be maintained. The asthma rescue medication will be obtained by prescription written by a licensed physician, a physician's assistant, or nurse practitioner. Such prescription shall list the District as the patient, will contain the nurse's name, and will be filled at a licensed pharmacy. A school nurse or other school employees trained by and supervised by the nurse shall have the discretion to use asthma related rescue medications on any student the school nurse or trained employee believes is having a life-threatening asthma episode based upon their training in recognizing an acute asthma episode. Immunity, under §167.624, from civil liability for trained employees administering life saving methods shall apply to trained employees administering an asthma related rescue medication under this policy.

Parent/Guardian Administration

In situations where the above requirements are not met, or any time the parent/guardian chooses, the parent/guardian may come to school to administer medicine to his/her student.

Exception for Potentially Harmful Administration

It shall be the policy of this District that the District will not knowingly administer any medication to a student if the District's registered professional school nurse believes, in his/her professional judgment, that such administration could cause harm to the student, other students, or the District itself. Such cases may include, but are not necessarily limited to, situations in which the District is being asked to administer medication in a dosage that exceeds the highest recommended dosage listed in the current annual volume of the Physician's Desk Reference or other recognized medical or pharmaceutical text.

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Curriculum Services

Service Animals in Schools

Guidelines for Use of A Service Animal on School Property or At School Functions

Service animals will be permitted on District property and at District events in accordance with the law.

*Requests by students and employees to be accompanied by a service animal at school should be submitted in writing to their building principal. These requests must be renewed annually.

Students: Use of an animal other than a service animal by a qualified student with a disability will be permitted in school when it is determined that the student's disability requires such use in order to have equal access to the instructional program, school services and/or school activities or when the student's IEP or 504 team determines that the student requires the use of the animal to receive a free appropriate public education. All other requirements of this Policy apply.

Employees: Use of an animal other than a service animal by a qualified employee with a disability will be permitted when such use is necessary to enable the employee to perform the essential functions of his/her job or to enjoy benefits of employment comparable to those similarly situated non-disabled employees. All other requirements of this Policy apply.

Parents and Patrons at School or School Events:

Individuals with disabilities may be accompanied by their service animals while on District property for events or activities that are open to the general public. All requirements of this Policy apply.

Control: A service animal must be under the control of its handler at all times. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control through voice, signals or other effective means.

Supervision and Care of Service Animals: The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up. The District is not responsible for the care or supervision of a service animal. The District shall not be responsible for the training, feeding, grooming or care of any service animal permitted to attend school or a school function under this Policy.

Damages: The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

Removal of Service Animals from School Property

District administrators may ask an individual with a disability to remove a service animal from District buildings, property, vehicles or activities if:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health and safety of others;
4. The student, employee or handler fails to appropriately care for the animal, including feeding, exercising, taking outside for performance of excretory functions, and cleaning up;
5. The presence of the animal substantially disrupts or interferes with the educational process, school activities or the instruction program; or
6. The presence of the animal would require a fundamental alteration to any school program.

If the District excludes a service animal based on the factors detailed herein or any other legal basis, the District will provide the individual with a disability the opportunity to participate in the service, program or activity without having the service animal on the premises.

Emotional Support/Professional Therapy Dogs

An animal that is used to provide comfort, emotional support, or other therapeutic service does not meet the definition of a Service Animal or Service Dog which is permitted for use by students, employees, and patrons of the District consistent with this Policy. However, the District may employ the use of such dogs to work with staff to provide certain types of support for its students at the discretion of District administration and counselors for their intended purpose.

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Coaching Hiring

Macy Ketcherside	Step: 0
Volunteer Asst. Volleyball	Salary: $0