

The following policies, regulations and forms are required for review each year. After reading them, you can obtain a sign off sheet from your principal or supervisor.

Thank you,

*Central R-111 Board of Education*

## **STUDENTS**

## **Policy 2600**

### **Discipline**

The District has the authority to discipline for student conduct that is prejudicial to good order and discipline in the schools as provided by state law. School officials are authorized to hold students accountable for misconduct in school, on school property, and during school-sponsored activities. Students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline up to and including expulsion.

Students forfeit their right to a public school education by engaging in conduct prohibited in Regulation 2610, the code of student conduct, and/or state or federal law. Disciplinary consequences include, but are not limited to, withdrawal of school privileges (athletics, intramurals, student clubs and activities and school social events); the reassignment of the student to another school; removal for up to ten (10) school days by building principals; extension of suspensions for a total of 180 days by the Superintendent; and longer term suspension and expulsion from school by the Board of Education. See also Policies 2610, 2662, and 2663.

Removal of any student who is a student with a disability under Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act is subject to state and federal procedural due process rights. See policy 2672 and its corresponding regulation.

The District will provide annual in-service training to all employees concerning the District's discipline regulations and their implementation. Annual training will also include, but will not be limited to, approved methods of dealing with school violence, discipline of students with disabilities, and the requirements of student confidentiality.

## **STUDENTS**

## **Policy 2641**

### **Discipline**

#### **Drug-Free Schools**

Pursuant to requirements of the 1989 amendments of the Drug-Free Schools and Communities Act and to the requirements of the Safe Schools Act, and for the purpose of preventing the use of illicit drugs and alcohol by students, the District shall provide age-appropriate, developmentally based drug and alcohol education and prevention programs to all students from early childhood level through grade twelve (12). (See also Policy 6130 - Drug Education.) Such programs will address the legal, social and health consequences of drug and alcohol use, and provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol.

The District shall provide information about any drug and alcohol counseling and rehabilitation and re-entry programs that are available to students. Students may be required to participate in such programs in order to avoid suspension or expulsion if they are found to be in violation of this policy. All parents/guardians and students shall annually be provided with a copy of this policy.

The District certifies that it has adopted and implemented the drug prevention program described in this policy in the form required by the Department of Elementary and Secondary Education or the United States Department of Education. The District conducts a biennial review of such program to determine its effectiveness, to implement necessary changes and to ensure that the disciplinary sanctions are consistently enforced.

## **STUDENTS**

## **Policy 2670**

### **Discipline**

#### **Corporal Punishment**

Corporal punishment should be used only after other methods have failed and when there is reason to believe it will be helpful in maintaining discipline or in the development of the student's character and power of self-control.

All instances of corporal punishment shall be witnessed by at least one other adult member of the school faculty and will only be administered by a principal or other District administrator. The use of reasonable force for a District employee to protect persons or property is not abuse within the meaning of Chapter 210, RSMo.

**Employment**

**Equal Opportunity Employment**

The Board of Education of the School District is an equal opportunity employer. The Board is committed to providing equal opportunity for all individuals in all areas of recruitment, selection, placement, training, assignment, transfer, compensation, benefits, discipline, retention, and promotion. The Board commits itself to the policy that there shall be no unlawful discrimination or harassment against any person because of race, color, religion, age, sex, national origin, ethnicity, disability, sex orientation or perceived sex orientation. All decisions with regard to employment shall be in compliance with applicable state and federal laws.

The Board is required by the Immigration Reform and Control Act to employ only American citizens and aliens who are authorized to work in the United States. The purpose of this law is to preserve jobs for those individuals who are legally entitled to them.

## **PERSONNEL SERVICES**

## **Policy 4310**

### **Absences, Leave and Vacation**

#### **General Attendance**

Regular attendance is essential in providing District students with a high quality of instruction. Eligible certificated staff will have available 10 days of professional leave per school year cumulative to an unlimited number of days. Eligible support employees have available 10 days of professional leave per school year cumulative to an unlimited number of days.

When employees are absent more than 5 days in any semester or more than 10 days per school year, their absence is considered excessive. The Superintendent/designee will review each incident of excessive absence and may require the employee to provide medical documentation or may consider disciplinary actions up to and including termination.

**PERSONNEL SERVICES**

**Policy 4320**  
**(Regulation 4320)**

**Absences, Leave and Vacation**

**Personnel Leave**

The Board of Education shall adopt regulations for the following types of leave for District employees:

1. Sick Leave
2. Personal Leave
3. Bereavement Leave
4. Leave for Jury Duty
5. Military Leave
6. Leave of Absence
7. Family and Medical Care Leave (See Policy and Regulation 4321.)

Specific provisions of the various types of District leave described in Regulation 4320.

## **PERSONNEL SERVICES**

**Policy 4321**  
**(Regulation 4321)**  
**(Form 4321)**

### **Absences, Leave and Vacation**

#### **Family and Medical Leave**

The Board of Education recognizes that leaves of absence are occasionally necessary due to family or medical reasons or in certain circumstances associated with servicemembers' service in the Armed Forces. The District has adopted detailed procedures to ensure compliance with the Family and Medical Leave Act of 1993 (FMLA). As provided by District regulations, eligible employees are entitled to use up to twelve (12) workweeks of unpaid leave for family and medical reasons (up to 26 workweeks for covered events related to those serving in the Armed Forces). The Board of Education has designated a District administrator to act as FMLA Compliance Officer. As part of its compliance program, the District will notify each employee of the name, address and telephone number of the District's FMLA Compliance Officer and will provide a statement of commitment to adhere to FMLA regulations. The FMLA Compliance Officer will regularly evaluate the District's FMLA compliance to ensure fair and equitable opportunities for all eligible employees.

**Compensation**

**Salary Schedules**

The following operational plan shall serve as implementing guidelines for the professional staff salary schedule adopted by the Board of Education:

1. Professional staff will be employed by the Board upon recommendation of the Superintendent.
2. Maintenance of the salary schedule is dependent on the local levy approvals and continued state financial support.
3. The minimum contract period for all full-time certificated staff will be determined annually by the school district.
4. The professional salary schedule does not apply to extended contract or extra-duty contracts.
5. No one can advance more than one (1) step vertically and one (1) column horizontally per year. The salary a teacher will receive will be determined at the time the teacher contract with the district, or by June 1 for tenured teachers. A teacher cannot progress on the salary schedule after entering into a contract for a school year, unless authorized in the contract.
6. One year of credit is given for every two full years of service in an accredited school district. Credit is given for experience in parochial or private schools if the teacher had a state teaching certificate during the time such teaching took place, and its chosen accrediting agent accredited the school.
7. In order to advance on the salary schedule for completion of additional college graduate hours, professional staff must receive approval by the administration prior to enrolling in the course.
8. Each teacher may be assigned one or more activities to sponsor without an increase in salary.
9. The Board may recognize certification and teaching in high need areas on the salary schedule when necessary to secure or retain qualified personnel in areas with a shortage of qualified staff.

**PERSONNEL SERVICES**

**Policy 4525**

**Compensation**

**Payment of Salary**

All certificated employees who are employed in certificated positions will be paid in equal amounts paid over the twelve months of the school year.

**PERSONNEL SERVICES**

**Policy 4810**  
**(Regulation 4810)**  
**(Form 4810)**

**Staff Welfare**

**Sexual Harassment**

Sexual harassment constitutes unlawful sex discrimination. It is the policy of the Board of Education to maintain a learning and working environment that is free from sexual harassment.

It shall be a violation for any employee of the School District to harass another staff member or student through conduct or communication of a sexual nature. It shall also be a violation of this policy for students to harass other students through conduct or comments of a sexual nature. Furthermore, it shall be a violation of this policy for any person who is not an employee or student of the District to harass a staff member or student of the District through conduct or comments of a sexual nature while such employee is engaged in the performance of duties for the District or while such student is under District supervision.

**Staff Welfare**

**Drug Free Workplace**

The unlawful possession, use or distribution of illicit drugs and alcohol on school premises or as a part of school activities is strictly prohibited.

Employees under the influence of alcohol, drugs, or controlled substances while on duty are a serious risk to themselves, to students and to other employees. Employees who display physical manifestations of drug or alcohol use while on duty, may be subject to drug testing. Any employee who violates this policy will be subject to disciplinary action up to and including termination and referral for prosecution. Employees may also be required to satisfactorily participate in rehabilitation programs.

As a condition of employment, all employees must abide by the terms of this policy. Employees who are convicted of a drug offense which occurred on school premises or while on duty must notify the Superintendent of their conviction. Notification must be made by the employee to the Superintendent within five (5) days of the conviction. Within ten (10) days, the Superintendent will provide notice of such violation to the Impact Aid Program, United States Department of Education, or other appropriate government agency.

The District will institute a drug-free awareness program to inform employees of:

1. The dangers of drug and alcohol abuse in the workplace.
2. This policy of maintaining a drug-free workplace.
3. Available counseling and rehabilitation.
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

On the basis of medical certification, employees with the illness of chemical dependency shall qualify for the employee benefits and group insurance coverages that are provided for under group health and medical insurance policies. The confidential nature of the medical records of employees with chemical dependency shall be preserved in the same manner as for all other medical records.

The District's responsibility for chemical dependency is limited to its effects on the employee's job performance. If the employee violates this policy, refuses to accept diagnosis and treatment, or fails to respond to treatment, and performance is adversely affected, the employee will be subject to employment action in proportion to the performance problem. Implementation of

this policy will not require or result in any special regulations, privileges or exemptions from the standard administrative practice applicable to job performance requirements.

Upon the request of the Department of Elementary and Secondary Education or an agency of the United States, the District shall certify that it has adopted and implemented the drug prevention program described in this policy, in the form required by such agency. The District shall conduct a biennial review of this policy to determine its effectiveness, implement necessary changes, and to ensure that the disciplinary sanctions are consistently enforced.

This policy shall be distributed in writing to all present and future employees.

**PERSONNEL SERVICES**

**Policy 4871**  
**(Regulation 4871)**  
**(Form 4871)**

**Staff Welfare**

**Driver Drug Testing**

The District recognizes that it shares the responsibility to prevent accidents and injuries resulting from the misuse of alcohol or the use of controlled substances by its employees who operate commercial motor vehicles. The District complies with the provisions of the Omnibus Transportation Employee Testing Act of 1991, which mandates that the District test its drivers who are required to hold commercial drivers licenses under specified conditions. The District will regularly evaluate its policies and procedures to ensure that it remains in compliance with federal regulations.

## **SUPPORT SERVICES**

**Policy 5240**  
**(Regulation 5240)**

### **Safety, Security and Communications**

#### **Weather, Earthquake and Fire Emergencies**

At the direction of the Superintendent of Schools, the principal will determine areas in each building which are best suited for the protection of students during civil defense emergencies, including adverse weather conditions. School will not be dismissed in the case of a civil defense alert or tornado warning.

It shall also be the duty of the Superintendent of Schools to provide for fire inspections on an announced and unannounced basis in each building. The Superintendent is responsible for remedying unsafe conditions reported by local fire marshals acting in their official capacities.

The principal will assume responsibility for preparing a fire drill and emergency exit plan for each building. The plan will permit students to leave the building safely and quickly. Fire drills will be held the first full week of school and quarterly thereafter.

The District may adopt emergency plans for the use of the District's resources during natural disasters or other community emergencies. These resources may include food assistance through the use of federal commodity foods, and the use of school buildings and buses.

## **GENERAL ADMINISTRATION**

**Regulation 1310**  
**(Form 1310)**

### **Equal Opportunity**

#### **Civil Rights, Title IX, Section 504**

This Regulation outlines the responsibilities of Title IX and Section 504 Coordinators and provides mechanisms for the resolution of grievances/complaints by employees, patrons and/or students relating to discrimination based on sex under Title IX or disability under Section 504. For appeal procedures relating to the identification, evaluation or placement of students under Section 504, see Regulation 2110 - Equal Education Opportunity.

### **DEFINITIONS**

*Section 504* - Section 504 of the Rehabilitation Act of 1973.

*Title IX* - Title IX of the Education Amendments of 1972

*Grievance* - A complaint alleging a violation of (1) any District policy, procedure or practice covered by Title IX or Section 504, or (2) other federal or state civil rights laws, rules and regulations or Board of Education policy prohibiting discrimination on the basis of sex or disability - other than a complaint regarding a student's identification, evaluation or placement under Section 504. Section 504 programming for students is covered under separate District regulations (Regulation 2110 - Equal Education Opportunity, and Regulation 6250 - Instruction for Students with Disabilities).

*Federal and State Civil Rights Laws, Rules and Regulations* - The Constitutions of the United States and the State of Missouri, the Americans with Disabilities Act of 1990, and the Missouri Human Rights Act, and rules and regulations applicable thereto.

*Grievant(s)* - A student of the District, the parent/guardian of a student of the District, or a patron of the District, or an employee of the District, who submits a grievance.

*School District* - [Insert Name of School District]

*Section 504/Title IX Coordinator (Coordinator)* - The employee(s) designated to coordinate the District's efforts to comply with Section 504 and Title IX. This employee's responsibilities include receiving and facilitating the processing of complaints. The name of the Coordinator shall be identified in various District publications and shall be posted. If the grievance relates to an alleged wrongful act by the person(s) identified to hear the grievance, the grievant may request the Coordinator to assign a different employee to meeting the grievant.

*Day* - A working day. Saturdays, Sundays and school holidays shall not be included when calculating number of days in the grievance process. Unless otherwise noted, day will include summer vacation days, exclusive of Saturdays and Sundays.

**COORDINATOR'S RESPONSIBILITIES (Section 504 and Title IX Coordinator)**

1. Develop a Section 504 grievance procedure which provides for due process for use by students and staff; develop a Title IX grievance procedure for use by students and staff, provide information about the availability and use of the grievance procedure and maintain a record of all grievance problems and solutions.
2. Develop a job description for the Section 504 and Title IX Coordinator; inform District personnel of the Coordinator's responsibilities and assure periodic meetings to update staff on Section 504 and Title IX activities.
3. Provide ongoing review of District bulletins, catalogs, Board policies, counseling procedures, yearbooks, and administrative regulations and practices related to compliance with Section 504 and Title IX.
4. Ensure that annual notice of the Section 504 and Title IX Coordinator's name, address, and telephone number is placed in school catalogs, handbooks, etc. (See Form 1310.1)
5. Review student-sponsored organizations and suggest criteria for compliance with Section 504 and Title IX.
6. Become familiar with resources/information for assistance with LEA self-evaluation and remediation available from the Office for Civil Rights.
7. Develop a systematic procedure for monitoring compliance with Section 504 and Title IX.
8. Disseminate information about student rights in relation to Section 504 and Title IX.
9. Disseminate facility accessibility information to students and staff.
10. Assure that cooperative training agreements and/or LEA contracts have appropriate nondiscrimination statements.
11. Evaluate present treatment of practices relating to pregnant students to determine compliance with Title IX regulations.

## **GENERAL PROVISIONS**

The Coordinator shall receive complaints, actively and independently investigate the merit of those complaints, and assist the parties in resolution of those complaints. The Coordinator may be utilized as a resource by any party at any level of the grievance procedures.

Students, parents of elementary and secondary school students, employees, applicants for admission and employment, and sources of referral of applicants for admission and employment with Central R-III School District have the right to file a formal complaint alleging noncompliance with regulations outlined in Title IX or Section 504.

Relevant records shall be made available to the grievant to the extent appropriate under the particular circumstances of the specific complaint and as permitted by law.

The grievance procedures herein do not deny the right of the grievant to file formal complaints with other appropriate state or federal agencies, such as the Missouri Human Rights Commission, United States Department of Education office for Civil Rights, or the Equal Employment Opportunity Commission (employees only). Similarly, these procedures do not deny any right of the grievant to seek private counsel for complaints alleging discrimination.

In most instances involving a student under eighteen years old, the student's parent/guardian should participate in the hearing and resolution process.

No student or employee of the District shall intimidate, harass or retaliate against any person filing a grievance or any person participating in the investigation or resolution of a grievance.

If a grievance is taken to the Board of Education for a formal contested hearing, the parties shall have the right to be represented by legal counsel, to call and examine witnesses, to cross-examine witnesses called by the opposing party, and to submit documentary evidence into the record.

## **TITLE IX GRIEVANCE PROCEDURE**

**Level 1: Principal or Immediate Supervisor (Informal and Optional - may be bypassed by grievant.)**

Employees claiming sex discrimination may first discuss the grievance with their principal or immediate supervisor, with the object of resolving the matter informally. A student or parent with a sex discrimination complaint may discuss it with the teacher, counselor, or building administrator involved.

**Level 2: Title IX Coordinator**

If the grievance is not resolved at Level 1 and the grievant wishes to pursue the grievance, it may be formalized by filing a complaint in writing on a Compliance Violation Form. This form may be obtained from the Title IX Coordinator. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level 2 must be within fifteen (15) working days from the day of the event giving rise to the grievance or from the date the grievant could reasonably become aware of such an occurrence. The grievant may request that a meeting concerning the complaint be held with the Title IX Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. The Title IX Coordinator shall investigate the complaint and attempt to solve it. A written report from the Coordinator to the complainant regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

**Level 3: Superintendent**

If the complaint is not resolved at Level 2, the grievant may proceed to Level 3 by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the report from the Title IX Coordinator. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within ten (10) working days after receiving the written appeal.

**Level 4: Board of Education**

If the complaint is not resolved at Level 3, the grievant may proceed to Level 4 by presenting a written appeal to the President of the Board of Education within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board of Education. The Board of Education has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board of Education at their next regularly scheduled meeting. The grievant will be notified in writing of the decision within ten (10) working days after the Board of Education action.

The procedure in no way denies the right of the grievant to file a formal complaint with the Missouri Civil Rights Commission, the Office for Civil Rights, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination.

**SECTION 504 GRIEVANCE PROCEDURE**

The procedures below must be utilized with regard to discrimination claims under Section 504. Claims relating to identification, evaluation, or educational placement must be challenged using the procedures outlined in Policy and Regulation 2110.

**Level 1: Building Administrator (Informal and Optional - may be bypassed by Grievant)**

Many problems can be solved by an informal meeting with the parties and the building administrator. An individual with a complaint is encouraged to first discuss it with the teacher, counselor or building administrator involved, with the purpose of resolving the matter promptly and informally. Similarly, employees with a complaint are encouraged to first discuss the complaint with the building principal or immediate supervisor.

**Level 2: Section 504 Coordinator**

If the complaint or issue is not resolved at Level 1, the grievant may file a written grievance with the Section 504 Coordinator. The written grievance must be filed with the Coordinator within fifteen (15) days of the event or incident giving rise to the grievance, or within fifteen (15) days of the date the grievant could reasonably have become aware of the event or incident. Extensions of the fifteen- (15) day requirement will be granted if the grievant can establish good cause for the delay and the interests of justice and fairness so require.

The written grievance should include the following information:

1. The nature of the grievance - what is the event, incident or circumstance that is the reason for the complaint.
2. The remedy requested - what would the grievant like to see happen if the Coordinator were to sustain the grievance.
3. The grievant's signature and the date of the grievance.

The Coordinator shall have the authority to investigate all written grievances. The Coordinator may request that an independent investigator, who is not an employee of the District, be assigned by the District to conduct the investigation. When possible, the Coordinator shall work toward resolution of the grievance. This resolution shall be reduced to writing and signed by all parties. If the parties cannot agree on a resolution to the grievance, the Coordinator shall complete the investigation and make a determination regarding the merits of the complaint. The Coordinator shall notify the grievant and the Superintendent in writing of his/her determination within fifteen (15) days after receipt of the written grievance. The fifteen (15) days may be extended (1) at the

request of the grievant, (2) with consent of all parties, or (3) if the Coordinator is on vacation or is otherwise unavailable during the fifteen- (15) day period due to an emergency or other unforeseen circumstances.

If the Coordinator concludes that the allegations contained in the grievance have merit, the Coordinator shall make a recommendation to the Superintendent as to the appropriate action to be taken by the District. If the Superintendent agrees with the recommendation of the Coordinator, the grievance will be sustained, and the recommended remedial action will be implemented. The Superintendent may sustain the grievance, yet modify the recommended remedial action. The Superintendent shall notify all parties of his/her decision in writing within five (5) days of his/her receipt of the recommendation from the Coordinator. The five (5) days may be extended (1) at the request of the grievant, (2) with the consent of all parties, or (3) if the Superintendent is on vacation or is otherwise unavailable during the five- (5) day period due to an emergency or other unforeseen circumstances.

If the Coordinator concludes that the allegations contained in the grievance are without merit, the Coordinator shall make a recommendation to the Superintendent that the grievance be denied. If the Superintendent agrees with the recommendation of the Coordinator, the grievance will be denied. The Superintendent shall notify all parties of his/her decision in writing within five (5) days of his/her receipt of the recommendation from the Coordinator. The five (5) days may be extended (1) at the request of the grievant, (2) with the consent of all parties, or (3) if the Superintendent is on vacation or is other unavailable during the five-(5) day period due to an emergency or other unforeseen circumstances.

If the Superintendent disagrees with the recommendation of the Coordinator, whether sustaining or denying the grievance, the Superintendent shall state his/her reasons for disagreeing with the recommendation in writing, set out his/her conclusions and the reasons therefore, and notify all parties of the decision in writing within five (5) days of his/her receipt of the recommendation from the Coordinator. The five (5) days may be extended (1) at the request of the grievant, (2) with the consent of all parties, or (3) if the Superintendent is on vacation or is other unavailable during the five-(5) day period due to an emergency or other unforeseen circumstances. If the Coordinator or Superintendent is alleged to have violated this Policy, the grievant may request to bypass the respective individual.

**Level 3:      Board of Education**

Any party aggrieved by the decision of the Superintendent or in disagreement with the proposed remedial action may make a written appeal to the Board of Education. Such written appeal shall be filed in writing with either the Superintendent or the Secretary of the Board of Education. Such written appeal must be filed within ten (10) days of receipt of the decision of the Superintendent. Extensions of the ten- (10) day requirement will be granted if the grievant can establish good cause for the delay and the interests of justice and fairness so require. Upon

receipt of a written appeal, the District shall place the grievance on the agenda of the next meeting of the Board of Education following the fifth day after the appeal is received, or at such Board meeting thereafter as may be agreed upon by the parties.

At the hearing before the Board, the parties shall have the right to be represented by legal counsel, to call and examine witnesses, cross-examine witnesses called by the opposing party, and to submit evidence into the record.

The Board shall render its decision within thirty (30) days. The Board shall report its decision in writing. All parties shall receive a copy of the decision.

The hearing before the Board of Education shall be considered a contested case for purposes of Chapter 536, Revised Statutes of the State of Missouri.

**Level 4:      Circuit Court**

Any party aggrieved by the decision of the Board of Education may appeal the decision to the Circuit Court of the County, in accordance with Chapter 536, Revised Statutes of the State of Missouri, or to the applicable federal court.

**Other Options**

At any time during the grievance process, a grievant may file a complaint with the United States Department of Education, Office for Civil Rights (Kansas City, Missouri) or the Missouri Commission on Human Rights. Employee grievants may also file a complaint with the Equal Employment Opportunity Commission.

## **STUDENTS**

**Regulation 2130**  
**(Form 2130)**

### **Nondiscrimination and Student Rights**

#### **Harassment**

### **DEFINITIONS AND EXAMPLES**

#### **Sexual Harassment**

For purposes of this Regulation, sexual harassment of a student consists of sexual advances, requests for sexual favors, sexually-motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. A school employee causes a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or when an employee or third party agent of the District causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct; or
2. When the unwelcome sexual conduct of a school employee or classmate is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment.

Examples of conduct which may constitute sexual harassment include:

- sexual advances;
- touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;
- graffiti of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- touching oneself sexually or talking about one's sexual activity in front of others;

- spreading rumors about or rating other students as to sexual activity or performance;
- unwelcome, sexually-motivated or inappropriate patting, pinching, or physical contact. This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as a teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student. (NOTE: Where the perpetrator is an adult and the victim is a student, welcomeness is generally not relevant.)
- other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

### **Harassment Because of Race or Color**

For purposes of this Regulation, racial harassment of a student consists of verbal or physical conduct relating to an individual's race or color when:

1. The harassing conduct is sufficiently severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of race or color include:

- graffiti containing racially-offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's race or color;
- notes or cartoons;
- racial slurs, negative stereotypes, and hostile acts which are based upon another's race or color;

- written or graphic material containing racial comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or color;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by race or color.

### **Harassment Based Upon National Origin or Ethnicity**

For purposes of this Regulation, ethnic or national origin harassment of a student consists of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's parents, family members, or ancestors when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of national origin or ethnicity include:

- graffiti containing offensive language which is derogatory to others because of their national origin or ethnicity;
- jokes, name-calling, or rumors based upon an individual's national origin or ethnicity;
- ethnic slurs, negative stereotypes, and hostile acts which are based upon another's national origin or ethnicity;
- written or graphic material containing ethnic comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, ethnicity or national origin;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by national origin or ethnicity.

### **Harassment Because of Disability**

For the purposes of this Regulation, harassment because of the disability of a student consists of verbal or physical conduct relating to an individual's physical or mental impairment when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise adversely and substantially affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of disability include:

- graffiti containing offensive language which is derogatory to others because of their physical or mental disability;
- threatening or intimidating conduct directed at another because of the other's physical or mental disability;
- jokes, rumors, or name-calling based upon an individual's physical or mental disability;
- slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability;
- graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability;

- other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

### **Harassment Because of Gender**

For purposes of this Regulation, gender harassment of a student consists of verbal or physical conduct relating to an individual's gender when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment; or
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of gender include:

- graffiti containing offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's gender;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's gender;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to gender;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by gender.

### **Harassment Because of Sexual Orientation or Perceived Sexual Orientation**

For purposes of this Regulation, harassment of a student because of sexual orientation or perceived sexual orientation consists of verbal or physical conduct relating to an individual's sexual orientation or perceived sexual orientation when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment; or
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of sexual orientation or perceived sexual orientation include:

- graffiti containing offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's sexual orientation or perceived sexual orientation;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's sexual orientation or perceived sexual orientation;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, sexual orientation or perceived sexual orientation;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by sexual orientation or perceived sexual orientation.

## **REPORTING PROCEDURES**

The following procedures are applicable to any student who believes he or she has been the victim of sexual harassment or harassment/discrimination based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the School District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

Such individuals are encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the District, is required to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any other person with knowledge or belief that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, sex color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation as set forth above, is encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

The School District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the School District office, but oral reports shall be considered complaints as well. Use of formal reporting forms is not mandated. Nothing in this Regulation shall prevent any person from reporting harassment directly to the Compliance Officer or to the Superintendent. The District will respond to male and female students' complaints of discrimination and harassment promptly, appropriately, and with the same degree of seriousness.

1. In each school building, the building principal is the person responsible for receiving oral or written reports of discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation at the building level. Any adult School District personnel who receives a report of discrimination, sexual harassment, or harassment based on race, sex, color,

national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation shall inform the building principal immediately.

Upon receipt of a report, the principal must notify the District Compliance Officer immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. If the report was given verbally, the principal shall personally reduce it to written form and forward it to the Compliance Officer within twenty-four (24) hours. Failure to forward any harassment report or complaint as provided herein will result in disciplinary action against the principal.

If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the School District Compliance Officer by the reporting party or the complainant.

2. The School Board has designated the assistant superintendent as the District Compliance Officer with responsibility to identify, prevent, and remedy unlawful discrimination and harassment. The District Compliance Officer shall:
  - receive reports or complaints of unlawful discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation;
  - oversee the investigative process;
  - be responsible for assessing the training needs of the District's staff and students in connection with the dissemination, comprehension, and compliance with this Regulation;
  - arrange for necessary training required for compliance with this Regulation; and
  - insure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment, recommend appropriate discipline and remedies when harassment is found, and take other appropriate action to rectify the damaging effects of any prohibited discrimination, including interim protection of the victim during the course of the investigation.

If any complaint involves a Compliance Officer, the complaint shall be filed directly with the Superintendent.

The District shall conspicuously post a notice against unlawful discrimination and harassment in each school in a place accessible to students, faculty, administrators, employees, parents, and members of the public. This notice shall include the name, mailing address, and telephone number of the Compliance Officer; the name, mailing address, and telephone number of the Missouri Commission for Human Rights, the state agency responsible for investigating allegations of discrimination in educational opportunities; and the mailing address and telephone number of the United States Department of Education, Office for Civil Rights, and the United States Department of Justice.

3. A copy of Policy 2130 shall appear in the student handbook, and this Regulation shall be made available upon request of parents, students, and other interested parties.
4. The School Board will develop a method of discussing this Regulation with students and employees. Training on the requirements of nondiscrimination and the appropriate responses to issues of harassment will be provided to all school personnel on an annual basis, and at such other times as the Board in consultation with the District Compliance Officer determines is necessary or appropriate.
5. This Regulation shall be reviewed at least annually for compliance with state and federal law.
6. The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

## **INVESTIGATION**

Upon receipt of a report or complaint alleging unlawful discrimination, sexual harassment, or harassment based upon race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation, the Compliance Officer shall immediately undertake or authorize an investigation. That investigation may be conducted by District officials or by a third party designated by the District.

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of the evaluation of any other information or documents, which may be relevant to the particular allegations.

In determining whether the alleged conduct constitutes a violation of this Regulation, the District shall consider:

- the nature of the behavior;
- victim's statements;
- how often the conduct occurred;
- mandatory written witness statements or interview summaries;
- whether there were past incidents or past continuing patterns of behavior;
- opportunity for the complainant to present witnesses and provide evidence;
- evaluation of all relevant information and documentation relating to the complaint of discrimination or harassment;
- the relationship between the parties involved;
- the race, color, sex, national origin, age, ethnicity, disability, sexual orientation or perceived sexual orientation of the victim;
- the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment;
- the number of alleged harassers;
- the age of the alleged harassers;
- where the harassment occurred;
- whether there have been other incidents in the school involving the same or other students;
- whether the conduct adversely affected the student's education or educational environment;
- the context in which the alleged incidents occurred.

Whether a particular action or incident constitutes a violation of this Regulation requires a determination based on all the facts surrounding the circumstances.

The investigation shall be completed and a written report given to the Superintendent no later than fifteen (15) days from receipt of the complaint. If the complaint involves the Superintendent, the written report may be filed directly with the School Board. The written report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this Regulation. The Compliance Officer's obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also pending or has been concluded.

### **SCHOOL DISTRICT RESPONSE**

1. Upon receipt of a report that a violation has occurred, the District will, within 30 days, take appropriate formal or informal action to address, and where appropriate, remediate the violation. Appropriate actions may include, but are not limited to, counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, or discharge. District action taken for violation of this Regulation shall be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and District policies for violations of a similar nature of similar degree of severity. In determining what is an appropriate response to a finding that harassment in violation of this Regulation has occurred, the District shall consider:
  - what response is most likely to end any ongoing harassment;
  - whether a particular response is likely to deter similar future conduct by the harasser or others;
  - the amount and kind of harm suffered by the victim of the harassment;
  - the identity of the party who engaged in the harassing conduct.
  - whether the harassment was engaged in by school personnel, and if so, the District will also consider how it can best remediate the effects of the harassment.

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

2. The results of the District's investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties by the District within 10 days of the Compliance Officer's receipt of the complaint, in accordance with state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.

3. If the District's evaluation of a complaint of harassment results in a conclusion that a school employee has engaged in unlawful discrimination or harassment in violation of this Regulation, or that a school employee(s) has failed to report harassment as required herein, that individual may appeal this determination by presenting a written appeal within 10 school days of receiving notice of the District's conclusion, by use of established School Board procedures for appealing other adverse personnel actions. (See personnel handbooks.)
4. If the District's evaluation of a complaint of harassment results in a conclusion that no unlawful harassment has occurred, an individual who was allegedly subjected to harassment and believes that this conclusion is erroneous may appeal this determination by presenting a written appeal to the Superintendent within 10 school days of receiving notice of the District's conclusion. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within 10 working days after receiving the written appeal.
5. If the complainant believes the Superintendent has not adequately or appropriately addressed the appeal, he or she may present a written appeal to the President of the Board of Education within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board of Education. The Board of Education has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board of Education at their next regularly scheduled meeting or no later than 45 calendar days from the District's receipt of the complainant's appeal to the Board. The grievant will be notified in writing of the decision within 5 working days after the Board of Education meeting.
6. An individual who was allegedly subjected to unlawful discrimination or harassment may also file a complaint with the Missouri Commission for Human Rights, the United States Department of Education, Office for Civil Rights, or the United States Department of Justice. In addition, such individual may choose to file suit in the United States District Court or the State Circuit Court.
7. Copies of all complaints of harassment and the investigations conducted pursuant to them shall be maintained at the main administrative offices of the School District.

## **RETALIATION**

Submission of a good faith complaint or report of unlawful discrimination, sexual harassment, or harassment based upon race, sex, color, disability, national origin, age, ethnicity, or sexual orientation will not affect the complainant or reporter's future employment, grades, learning, or working environment, or work assignments.

The School District will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who retaliates against any person who reports an incident of alleged harassment/discrimination, sexual, racial, ethnic, sexual orientation discrimination, disability-related harassment or violence, or any person who testifies, assists, or participates in a proceeding, investigation, or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

## **STUDENTS**

## **Regulation 2400** **(Form 2400)**

### **Student Educational Records**

#### **Definitions**

*Directory information* means information contained in the educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. In the Central School District, directory information includes the following: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended, and photographs.

1. *Educational record* means those records that are directly related to a student and are maintained by the District.
2. *Disclosure* means to permit access to or the release, transfer, or other communication of educational records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written or electronic means.
3. *Eligible student* means a student who has reached 18 years of age or attends an institution of post-secondary education.
4. *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent/guardian in the absence of a parent/guardian.
5. *Personally identifiable information* includes, but is not limited to the student's name; the name of the student's parent/guardian or other family member; the address of the student or student's family; a personal identifier, such as the student's social security number or student number; a list of personal characteristics that would make the student's identity easily traceable, or other information that would make the student's identity easily traceable.
6. *Student* means any individual who is or has been in attendance in the District and about whom the District maintains educational records.

#### **General Guidelines**

1. The District shall give full rights under this regulation to either parent/guardian of a student, unless the District is provided with a court order, state law or other legally binding document that specifically revokes the parent/guardian's rights to access under this regulation.

2. When a student reaches the age of 18, or attends a post-secondary institution of education the parent/guardian rights under this policy will transfer from the parent/guardian to the student.
3. The District will annually disseminate a notice of the rights available under this regulation to parent/guardian and eligible students. The annual notification will include a statement that the parent/guardian or eligible student is entitled:
  - a. To inspect and review the student's educational records.
  - b. To request changes to the educational records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
  - c. To consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that federal and state law authorize disclosure without such consent; and
  - d. To obtain a copy of this policy and guidelines.

The annual notification will also inform parents/guardians and eligible students where copies of the policy and guidelines are located.

4. Prior to making directory information public, the District will notify the parent/guardian regarding the categories of information that it has designated as directory. In addition, the District will allow a reasonable period of time after such notice for the parent/guardian or eligible student to inform the District that any or all of the designated directory information should not be released without the parent's/guardian's or eligible student's consent.

#### **Procedures for Inspection and Review of Educational Records**

1. The District's regulation permits parents/guardians and eligible students to inspect and review the educational records of the student.
2. After a request for access to records, the District will allow access within a reasonable period of time, but in no case more than forty-five (45) days after receipt of the request. All requests for access should be directed to Director of Special Education.

3. After the parent/guardian or eligible student has had an opportunity to inspect and review the student's educational records, the parent/guardian may make a request for explanations and interpretations of the records to Director of Special Education. The District's designee shall respond to all reasonable requests for explanation or interpretation.
4. The District will not destroy any educational record if there is an outstanding request to inspect and review that record.
5. If a student's educational records contain information on more than one student, the parent/guardian or adult student may inspect, review or be informed of only the specific information about that student. That is, all information pertaining to another student will be redacted.
6. The District may employ the use of security videos on its campuses and/or buses. Security videos maintained by the District's law enforcement unit (if any) or not maintained at all (recycled) are not considered educational records and therefore may not be inspected and reviewed under FERPA. If security videos are maintained by the District, such videos are protected educational records under FERPA and may be viewed by parents or patrons with a court order or written permission from the parent(s) of each student to whom the video is directly related.
7. The District may disclose personally identifiable information from an educational record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent/guardian or eligible student. Each party to whom disclosure may be made under this policy must first sign a statement in which he/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 does not apply to disclosures of directory information or to any information that the District is required to disclose under Missouri law.

### **Copies of Educational Records**

1. The District has no obligation to provide copies of educational records to parents, their representatives or adult students under FERPA unless failure to provide copies prevents a parent or adult student from exercising the right to inspect or review the records, or is otherwise required by law. For example, if a parent does not live within driving distance of the school district, is hospitalized, or incarcerated, he or she may have a right to copies.

Though the District does not generally have an obligation to provide copies under FERPA, it will nonetheless provide up to 10 pages per student, per school year, without charge. All requests for copies over 10 pages per student, per school year will be charged 10 cents per page, which must be paid for in advance.

The District will administratively consider exceptions to this policy on a case by case basis. The factors to be considered in making such an exception include but are not limited to the purpose of the copies, whether the request is overly time consuming or burdensome, and the number of prior requests. If copies are requested to be sent to an agency or individual other than the adult student or parent/legal guardian, all proper releases must be signed.

### **Procedures to Request Amendment of a Student's Educational Records**

1. If a parent/guardian or eligible student believes the educational records for that student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, he/she may ask the District to amend the record. All such requests should be directed to Director of Special Education.
2. The District's designee, in consultation with the administration or Board of Education as needed, shall decide whether to amend the record as requested within a reasonable time after the request.
3. If the District's designee decides not to amend the record, he/she shall inform the parent/guardian or eligible student of that decision and of their right to request a hearing on the request.
4. If a hearing is requested, the District will hold the hearing within a reasonable time after it has received the request and will give the parent/guardian or eligible student reasonable advance notice of the date, time and place of the hearing. The hearing may be conducted by any individual, including an employee of the District, who does not have a direct interest in the outcome of the hearing. The District will give the parent/guardian or eligible student a full and fair opportunity to present evidence relevant to the issue(s) raised by the parent/guardian or eligible student's request. The parent/guardian or eligible student may, at their own expense, be assisted or represented at the hearing by any individual of their choice, including an attorney.
5. The District will make its decision in writing within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing, and will include a summary of the evidence and the reasons for the decision.

- a. If the District decides, as a result of the hearing, that the information is inaccurate, misleading or violates the student's rights, the District shall amend the record and inform the parent/guardian or eligible student of the amendment in writing.
- b. If the District decides, as a result of the hearing, that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the District shall inform the parent/guardian or eligible student of that decision and shall inform the parent/guardian or student of his/her right to place a statement in the record commenting on the contested information or stating why he/she disagrees with the District's decision, or both. If the parent/guardian or eligible student submits such a statement, the District will maintain that statement with the student's educational records as long as the record is maintained and will disclose the statement whenever it discloses the portion of the record to which the statement relates.

**Procedures Regarding Disclosure of Personally Identifiable Information Where Consent is Required**

1. Before the District discloses personally identifiable information from a student's records (other than directory information), the District will obtain a signed and dated written consent from the parent/guardian or eligible student. The written consent will specify the records that may be disclosed; state the purpose of the disclosure; and identify the party or parties to whom disclosure may be made.
2. If the parent/guardian or eligible student so requests, the District will provide him/her with a copy of the records disclosed.

### **Disclosure of Personally Identifiable Information Where Consent is Not Required**

The District may disclose personally identifiable information from a student's educational records without the written consent of the parent/guardian or eligible student in the following circumstances:

1. Disclosure may be made to other school officials, including teachers, within the District whom the District has determined to have legitimate educational interests. In addition, the school official or his/her assistants who are responsible for the custody of the records and those parties authorized to audit the record keeping procedures of the District may inspect the records relating to each student without the consent of the parent/guardian or eligible student.

The District designates Director of Special Education to make the determination as to whether a particular school official has a legitimate educational interest in accessing a student's educational records. Before accessing any student's educational records, the school official seeking access must submit a written request to [Director of Special Education. The request must include the student's name, the reason for the request, the school official's name and the date of the request. The District's designee must provide in writing whether the request was granted or denied and the reason for the decision. If the request is granted, the request and the designee's decision must be maintained with the student's educational records.

2. Disclosure may be made to officials of another school district or post secondary educational institution where the student seeks or intends to enroll.
3. Disclosure may be made to authorized federal and state agencies and authorities.
4. Disclosure of acts of school violence, as set forth in Policy and Regulation 2673, may be made to District employees who are directly responsible for the student's education or who interact with the student in the performance of the employee's duties.
5. Disclosure related to past or potentially future violent behavior may be made to appropriate staff members of portions of any student's individualized education program team.
6. Disclosure may be made to law enforcement officials, as soon as is reasonably practicable, of the commission of the criminal acts listed in Regulation 2673.

7. In appropriate circumstances, District administrators may disclose student educational records to law enforcement and/or juvenile authorities where necessary to serve students prior to adjudication. Officials to whom such educational records are disclosed are required to comply with federal law governing students' educational records.
8. Disclosure may be made to the appropriate division of the Juvenile Court of the suspension of more than ten (10) days of any student under court jurisdiction.
9. Disclosure of discipline records may be made within five (5) days to any requesting school district where the student seeks to enroll.
10. Disclosure may be made if such disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility, amount of aid, condition for the aid, or to enforce the terms and conditions of the aid.
11. Disclosure may be made to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction, if the study is conducted in a way that does not permit personal identification of parent/guardian and students, and the information is destroyed when no longer needed for the purposes for which the study was conducted.
12. Disclosure may be made to accrediting organizations to carry out their accrediting functions.
13. Disclosure may be made to comply with a judicial order or lawfully issued subpoena and only after the District makes a reasonable effort to notify the parent/guardian or eligible student of the order or subpoena in advance of the compliance.
14. Disclosure may be made to appropriate parties where the disclosure is in connection with a health or safety emergency and the information is necessary to protect the health or safety of the student or other individuals.
15. Disclosure may be made where the disclosure is of information the District has designated to be directory information.
16. Disclosure may be made to the parent/guardian of a noneligible student or to an eligible student.

17. Disclosure may be made without the written consent of the parent/guardian or eligible student as otherwise may be specified by federal or state law.

**Record Keeping Procedures**

1. The District will maintain a record of each request for access to and each disclosure of personally identifiable information from the educational records of each student. Director of Special Education will be responsible for keeping such records of requests and disclosures.
2. The District will maintain the record of each request and disclosure with the educational records of the student as long as the records are maintained by the District.
3. For each request or disclosure, the District's record will include the parties who have requested or received personally identifiable information from educational records and the legitimate interests the parties had in requesting or obtaining the information.
4. If the District discloses personally identifiable information from an educational record under the exceptions enumerated in the section above, the District will record the names of those persons to whom that party may disclose the information on behalf of the District and the legitimate interests which each of the additional parties has in requesting or obtaining the information.
5. If the District discloses information pursuant to a health or safety emergency, the District, within a reasonable time period, will record in the student's educational records the significant threat that formed the basis for the disclosure and the parties to whom the information was disclosed.

**Discipline****Misconduct and Disciplinary Consequences****STUDENT DISCIPLINE**

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, or an aggravated circumstance of any offense or an 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 school property, including playgrounds, parking lots and school transportation, or at a school activity, whether on or off school property. Copies of this Regulation or the student handbook, which includes the code of conduct and disciplinary consequences and corporal punishment policy, if permitted, will be provided to each student at the beginning of each school year.

Intervention team members should notify the office when a student becomes verbally/physically aggressive. The local police department will be notified if required to restore order. Faculty members trained in passive restraint should be utilized if at all possible.

**Reporting to Law Enforcement**

It is the policy of the Central R-III School District to report all crimes occurring on school grounds to law enforcement, including, but not limited to, the crimes the district is required to report in accordance with law.

The following acts, regardless of whether they are committed by juveniles, are subject to this reporting requirement:

1. First or second degree murder under §§ 565.020, .021, RSMo.
2. Voluntary or involuntary manslaughter under § 565.024, RSMo.
3. Kidnapping under § 565.110, RSMo.
4. First, second or third degree assault under §§ 565.050, .060, .070, RSMo.
5. Sexual assault or deviate sexual assault under §§ 566.040, .070, RSMo.
6. Forcible rape or sodomy under §§ 566.030, .060, RSMo.

7. Burglary in the first or second degree under §§ 569.160, .170, RSMo.
8. Robbery in the first degree under § 569.020, RSMo..
9. Possession of a weapon under chapter 571, RSMo.
10. Distribution of drugs under §§ 195.211, .212, RSMo.
11. Arson in the first degree under § 569.040, RSMo.
12. Felonious restraint under § 565.120, RSMo.
13. Property damage in the first degree under § 569.100, RSMo.
14. Child molestation in the first degree pursuant to § 566.067, RSMo.
15. Sexual misconduct involving a child pursuant to § 566.083, RSMo.
16. Sexual abuse pursuant to § 566.100, RSMo.

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 (10) 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. In addition, any offense that constitutes a "serious violation of the district's discipline policy" must be documented in the student's discipline record in accordance with law. A serious violation of the district's discipline policy is defined as one (1) or more of the following acts if committed by a student enrolled in the district:

1. Any act of school violence or violent behavior.
2. Any offense that occurs on school property, on school transportation or at any school 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 (10) school days.

### **Prohibition against Being on or near School Property during Suspension**

All students who are suspended or expelled are prohibited from being on school property for any reason unless permission is granted by the superintendent or designee.

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 public school in the district unless one (1) of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian or custodian.
2. The student is under the direct supervision of another adult designated by the student's parent, legal guardian or custodian, in advance, in writing, to the principal of the school that suspended the student.
3. The student is in an alternative school that is located within 1,000 feet of a public school in the district.
4. The student resides within 1,000 feet of a public school in the district and is on the property of his or her residence.

If a student violates this prohibition he or she may be suspended or expelled in accordance with the offense, "Failure to Meet Conditions of Suspension," listed below.

### **Prohibited Conduct**

The following are descriptions of prohibited conduct as well as potential consequences for violation. 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.

**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**

a. Hitting, striking and/or attempting to cause injury to another person; placing a person in reasonable apprehension of imminent physical injury; physically injuring another person.

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

- b. Attempting to kill or cause serious physical injury to another; killing or causing serious physical injury to another.

First Offense: Expulsion.

**Automobile/Vehicle Misuse** - Discourteous or unsafe driving on or around school 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 school property.

First Offense: Principal/student conference, revocation of parking privileges for one (1) month, detention, in-school suspension, or 1-10 days out-of-school suspension.

Subsequent Offense: Revocation of parking privileges for one (1) semester, detention, in-school suspension, or 1-180, days out -of-school suspension.

**Bullying** – Intentional intimidation or infliction of physical, emotional, or mental harm (see Policy 2655).

First Offense: 10-30 Days of OSS

Subsequent Offenses: 180 Days of OSS to expulsion

**Public Display of Affection** - Physical contact that is inappropriate for the school setting, including, but not limited to, kissing and groping.

First Offense: Principal/Student conference, detention, in-school suspension, or 1-180 days out -of-school suspension.

Subsequent Offense: Detention, in-school suspension, suspension, 1-180 days out-of-school

**Technology Misconduct**

- a. Attempting, regardless of success, to gain unauthorized access to a technology system or information; to use district technology to connect to other systems in evasion of the physical limitations of the remote system; to copy district files without authorization; to interfere with the ability of others to utilize district technology; to secure a higher level of privilege without authorization; to introduce computer "viruses," "hacking" tools, or other disruptive/destructive programs onto or using district technology; or to evade or disable a filtering/blocking device.

First Offense: Restitution. Written report sent to district computer coordinator; loss of computer/media equipment privileges for 5 school days; written report of violation submitted to the building administrator; letter sent to parents with copies to the building administrator and to the technology director.

Second Offense: Restitution. Written report sent to district computer coordinator; conference with building administrator; 3 days ISS, if building level appropriate and loss of 5 additional days of computer usage. Letter sent to parents with copies of infraction reports for the first and second offenses.

Third Offense: Restitution. Written report sent to district computer coordinator; loss of computer/media equipment privileges for the remainder of class enrollment and 10 days ISS; letter sent to parents with copies of infraction reports for the first through third offenses.

Severity Clause: The district reserves the right to waive any or all of the above offenses depending on severity of infraction.

**b.** Violation other than those listed in "a," or of Board policy and regulation, administrative procedures or etiquette rules governing student use of district technology.

First Offense: Restitution. Principal/Student conference, detention, in-school suspension, or 1-180 days out -of-school suspension.

Subsequent Offense: Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

If user agreement is broken outside of regular academic class time, the administrator may have the option to revoke privileges on a time restriction basis to enable student to receive class credit in classes that require computer access.

**Drug Use, Distribution, and Possession of Drug Paraphernalia –**

First Offense: 10-180 Days of OSS

Subsequent Offenses: 180 Days of OSS to expulsion

**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

**Tobacco**

**a.** Possession of any tobacco products on school grounds, school transportation or at any school activity.

First Offense: Confiscation of tobacco product. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation of tobacco product. Detention, in-school suspension, or 1-10 days out-of-school suspension.

**b.** Use of any tobacco products on school grounds, school transportation or at any school activity.

First Offense: Confiscation of tobacco product. Principal/Student conference, detention, in-school suspension or 1-3 days out-of-school suspension.

Subsequent Offense: Confiscation of tobacco product. In-school suspension or 1-10 days out-of-school suspension.

**Truancy** - Absence from school without the knowledge and consent of parents/guardians and/or the school administration; excessive non-justifiable absences, even with the consent of parents/guardians.

First Offense: Principal/Student conference, detention, or 1-3 days in-school suspension.

Subsequent Offense: Detention or 3-10 days in-school suspension.

**Vandalism** - Willful damage or the attempt to cause damage to real or personal property belonging to the school, 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.

## **PERSONNEL SERVICES**

**Regulation 4810**  
**(Form 4810)**

### **Staff Welfare**

### **Sexual Harassment/Title IX**

The Board of Education is committed to maintaining a work environment for its employees that is free from sexual harassment. Furthermore, the Board of Education strongly believes that no person in the School District shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity.

### **DEFINITION OF SEXUAL HARASSMENT**

#### **In Employment**

Sexual harassment in employment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of sexual nature when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is the basis for employment decisions affecting that individual.
3. Such conduct creates an intimidating, hostile, or offensive work environment.
4. Qualified employees are denied employment opportunities or benefits because the opportunities or benefits are given to another employee who submitted to an employer's sexual advances or requests for sexual favors.

#### **Under Title IX (applies to students and employees)**

Title IX forbids discrimination on the basis of sex in any educational program or activity that receives federal funds. This includes a prohibition on sexual harassment. The Office for Civil Rights of the U.S. Department of Education defines sexual harassment under Title IX as follows: "Verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient that denies, limits, provides different, or conditions the provisions of aid, benefits, services or treatment protected under Title IX."

Sexual harassment under Title IX includes, but is not limited to, unwelcome<sup>1</sup> sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

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<sup>1</sup> Sexual harassment of students by adults who otherwise come within this Policy is absolutely prohibited regardless of whether the conduct is "welcome."

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's academic status or progress, or employment.
2. Submission to or rejection of such conduct by an individual is the basis for educational or employment decisions affecting that individual.
3. Such conduct creates an intimidating, hostile, or offensive educational or work environment.
4. Qualified students or employees are denied educational or employment opportunities or benefits because the opportunities or benefits are given to another student or employee who submitted to sexual advances or requests for sexual favors.

## **EXAMPLES OF SEXUAL HARASSMENT**

### **Unwelcome Sexual Advances**

Whether the advance is "unwelcome" is determined on a case-by-case basis. Unwelcome advances may include, but are not limited to, the following:

1. Any invitation (even subtle) intended to result in a sexual liaison.
2. Invitations to dinner or social events, when refusal results in the loss of a promotion or in other adverse employment action.
3. Propositioning an employee.

### **Unwelcome Verbal Conduct of a Sexual Nature**

This may include, but is not limited to, the following:

1. Sexually provocative or explicit speech.
2. Publicly expressed sexual fantasies.
3. Jokes of a sexual or crude nature.
4. Derogatory comments directed to males or females as a class (language directed toward a specific employee is more likely to be viewed as sexual harassment).
5. Demeaning comments.

6. Threats for not agreeing to submit to sexual advances.
7. Writing sexually explicit memos.

### **Unwelcome Physical Conduct of a Sexual Nature**

This may include, but is not limited to, the following:

1. Grabbing or twisting an individual's arm.
2. Any unwarranted touching.
3. Sexually offensive pranks.
4. Drawing sexually explicit cartoons, other drawings, or graffiti.
5. Gestures indicating sexual behavior.
6. Suggestive winks.
7. Kissing.

### **Conduct Toward Students**

In addition to the foregoing examples, students may experience harassment that is unique to their situation, some of which may not be immediately recognized as sexual harassment, but which may support a potential claim against the District and/or its employees if not remedied. Such harassment may include, but is not limited to, the following:

1. Unwanted sexual behavior, such as touching, oral comments, sexual name calling, spreading sexual rumors, jokes, pictures, leers, overly personal conversation, cornering or blocking a student's movement, pulling at clothes, students "making out" on school premises.
2. A student in a predominantly single-gender class who is subjected to sexual remarks by a teacher or students who regard the comments as joking and part of the usual class environment.
3. Interfering with a student's achievement in a predominantly or historically single-gender class by hiding tools or equipment, questioning the student's ability to handle the work, or suggesting that the student is "abnormal" for enrolling in the class.

4. Purposefully limiting or denying students access to educational resources because of their gender.
5. Teasing a student about the student's enrollment in a predominantly or historically single-gender class.

### **Nature of Sexual Harassment**

Sexual harassment is not limited to conduct by males toward females. Sexual harassment may occur between any or all of the following:

1. Student to student.
2. Staff to student.
3. Student to staff.
4. Male to male.
5. Female to female.
6. Male to female.
7. Female to male.

## **INVESTIGATION OF SEXUAL HARASSMENT COMPLAINTS**

### **Complaints Involving Employees**

1. If an employee believes that he/she is being sexually harassed, the employee is encouraged to bring the concern to the attention of the employee's supervisor.
2. If the employee feels that such contact with the supervisor would be inappropriate, if the situation is not satisfactorily resolved by the supervisor, or if the employee simply feels more comfortable speaking with someone other than the supervisor, the employee should contact the Title IX compliance coordinator for the School District.
3. If neither the employee's supervisor nor the Title IX compliance coordinator is of the same sex as the employee, or the employee for any other reason would prefer to report the employee's concern to another supervisor/administrator within the District, the

employee may do so. However, it is essential that the report be made to someone with the authority and obligation to act upon the concern.

4. Any supervisor/administrator who receives a report, orally or in writing, from any employee regarding sexual harassment of that employee by another employee, non-employee doing business with the District, or student must notify the Title IX compliance officer within twenty-four (24) hours or within a reasonable time thereafter.
5. Oral complaints of sexual harassment will be put in writing by the complainant or by the person who receives the complaint, and should be signed by the complainant. However, the complainant's refusal to sign a complaint does not relieve the District of the obligation to investigate the complaint.
6. An employee who believes that he/she has been subjected to sexual harassment shall not be required to confront the alleged harasser prior to making the report.
7. Following receipt of the report, District personnel will promptly and fully investigate the complaint and will notify the employee and the alleged harasser of the results of the investigation. Investigations will be conducted with full recognition of the rights of all parties involved.
8. Upon receipt of the report, the Title IX officer will appoint an investigator to investigate the complaint. The investigation shall commence within forty-eight (48) hours after such appointment.
9. The District will maintain the confidentiality of the complaint and the details of the investigation to the fullest extent possible.
10. The investigator will put his/her findings in writing and will forward a copy to the Title IX compliance officer within one (1) week after concluding the investigation, or within a reasonable extension of time thereafter, for good cause shown.
11. If the investigation substantiates the complaint, the District will take appropriate disciplinary action against the offender(s), commensurate to the severity of the harassment (up to and including termination of employment). If the offender is a student, disciplinary action will be taken in accordance with Board established Policy 2610. If the offender is not an employee of the District, the District will take appropriate action within the scope of its authority to eliminate and redress the harassment.
12. If the investigation is indeterminate, the matter will be designated as unresolved, and the investigation file will be maintained by the Title IX compliance officer in a file separate

and apart from any student or personnel file.

13. There will be no retaliation against or adverse treatment of any employee who uses this procedure to resolve a concern when such complaint has been brought in the good faith belief that the complainant has been subjected to sexual harassment.
14. The responsible administrator shall follow up regularly with the complaining employee to ensure that the harassment has stopped and that no retaliation has occurred.

## **ENFORCEMENT**

### **Employees**

Each supervisor and administrator is responsible for maintaining an educational and work environment free from sexual harassment. In accordance with that responsibility, each site manager, or his/her designee, shall take appropriate actions to enforce the School District's sexual harassment policy, including but not limited to the following:

1. The supervisor/administrator shall provide an inservice training regarding sexual harassment to all staff by the end of the first full calendar week of each school year.
2. The supervisor/administrator shall provide a copy of the policy to all new employees of the District prior to the commencement of the employee's duties.
3. The supervisor/administrator shall further instruct employees regarding the procedures for reporting sexual harassment in the educational setting on an as-needed basis.
4. The supervisor/administrator shall take prompt action to investigate all complaints of sexual harassment.
5. The supervisor/administrator shall take appropriate disciplinary action, as necessary.

### **Students**

Each building administrator is responsible for maintaining an educational and work environment free from sexual harassment. In accordance with that responsibility, each building administrator, or his/her designee, shall take appropriate actions to enforce the School District's sexual harassment policy, including but not limited to the following:

1. All vulgar or sexually offensive graffiti shall be removed from the premises.

2. The building administrator shall provide an inservice training regarding sexual harassment (including sexual harassment involving students) to all staff by the end of the first full calendar week of school.
3. Student instruction regarding sexual harassment shall be provided annually by the end of September to all students in grades six through twelve. Age appropriate instruction will also be presented to pre-kindergarten through fifth grade students.
4. All homeroom teachers shall discuss this policy with their students within one month after its adoption by the Board and during the first week of the school year thereafter. Written copies of the policy shall be given to each student in grades six through twelve (and in lower grades as may be appropriate) as part of these discussions. Discussion shall be conducted in an age appropriate manner and should assure students they need not tolerate any form of sexual harassment.
5. All teachers, counselors, and administrators shall instruct students on the procedures for reporting sexual harassment within the educational setting on an as needed basis.
6. The building administrator shall take prompt action to investigate all complaints of sexual harassment.
7. The building administrator shall take appropriate disciplinary action, as needed.

## **NOTIFICATIONS**

A copy of the School District's sexual harassment policy shall:

1. Be displayed in a prominent location at each work site.
2. Be provided to each current employee, and to each new employee prior to commencement of their duties.
3. Appear in any School District newsletter or work site publication that sets forth the School District's comprehensive rules, regulations, procedures, and standards of conduct for employees.

The District's Title IX compliance officer will be available to answer all questions regarding this policy or its implementation.

## **DISCIPLINE/CONSEQUENCES**

### **Complaints Involving Employees**

1. Any employee who engages in the sexual harassment of anyone while on school property, or while in the employ of the District off school property will be subject to disciplinary action, up to and including dismissal.
2. Any employee who permits or engages in the sexual harassment of a student will be subject to disciplinary action up to and including dismissal.
3. Any employee who receives a complaint of sexual harassment from a student and who does not act promptly to forward that complaint to the principal and the District's Title IX coordinator shall be disciplined appropriately.
4. Any employee who retaliates, or engages in conduct that could be interpreted as retaliation, against any person who has made a complaint of sexual harassment or who has participated in the investigation of a complaint of sexual harassment will be subject to discipline, up to and including dismissal.
5. Any nonemployee doing business with the District who engages in sexual harassment, or who retaliates against any person who has made a complaint of sexual harassment or who has participated in the investigation of a complaint of sexual harassment, will be subject to discipline to the extent that the District has control over the nonemployee and his/her employer.
6. Any employee who brings a false charge of sexual harassment shall receive appropriate discipline. The term "false charge" means a charge brought in bad faith, that is, without the good faith belief that one has been subjected to sexual harassment. The term "false charge" does not include a charge that was brought in good faith, but which the District was unable to substantiate.

### **Complaints Involving Students**

1. Any student who engages in the sexual harassment while on school property or while participating in school activities, will be subject to disciplinary action, up to and including expulsion.
2. Any employee who permits or engages in the sexual harassment of a student will be subject to disciplinary action, up to and including dismissal.

3. Any employee who receives a complaint of sexual harassment from a student and who does not act promptly to forward that complaint to the principal and the District's Title IX coordinator, shall be disciplined appropriately.
4. Any student who brings a false charge of sexual harassment shall receive appropriate discipline. The term "false charge" means charges brought in bad faith, that is, without the good faith belief that one has been subjected to sexual harassment. The term "false charge" does not include a charge that was brought in good faith, but which the District was unable to substantiate.

**TITLE IX GRIEVANCE PROCEDURE**  
**(Sexual Harassment)**

**Level 1: Principal or Immediate Supervisor** (Informal and optional-may be bypassed by grievant)

Many problems can be solved by an informal meeting with the parties and the principal or coordinator. A student who believes that he/she has been subjected to sexual harassment is encouraged to first discuss it with the teacher, counselor, or building administrator involved with the objective of resolving the matter promptly and informally. Employees with a sexual harassment complaint are encouraged to first discuss it with their principal or immediate supervisor with the same objective. If the individual's teacher/supervisor is the person alleged to have engaged in sexual harassment, the grievant should skip Level 1 and go directly to Level 2.

**Level 2: Title IX Coordinator**

If the complaint or issue is not resolved at Level 1 or if the grievant chooses to skip Level 1, the grievant may file a signed, written grievance stating: 1) the nature of the grievance; 2) the remedy requested; and 3) the date the grievance was submitted. The Level 2 written grievance should be filed with the Title IX Coordinator within fifteen (15) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

The Coordinator has authority to investigate all written grievances. If possible, the Coordinator will resolve the grievance. If the parties cannot agree on a resolution, the Coordinator will prepare a written report of the investigation which shall include the following:

1. A clear statement of the allegations of the grievance and remedy sought by the grievant.
2. A statement of the facts as contended by each of the parties.

3. A statement of the facts as found by the Coordinator and identification of evidence to support each fact.
4. A list of all witnesses interviewed and documents reviewed during the investigation.
5. A narrative describing attempts to resolve the grievance.
6. The Coordinator's conclusion as to whether the allegations in the grievance are meritorious.

If the Coordinator believes the grievance is valid, the Coordinator will recommend appropriate action to the Superintendent.

The Coordinator will complete the investigation and file the report with the Superintendent within fifteen (15) days after receipt of the written grievance. The Coordinator will send a copy of the report to the grievant.

If the Superintendent agrees with the recommendation of the Coordinator, the recommendations will be implemented.

The Coordinator and Superintendent may appoint an outside investigator once a written grievance is filed if the Coordinator or Superintendent is the alleged violator.

### **Level 3: The Board of Education**

If the Superintendent rejects the recommendations of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within ten (10) days of receiving the report of the Coordinator to the Board of Education. On receipt of the written appeal, the matter shall be placed on the agenda of the Board of Education for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board of Education will be final.

### **Other Options for Grievant**

At any time during this process, a grievant may file a complaint with the Missouri Human Rights Commission or with the U.S. Department of Education, Office for Civil Rights.

## **INSTRUCTIONAL SERVICES**

## **Policy 6260**

### **Instruction**

#### **Educational Surrogate**

The Board of Education directs the Administration to determine whether a disabled student is in need of a surrogate parent within thirty (30) days of the date of notification that the student is living within District jurisdiction. The Administration is directed to notify the Division of Special Education at the Missouri Department of Elementary and Secondary Education in writing within ten (10) days of the determination that such need exists.

The District designates the special education director as the position that is responsible for overseeing the educational surrogate program in the District.

**Equal Opportunity**

**Civil Rights, Title IX, Section 504 Notice**

**NOTICE OF NONDISCRIMINATION**

Students, parents of elementary and secondary school students, employees, applicants for admission and employment and sources of referral of applicants for admission and employment with Central School District are hereby notified that this institution does not discriminate on the basis of race, color, national origin, sex, disability, or age in admission, access to, treatment, or employment in its programs and activities.

Any person having inquiries concerning Central School District's compliance with the regulations implementing these Prohibitions is directed to contact Tammy Wadlow, Title IX and Section 504 Coordinator, 431-2713 , who has been designated to coordinate Central School District's efforts to comply with the regulations implementing Title IX and Section 504.

Any person may also contact the Assistant Secretary for Civil Rights, U.S. Department of Education, regarding Central School District's compliance with the regulations implementing Title IX or Section 504.

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Superintendent

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School District

**Nondiscrimination and Student Rights**

**Harassment Grievance Form**

**HARASSMENT/DISCRIMINATION GRIEVANCE FORM**

Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Work Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Did the incidents involve: sexual harassment/discrimination, racial harassment/discrimination, harassment/discrimination because of age, harassment/discrimination because of color, national origin or ethnicity, harassment/discrimination because of disability, harassment/discrimination because of sexual orientation or perceived sexual orientation (*circle all that apply*).

Name of person you believe harassed or discriminated against you or another person:  
\_\_\_\_\_

If the alleged harassment/discrimination was toward another person, identify that other person:  
\_\_\_\_\_

Describe the incident as clearly as possible, including such things as what force, if any, was used, any verbal statements (i.e. threats, requests, demands, etc.), what, if any physical contact was involved. Attach additional pages as necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When and where did the incident occur? \_\_\_\_\_

\_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_

\_\_\_\_\_

This complaint is based upon my honest belief that \_\_\_\_\_  
has harassed/discriminated against me or another person. I hereby certify that the information I  
have provided in this complaint is true, correct, and complete to the best of my knowledge.

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date Received

## **STUDENTS**

**Regulation 2130**  
**(Form 2130)**

### **Nondiscrimination and Student Rights**

#### **Harassment**

### **DEFINITIONS AND EXAMPLES**

#### **Sexual Harassment**

For purposes of this Regulation, sexual harassment of a student consists of sexual advances, requests for sexual favors, sexually-motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. A school employee causes a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or when an employee or third party agent of the District causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct; or
2. When the unwelcome sexual conduct of a school employee or classmate is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment.

Examples of conduct which may constitute sexual harassment include:

- sexual advances;
- touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;
- graffiti of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- touching oneself sexually or talking about one's sexual activity in front of others;

- spreading rumors about or rating other students as to sexual activity or performance;
- unwelcome, sexually-motivated or inappropriate patting, pinching, or physical contact. This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as a teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student. (NOTE: Where the perpetrator is an adult and the victim is a student, welcomeness is generally not relevant.)
- other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

### **Harassment Because of Race or Color**

For purposes of this Regulation, racial harassment of a student consists of verbal or physical conduct relating to an individual's race or color when:

1. The harassing conduct is sufficiently severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of race or color include:

- graffiti containing racially-offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's race or color;
- notes or cartoons;
- racial slurs, negative stereotypes, and hostile acts which are based upon another's race or color;

- written or graphic material containing racial comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or color;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by race or color.

### **Harassment Based Upon National Origin or Ethnicity**

For purposes of this Regulation, ethnic or national origin harassment of a student consists of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's parents, family members, or ancestors when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of national origin or ethnicity include:

- graffiti containing offensive language which is derogatory to others because of their national origin or ethnicity;
- jokes, name-calling, or rumors based upon an individual's national origin or ethnicity;
- ethnic slurs, negative stereotypes, and hostile acts which are based upon another's national origin or ethnicity;
- written or graphic material containing ethnic comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, ethnicity or national origin;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by national origin or ethnicity.

### **Harassment Because of Disability**

For the purposes of this Regulation, harassment because of the disability of a student consists of verbal or physical conduct relating to an individual's physical or mental impairment when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise adversely and substantially affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of disability include:

- graffiti containing offensive language which is derogatory to others because of their physical or mental disability;
- threatening or intimidating conduct directed at another because of the other's physical or mental disability;
- jokes, rumors, or name-calling based upon an individual's physical or mental disability;
- slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability;
- graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability;

- other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

### **Harassment Because of Gender**

For purposes of this Regulation, gender harassment of a student consists of verbal or physical conduct relating to an individual's gender when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment; or
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of gender include:

- graffiti containing offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's gender;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's gender;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to gender;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by gender.

### **Harassment Because of Sexual Orientation or Perceived Sexual Orientation**

For purposes of this Regulation, harassment of a student because of sexual orientation or perceived sexual orientation consists of verbal or physical conduct relating to an individual's sexual orientation or perceived sexual orientation when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment; or
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of sexual orientation or perceived sexual orientation include:

- graffiti containing offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's sexual orientation or perceived sexual orientation;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's sexual orientation or perceived sexual orientation;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, sexual orientation or perceived sexual orientation;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by sexual orientation or perceived sexual orientation.

## **REPORTING PROCEDURES**

The following procedures are applicable to any student who believes he or she has been the victim of sexual harassment or harassment/discrimination based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the School District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

Such individuals are encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the District, is required to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any other person with knowledge or belief that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, sex color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation as set forth above, is encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

The School District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the School District office, but oral reports shall be considered complaints as well. Use of formal reporting forms is not mandated. Nothing in this Regulation shall prevent any person from reporting harassment directly to the Compliance Officer or to the Superintendent. The District will respond to male and female students' complaints of discrimination and harassment promptly, appropriately, and with the same degree of seriousness.

1. In each school building, the building principal is the person responsible for receiving oral or written reports of discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation at the building level. Any adult School District personnel who receives a report of discrimination, sexual harassment, or harassment based on race, sex, color,

national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation shall inform the building principal immediately.

Upon receipt of a report, the principal must notify the District Compliance Officer immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. If the report was given verbally, the principal shall personally reduce it to written form and forward it to the Compliance Officer within twenty-four (24) hours. Failure to forward any harassment report or complaint as provided herein will result in disciplinary action against the principal.

If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the School District Compliance Officer by the reporting party or the complainant.

2. The School Board has designated the assistant superintendent as the District Compliance Officer with responsibility to identify, prevent, and remedy unlawful discrimination and harassment. The District Compliance Officer shall:
  - receive reports or complaints of unlawful discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation;
  - oversee the investigative process;
  - be responsible for assessing the training needs of the District's staff and students in connection with the dissemination, comprehension, and compliance with this Regulation;
  - arrange for necessary training required for compliance with this Regulation; and
  - insure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment, recommend appropriate discipline and remedies when harassment is found, and take other appropriate action to rectify the damaging effects of any prohibited discrimination, including interim protection of the victim during the course of the investigation.

If any complaint involves a Compliance Officer, the complaint shall be filed directly with the Superintendent.

The District shall conspicuously post a notice against unlawful discrimination and harassment in each school in a place accessible to students, faculty, administrators, employees, parents, and members of the public. This notice shall include the name, mailing address, and telephone number of the Compliance Officer; the name, mailing address, and telephone number of the Missouri Commission for Human Rights, the state agency responsible for investigating allegations of discrimination in educational opportunities; and the mailing address and telephone number of the United States Department of Education, Office for Civil Rights, and the United States Department of Justice.

3. A copy of Policy 2130 shall appear in the student handbook, and this Regulation shall be made available upon request of parents, students, and other interested parties.
4. The School Board will develop a method of discussing this Regulation with students and employees. Training on the requirements of nondiscrimination and the appropriate responses to issues of harassment will be provided to all school personnel on an annual basis, and at such other times as the Board in consultation with the District Compliance Officer determines is necessary or appropriate.
5. This Regulation shall be reviewed at least annually for compliance with state and federal law.
6. The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

## **INVESTIGATION**

Upon receipt of a report or complaint alleging unlawful discrimination, sexual harassment, or harassment based upon race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation, the Compliance Officer shall immediately undertake or authorize an investigation. That investigation may be conducted by District officials or by a third party designated by the District.

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of the evaluation of any other information or documents, which may be relevant to the particular allegations.

In determining whether the alleged conduct constitutes a violation of this Regulation, the District shall consider:

- the nature of the behavior;
- victim's statements;
- how often the conduct occurred;
- mandatory written witness statements or interview summaries;
- whether there were past incidents or past continuing patterns of behavior;
- opportunity for the complainant to present witnesses and provide evidence;
- evaluation of all relevant information and documentation relating to the complaint of discrimination or harassment;
- the relationship between the parties involved;
- the race, color, sex, national origin, age, ethnicity, disability, sexual orientation or perceived sexual orientation of the victim;
- the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment;
- the number of alleged harassers;
- the age of the alleged harassers;
- where the harassment occurred;
- whether there have been other incidents in the school involving the same or other students;
- whether the conduct adversely affected the student's education or educational environment;
- the context in which the alleged incidents occurred.

Whether a particular action or incident constitutes a violation of this Regulation requires a determination based on all the facts surrounding the circumstances.

The investigation shall be completed and a written report given to the Superintendent no later than fifteen (15) days from receipt of the complaint. If the complaint involves the Superintendent, the written report may be filed directly with the School Board. The written report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this Regulation. The Compliance Officer's obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also pending or has been concluded.

### **SCHOOL DISTRICT RESPONSE**

1. Upon receipt of a report that a violation has occurred, the District will, within 30 days, take appropriate formal or informal action to address, and where appropriate, remediate the violation. Appropriate actions may include, but are not limited to, counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, or discharge. District action taken for violation of this Regulation shall be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and District policies for violations of a similar nature of similar degree of severity. In determining what is an appropriate response to a finding that harassment in violation of this Regulation has occurred, the District shall consider:
  - what response is most likely to end any ongoing harassment;
  - whether a particular response is likely to deter similar future conduct by the harasser or others;
  - the amount and kind of harm suffered by the victim of the harassment;
  - the identity of the party who engaged in the harassing conduct.
  - whether the harassment was engaged in by school personnel, and if so, the District will also consider how it can best remediate the effects of the harassment.

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

2. The results of the District's investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties by the District within 10 days of the Compliance Officer's receipt of the complaint, in accordance with state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.

3. If the District's evaluation of a complaint of harassment results in a conclusion that a school employee has engaged in unlawful discrimination or harassment in violation of this Regulation, or that a school employee(s) has failed to report harassment as required herein, that individual may appeal this determination by presenting a written appeal within 10 school days of receiving notice of the District's conclusion, by use of established School Board procedures for appealing other adverse personnel actions. (See personnel handbooks.)
4. If the District's evaluation of a complaint of harassment results in a conclusion that no unlawful harassment has occurred, an individual who was allegedly subjected to harassment and believes that this conclusion is erroneous may appeal this determination by presenting a written appeal to the Superintendent within 10 school days of receiving notice of the District's conclusion. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within 10 working days after receiving the written appeal.
5. If the complainant believes the Superintendent has not adequately or appropriately addressed the appeal, he or she may present a written appeal to the President of the Board of Education within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board of Education. The Board of Education has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board of Education at their next regularly scheduled meeting or no later than 45 calendar days from the District's receipt of the complainant's appeal to the Board. The grievant will be notified in writing of the decision within 5 working days after the Board of Education meeting.
6. An individual who was allegedly subjected to unlawful discrimination or harassment may also file a complaint with the Missouri Commission for Human Rights, the United States Department of Education, Office for Civil Rights, or the United States Department of Justice. In addition, such individual may choose to file suit in the United States District Court or the State Circuit Court.
7. Copies of all complaints of harassment and the investigations conducted pursuant to them shall be maintained at the main administrative offices of the School District.

## **RETALIATION**

Submission of a good faith complaint or report of unlawful discrimination, sexual harassment, or harassment based upon race, sex, color, disability, national origin, age, ethnicity, or sexual orientation will not affect the complainant or reporter's future employment, grades, learning, or working environment, or work assignments.

The School District will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who retaliates against any person who reports an incident of alleged harassment/discrimination, sexual, racial, ethnic, sexual orientation discrimination, disability-related harassment or violence, or any person who testifies, assists, or participates in a proceeding, investigation, or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

**School/Community Relations**

**Public Complaints**

The following steps are to be followed by parents/guardians or the public when questions or complaints arise regarding the operation of the school district or federal programs administered by the Department of Elementary and Secondary Education (DESE) that cannot be addressed through other established procedures.

1. Complaints on behalf of individual students should first be addressed to the teacher or employee involved.
2. Unsettled matters from (1) above or problems and questions concerning individual schools should be presented in writing to the principal of the school. The principal will provide a written response to the individual raising the concern within five (5) business days of receiving the complaint or concern.
3. Unsettled matters from (2) above or problems and questions concerning the school district should be presented in writing to the superintendent or designee. The superintendent or designee will provide a written response to the individual voicing the concern within five (5) business days of receiving the complaint or concern.
4. If the matter cannot be settled satisfactorily by the superintendent, it may be brought to the Board of Education. Written comments submitted to the superintendent or the secretary of the Board will be brought to the attention of the entire Board. The Board will address each concern or complaint in an appropriate and timely manner.

The decision of the Board shall be final except in the case of complaints concerning the administration of federal programs. In that case the complainant may go to the appropriate section of DESE and from there on to the United States Secretary of Education.

The Board considers it the obligation of the professional and support staff of the district to field the questions of parents/guardians or the public. Accordingly, the district will inform patrons of this complaint procedure and its availability.

Complaints regarding district compliance with nondiscrimination laws will be processed according to the grievance procedure (Regulation 1310) established for that purpose. Employee grievances will be processed in accordance with the established employee grievance procedure or as otherwise required by law. All other grievances for which there is a specific policy or procedure will be addressed pursuant to that policy or procedure.

## **GENERAL ADMINISTRATION**

## **Regulation 1520**

### **Office Methods and Data Management**

#### **School District Annual Report**

The Board of Education will annually issue a report to each household with a student enrolled in the District. Copies of the School Accountability Report Card shall be available at all school or administrative buildings and shall also be distributed to all media outlets serving the District. The School Accountability Report Card for each school building will include the following information:

1. Accreditation Status
2. Preschool Enrollment
3. K-12 Enrollment
4. Rates of Pupil Attendance
5. High School Dropout Rate
6. High School Graduation Rate
7. Number of Suspensions of Ten (10) Days or Longer
8. Rate of Suspensions of Ten (10) Days or Longer
9. District Ratio of Students to Administrators
10. District Ratio of Students to Teachers
11. Average Years of Experience of the Professional Staff
12. Number of Advanced Degrees Earned by the Professional Staff
13. Student Achievement Measured the District Assessment System
14. Student Scores of ACT
15. Percentage of District Graduates Taking the ACT
16. Average Teachers' Salaries Compared to State Average

17. Average Administrators' Salaries Compared to State Average
18. Average Per Pupil Expenditures for the District
19. Average Per Pupil Expenditures by Attendance Center
20. Adjusted Tax Rate of the District
21. District's Assessed Valuation
22. Percentage of District's Operating Budget Derived from State, Federal and Local Sources.
23. Percentage of Students Eligible for Free or Reduced-Price Lunch
24. Percentage of Students Continuing their Education in Post-Secondary Programs
25. Placement Rate for Students who Complete District Vocational Education Programs
26. Existence of a State-Approved Gifted Education Program
27. If a District Gifted Program exists, the Number of Students Currently Being Served in Such Program

### **School Report Card**

The District Report Card will permit disclosure of data on a school-by-school basis. However, school reporting will not be personally identifiable to any student or professional staff member.

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## **GENERAL ADMINISTRATION**

## **Regulation 1621** **(Form 1621)**

### **Private, State and Federal Programs Administration**

#### **Title I**

The responsibility for implementation of the Title I policy is shared between the Title I Director and each building principal. The designation of these duties is described below.

#### **Title I Staff and Parent Responsibilities**

1. Development of the District's Plan will include input from parents of eligible students, teachers, administrators and related personnel.
2. Provide letters to parents regarding Title I programs and curriculum, how their children were selected for Title I, how their progress will be measured, how much progress they are expected to make during the school year, and how their performance compares to that of their schoolmates.
3. Provide an orientation meeting for parents each school year before the end of the first quarter.
4. Provide parents of each school with the results of the annual review. This review is to include the individual school performance profiles.
5. Provide timely notification to parents, in the form of letters and flyers, regarding Title I meetings and workshops.
6. Offer professional development opportunities for teachers on increasing their effectiveness in teaching all students eligible for Title I services and on addressing the needs of Title I parents.
7. Offer workshops for parents on how to help assist in the instruction of their children.
8. The District will conduct an annual review meeting of Title I activities which will include, but not be limited to, parent evaluations and the school-parent compact. Meeting agenda sign-in sheets for parents and staff, as well as, meeting minutes will be maintained by the District.
9. Send data regarding year-end Title I program evaluation results to all parents.
10. Invite parents to and include parents in Title I program review team meetings.
11. Notify parents regarding the professional qualifications of their student's classroom teachers.

## **Title I Staff Qualifications**

### Teachers

Title I teachers hired after the first day of school for 2002-2003 must meet the following qualifications:

1. Have obtained full state certification as a teacher.
2. Hold at least a bachelor's degree.
3. Elementary teachers - have demonstrated subject knowledge and teaching skills in reading, writing, mathematics and other areas of the basic elementary school curriculum.
4. Secondary teachers - have demonstrated a high level of competency in each of the academic subjects that they teach.

Title I teachers hired prior to 2002-2003 must meet the same qualifications by the end of 2005-2006.

### Paraprofessionals

Title I paraprofessionals hired after January 8, 2002, must have a secondary school diploma or a GED and meet one of the following qualifications:

1. Completed at least two (2) years of study at an institution of higher education, or
2. Obtained an associate's (or higher) degree, or
3. Have demonstrated knowledge of, and the ability to assist in instructing reading readiness, writing readiness and mathematics readiness, as appropriate.

Title I paraprofessionals hired prior to January 8, 2002, must meet the above qualifications by January 8, 2006. Exceptions to these qualifications would apply to those Title I paraprofessionals who primarily serve as translators or whose duties consist solely of conducting parental involvement activities.

## **Title I Building Level Responsibilities**

Each Title I building administrator will invite all parents to attend their school's program planning meetings, school review and improvement meetings.

Title I teachers will provide parents with quarterly written reports on the progress of their children, so that parents can know the extent to which they are learning. Teachers will be available for individual conferences at the regularly scheduled District Parent/Teacher Conference dates and at other times by appointment through each building office. Meeting times will take into account the need to accommodate a variety of parent work schedules.

Through these reports and conferences, Title I teachers will provide parents with the results of evaluations of student progress. These evaluations will include, but will not be limited to, test results, measurements of homework turned in, homework completed, student attitudes and student behavior.

Each Title I school will:

1. Design and sponsor activities to address the needs of children which are unmet due to the absence of one parent.
2. Design types of parent involvement that do not involve being at school, such as helping teachers by assembling materials at home for use in classroom activities.
3. Offer opportunities and materials for parents to participate in classroom activities.

### **Parent Notification of Teacher Qualifications**

At the beginning of each school year, the District will notify the parents of each student attending any school receiving Title I funds that they may request information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
3. Whether the child is provided services by paraprofessionals and, if so, their qualifications; and
4. What baccalaureate degree major and any other graduate certification or degree is held by the teacher, and the field of discipline of the certification or degree.

In addition to the information that parents may request, the District will provide to each individual parent:

1. Information on achievement level of the parent's child in each of the state academic assessments as required under this part; and
  2. Timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified.
- Requests by parents for this information must be provided in a timely manner.

### **Title I Grievance Procedure**

This grievance procedure applies to all complaints regarding District operations under all programs authorized under the Federal No Child Left Behind Act (NCLB) including Title I, Title II, Title III, Title IV (Part A), Title V, Title VI, Title VII and Title IX (Part C).

A formal complaint may be filed by parents, member of the public, teachers, or other District employees. Complaints must be in writing; must be signed by the complainant; and must include facts, including documentary evidence that supports the complaint and the specific requirement, statute, or regulation alleged to have been violated.

All complaints must be filed with the Superintendent or Superintendent's designee and will be addressed in a prompt and courteous manner.

1. The District will notify the Commission of Elementary and Secondary Education (DESE) within fifteen (15) days of receipt of the complaint.
2. The District will investigate and process the complaint within thirty (30) days of receipt of the complaint.
3. The complaint findings and resolutions will be disseminated to all parties and to the Board of Education.
4. If dissatisfied with the District's determination, complainant may appeal to DESE within fifteen (15) days of receipt of the District's determination.

**Private, State and Federal Programs Administration**

**Title I Parent Notification of Teacher Qualifications**

**NOTIFICATION OF TEACHER QUALIFICATIONS**

Dear Parent or Guardian:

Our district is required to inform you of certain information that you, according to the No Child Left Behind Act of 2001 (Public Law 107-110), have the right to know.

Upon your request, our district is required to provide to you, in a timely manner, the following information:

- Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
- Whether your child is provided services by paraprofessionals and, if so, their qualifications.
- What baccalaureate degree major the teacher has and any other graduate certification or degree held by the teacher, and the field of discipline of the certification.

In addition to the information that you may request, the District will provide to you individually:

- Information on the achievement level of your child in each of the state academic assessments as required under this part; and
- Timely notice that your child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified.

Central R-III School District