

Absences, Leave and Vacation

Personnel Leave

PROFESSIONAL STAFF SHORT-TERM LEAVES AND ABSENCES

Consistent contact with students and staff is important to the learning environment and district operation and therefore is an essential duty of professional staff member's position. When a professional staff member is routinely tardy, frequently absent or is absent for an extended period of time, the learning environment and district operations deteriorate, and the students suffer.

Professional staff employees may be terminated for excessive absences or tardiness. Unless authorized by the Board or the superintendent or otherwise authorized by law, an employee's absence or tardiness is considered excessive if it:

1. Is for a reason not granted as paid or protected leave under Board policy.
2. Exceeds the number of days allotted by the Board for that particular leave.
3. Is for a reason authorized by Board policy but exceeds five (5) days a month, 20 days in a semester or 40 days per school year.

Even if the absence or tardiness is authorized by the Board or the superintendent, if the absence or tardiness occurs for a reason not granted as paid leave under Board policy or if it exceeds the number of days the employee has been granted under a designated leave, the employee's salary will be docked.

The district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The following leaves with pay will be provided to full-time professional staff employees:

Professional Leave: Professional staff employees whose assignments call for 12 months of full-time employment will be entitled to 12 days of professional leave. Professional staff employees whose assignments call for full-time employment only during the regular school term will be entitled to 10 days of professional leave. Any absences beyond 12 days for 12-month employees or 10 days for employees that are employed during the regular school term will be considered sick leave and the employee must present a doctor's excuse upon return to work. Professional leave days may be used for illnesses, to attend funerals or other personal business, at the discretion of the employee. An employee may use professional leave days for 3 consecutive days without giving a reason for the absence, unless taken in conjunction with a holiday. An employee may only take professional leave in conjunction with a professional development day or a scheduled day(s) off (i.e., first day of school, last day of school, holiday) if he or she is able to prove the leave was needed for reasons related to an illness, verified with a note from the physician or with prior approval of the superintendent.

An employee may only use more than 3 consecutive days for the following reasons related to illness or with prior approval of the superintendent or Board.

- a. Illness, injury or disability of the employee. The Board reserves the right to require a physician's certification attesting to the illness or disability of the claimant and/or inclusive dates of the employee's incapacitation. FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.
- b. Illness, injury or disability of a member of the immediate family. The Board defines "immediate family" to include spouse, parents, children, grandparents, grandchildren and siblings of an employee or employee's spouse and any other family member residing with the employee. ("Family" for FMLA purposes is more limited.)
- c. Illness, injury or disability of other relatives, with permission granted by the superintendent.

Any unused days will be accumulated and may be used in following years. However, accumulated days may only be used for reasons related to illness detailed above and verified with a note from the physician.

An absence of 1 to 4 hours shall be counted as a half-day of professional leave. Donation of professional leave days to any individual for any reason will not be permitted.

A district employee may not use professional leave days during the period the employee receives Worker Compensation for time lost to work-related incidents.

Any certificated employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the district or under Worker Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

To be paid for any professional leave days accumulated, the employee must notify their direct supervisor in writing of their intention to retire prior to March 15. If the 15th falls on a weekend, the Friday prior to the 15th will be the last day.

Whenever possible, it is expected that requests for leave will be made in writing to the designated administrator at least 48 hours in advance of the time leave is requested. However, 30 days notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request.

Vacation: All professional staff employed on a 12 month basis will receive vacation as follows:

1-10 years service in the district; two weeks vacation
11-15 years of service in the district; three weeks vacation
16 years, and beyond, of service in the district; four weeks vacation

The superintendent will receive four weeks vacation regardless of years of service in the district.

An employee must submit a written request for vacation to the superintendent or designee and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the superintendent or designee has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

A district employee may not use vacation days during the period the employee receives Worker Compensation for time lost to work-related incidents.

Military Leave: The Board shall grant military leave as required by law.

Election Leave: Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least 7 days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.

Leave to vote: Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of three hours for the purpose of voting. Requests for such leave must be made prior to Election Day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.

Jury Duty Leave: An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.

Pregnancy, Childbirth and Adoption Leave: A pregnant employee shall continue in the performance of her duties as long as she is able to do so, and as long as her ability to perform duties is not impaired, based on medical opinion.

The employee may use accrued professional leave or vacation leave during periods of pregnancy-related disability and, if necessary, an unpaid leave of absence to begin at the time recommended by her physician. The employee shall return to duty when she is physically

able, based on medical opinion, except that this paragraph creates no rights extending beyond the contracted period of employment.

Pregnant employees shall be treated the same as other employees who are similar in their ability or inability to work for all purposes under this policy.

An employee who is the primary caretaker of an adopted child will be provided the same leave opportunities afforded employees for pregnancy-related leave for the purpose of arranging for the child's placement or caring for the child after placement.

An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days notice is not practical, the employee must give as much notice as possible.

These rules are subject to pre-emption by the FMLA as necessary for FMLA-eligible employees.

Family/Medical Leave

Leave that qualifies for Family and Medical Leave Act protection will be administered in accordance with federal law.

Eligibility

To be eligible for FMLA leave benefits, the employee must:

1. Have been employed in the district for at least 12 months (but not necessarily consecutively), and
2. Have been employed for at least 1,250 hours of service during the 12 month period immediately preceding the leave (full-time teachers are deemed to meet this requirement), and
3. Be employed at a worksite where 50 or more employees are employed by the district within 75 miles of that worksite, and
4. Provide the district at least a 30-day notice of an expected absence for foreseeable circumstances, if practical.

An absence may qualify for FMLA protection if it is for one (1) of the following reasons:

1. Birth and first-year care of employee's child.
2. Adoption of foster placement of a child with the employee.
3. Serious health condition of the employee or the employee's spouse, child, or parent.

Leave Protections

Eligible employees who are absent for a FMLA-qualifying reason generally may return to the same position or equivalent position with equivalent pay, benefits, and working conditions at the conclusion of the leave, in accordance with law. Eligible employees are entitled to continued participation in the district's health plan as long as they are entitled to FMLA leave protection. However, an employee who fails to return to work after the expiration of his or her allowed leave time will be expected to reimburse the district for those benefits paid, as required by law.

Leave Application

For all FMLA purposes, the district adopts a 12-month leave year beginning on July 1 and ending the following June 30. All eligible employees are entitled to leave for a period not to exceed 12 workweeks per leave year. When an employee has an absence (taken as paid or unpaid leave) AND the absence meets the criteria to be an FMLA-qualified absence, the district may designate such absence as part of the employee's total annual FMLA entitlement. If any employee is on a Worker's Compensation absence due to an injury or illness that would also qualify as a serious health condition under the FMLA, the same absence may also be designated as FMLA-qualifying and charged against the employee's FMLA-protected time entitlement.

The district shall apply paid leave, including professional leave and vacation time, to an FMLA absence to the extent allowed by the law, giving proper notice to the employee. If an employee's accrued paid leave is exhausted but a FMLA-qualifying reason for absence persists, or a new FMLA-qualifying reason for absence occurs, the resulting absences will continue to be protected FMLA leave until the aggregate of 12 workweeks of designated FMLA leave has been reached, but such absences will be unpaid.

FMLA leave may be taken intermittently as required for the health of the employee or family member or as reduced-schedule leave in hourly increments. If intermittent leave or leave on a reduced schedule equals more than 20 percent of instructional time, the district may require instructional employees who take such leave due to medical reasons to take block leave or to find an alternative placement for the period of planned medical treatment. When an instructional employee on FMLA leave is scheduled to return close to the end of a school term, the district may elect to use a special rule to prolong the employee's leave until the beginning of the next school term, thus extending the leave beyond the period where an FMLA-qualifying reason exists. In such an instance, the prolonged leave time is unpaid and is not charged against the employee's annual FMLA entitlement. In cases where the special rules for instructional employees apply, the superintendent may apply those special rules or the general FMLA rules as best serves the interest of the district.

The district reserves the right to require certification of the serious health condition of the employee or employee's family member. Employees on FMLA-designated leave must

periodically report on their status and intent to return to work. The district may also require that an employee present a certification of fitness to return to work.

Notice

Information concerning the employee's rights under this act will be posted in accordance with law and will be provided in any employee handbooks that are distributed.

For any employee who is not eligible for the FMLA leave, including any employee who has exhausted available FMLA-protected leave, requests for leave and the use of benefits time shall proceed according to the district's established policies, and the procedural requirements of the FMLA shall not apply where they are not mandated by law.

PROFESSIONAL STAFF LONG-TERM LEAVES AND ABSENCES

The Board recognizes that the personal welfare and the professional growth of its employees may require occasional extended absences from duty. Therefore, the Board may grant the following long-term leaves of absence under specified conditions.

Sabbatical Leaves of Absence

The Board of Education may grant sabbatical leaves of absence to certificated employees for further professional study at the graduate level under the following conditions.

1. The leave of absence shall be based upon an application by the employee and the recommendation of the superintendent and shall not be granted for a period longer than one year.
2. The applicant shall have been a certificated employee of the school district for not less than three consecutive years immediately preceding the application.
3. The teacher shall request the leave 90 calendar days prior to the end of the school year preceding the leave period.
4. The Board will not grant a sabbatical leave of absence unless the district is able to find a satisfactory replacement for the teacher.
5. The number of leaves granted in any one year shall be left to the discretion of the Board of Education.
6. Upon the staff member's return to the school system, the employee shall be reinstated at the proper position on the salary schedule, losing only that time during which regular duties were not performed. The Board retains the right to reassign the teacher.
7. The leave of absence shall be without pay or benefits by the school district.

Military Leaves of Absence

The Board will grant military leave as required by law.

Pursuant to federal law, employment and re-employment rights shall be maintained for periods of service up to five (5) years or more as required by statute.

Pursuant to state law, employees taking military leave are entitled to up to 120 hours of paid leave for military duty. Pay will only be available for hours of military leave that occur at a time when the employee would otherwise have been required to be at work.

Leave for military service will not be counted as continuous full-time service when computing tenure but shall not impair tenure previously acquired nor affect any credit toward tenure previously earned.

After initial employment with the district, time spent on military leave shall be counted in determining placement on the salary schedule.

One-Year General Leaves of Absence

The Board may grant a one-year general leave of absence for reasons other than the continuation of professional study, for example, illness, child rearing, adoption or other personal reasons. If applicable the provisions of the Family and Medical Leave Act (FMLA) will be followed as required by law. General leaves are subject to the following conditions:

1. The leave of absence shall be based upon application by the teacher; it shall coincide with the school year and not be for a period of more than one year. Leaves will not be counted as continuous full-time service when computing tenure but shall not impair tenure previously acquired nor affect any credit toward tenure previously earned.
2. The applicant shall have been a certificated employee of the district for not less than three consecutive years immediately preceding the application.
3. The teacher shall request the leave 90 calendar days prior to the end of the school year preceding the leave period.
4. The Board shall be able to make satisfactory arrangements for the performance of the ordinary duties of the applicant during the period for which the leave of absence is requested.
5. The number of leaves granted in any one year shall be left to the discretion of the Board of Education.
6. Upon the staff member's return to the school system, the employee shall be reinstated at the proper position on the salary schedule, losing only that time during which regular duties were not performed. The Board retains the right to reassign the teacher.

7. The leave of absence shall be without pay or benefits by the school district.

SUPPORT STAFF LEAVES AND ABSENCES

Consistent staffing is important to the learning environment and district operation and therefore is an essential duty of all employees. When an employee is routinely tardy, frequently absent or is absent for an extended period of time, the learning environment and district operations deteriorate, and students suffer.

Employees may be terminated for excessive absences or tardiness. Unless authorized by the Board or superintendent, or otherwise authorized by law, an employee's absence or tardiness is considered excessive if it:

1. Is for a reason not granted as paid or protected leave under Board policy.
2. Exceeds the number of days allotted by the Board for that particular leave.
3. Is for a reason authorized by Board policy but exceeds five day a month, 20 days in a semester or 40 days per school year.

The employee's salary will be docked if the absence or tardiness occurs for a reason not granted as paid leave under Board policy or if it exceeds the number of days the employee has been granted under a designated leave, even if the absence or tardiness is authorized by the Board or the superintendent.

No employee will be disciplined or terminated for absence qualifying for protection under the Family and Medical Leave Act (FMLA) or other applicable law.

The district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

Leave with pay will be provided to full-time support staff employees in accordance with the following guidelines.

Any support staff employees whose assignments call for 12 months of full-time employment will be entitled to 12 days of leave. Support staff employees whose assignments call for full-time employment only during the regular school term will be entitled to 10 days of leave. Any absences beyond 12 days for a 12 month employee or 10 days for employees that are employed during the regular school term will be considered sick leave and the employee must present a doctor's excuse upon returning to work. Leave days may be used for illnesses, to attend funeral or other personal business, at the discretion of the employee. An employee may use leave days for three consecutive days without giving a reason for the absence, unless taken in conjunction with a holiday. An employee may only take leave in conjunction with a professional development day or a scheduled day(s) off (i.e., first day of school, last day of school, holiday) if he or she is able to prove the leave was needed for reasons related to an illness, verified with a

note from the physician or with prior approval of the superintendent. An employee may only use more than 3 consecutive days for the following reasons related to illness:

1. Illness, injury or disability of the employee. The Board reserves the right to require a physician's certification attesting to the illness or disability of the claimant and/or inclusive dates of the employee's incapacitation. The FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.
2. Illness, injury or disability of a member of the immediate family. The Board defines "immediate family" to include spouse, parents, children, grandparents, grandchildren and siblings of an employee or employee's spouse and any other family member residing with the employee. ("Family" for FMLA purposes is more limited.)
3. Illness, injury or disability of other relatives, with permission granted by the superintendent.

Any unused days will be accumulated and may be used in following years. However, accumulated days may only be used for reasons related to illness detailed above and verified with a note from the physician. An absence of over 1-4 hours shall be counted as a half-day of leave.

A district employee may not use leave days during the period the employee receives Worker Compensation for time lost to work-related incidents.

Whenever possible, it is expected that requests for leave will be made in writing to the designated administrator at least 48 hours in advance of time leave is requested. However, 30 days notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request.

To be paid for any leave days accumulated, the employee must notify their direct supervisor in writing of their intention to retire prior to March 15. If the 15th falls on a weekend, the Friday prior to the 15th will be the last day.

Vacation: All support staff employed on a 12 month basis will be entitled to 2 weeks of vacation for year 1-15. Three weeks of vacation will be awarded to employees who have 16-20 years of employment. Four weeks of vacation will be awarded to employees who have over 20 years of employment. An employee must submit a written request for vacation to his or her supervisor and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the supervisor has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

A district employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Holidays: Thanksgiving Day, Christmas Eve, Christmas Day, New Years Day, Presidents' Day, Good Friday, Memorial Day, July 4th and Labor Day.

Military Leave: The Board shall grant military leave as required by law.

Election Leave: Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least 7 days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.

Leave to Vote: Employees who do not have 3 successive hours free from work while the polls are open will be granted a leave period of 3 hours for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly request leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.

Jury Duty Leave: An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.

Pregnancy, Childbirth and Adoption Leave

A pregnant employee shall continue in the performance of her duties as long as she is able to do so, and as long as her ability to perform duties is not impaired, based on medical opinion.

The employee may use accrued professional leave or vacation leave during periods of pregnancy-related disability and, if necessary, an unpaid leave of absence to begin at the time recommended by her physician. The employee shall return to duty when she is physically able, based on medical opinion, except that this paragraph creates no rights extending beyond the contracted period of employment.

Pregnant employees shall be treated the same as other employees who are similar in their ability or inability to work for all purposes under this policy.

An employee who is the primary caretaker of an adopted child will be provided the same leave opportunities afforded employees for pregnancy-related leave for the purpose of arranging for the child's placement or caring for the child after placement.

An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days notice is not practical, the employee must give as much notice as possible.

These rules are subject to pre-emption by the FMLA as necessary for FMLA-eligible employees.

Family/Medical Leave

Leave that qualified for Family and Medical Leave Act protection will be administered in accordance with federal law.

Eligibility

To be eligible for FMLA leave benefits, the employee must:

5. Have been employed in the district for at least 12 months (but not necessarily consecutively), and
6. Have been employed for at least 1,250 hours of service during the 12 month period immediately preceding the leave (full-time teachers are deemed to meet this requirement), and
7. Be employed at a worksite where 50 or more employees are employed by the district within 75 miles of that worksite, and
8. Provide the district at least a 30-day notice of an expected absence for foreseeable circumstances, if practical.

An absence may qualify for FMLA protection if it is for one (1) of the following reasons:

1. Birth and first-year care of employee's child.
2. Adoption of foster placement of a child with the employee.
3. Serious health condition of the employee or the employee's spouse, child, or parent.

Leave Protections

Eligible employees who are absent for a FMLA-qualifying reason generally may return to the same position or equivalent position with equivalent pay, benefits, and working conditions at the conclusion of the leave, in accordance with law. Eligible employees are entitled to continued participation in the district's health plan as long as they are entitled to FMLA leave protection. However, an employee who fails to return to work after the expiration of his or her allowed leave time will be expected to reimburse the district for those benefits paid, as required by law.

Leave Application

For all FMLA purposes, the district adopts a 12-month leave year beginning on July 1 and ending the following June 30. All eligible employees are entitled to leave for a period not to

exceed 12 workweeks per leave year. When an employee has an absence (taken as paid or unpaid leave) AND the absence meets the criteria to be an FMLA-qualified absence, the district may designate such absence as part of the employee's total annual FMLA entitlement. If any employee is on a Worker's Compensation absence due to an injury or illness that would also qualify as a serious health condition under the FMLA, the same absence may also be designated as FMLA-qualifying and charged against the employee's FMLA-protected time entitlement.

The district shall apply paid leave, including professional leave and vacation time, to an FMLA absence to the extent allowed by the law, giving proper notice to the employee. If an employee's accrued paid leave is exhausted but a FMLA-qualifying reason for absence persists, or a new FMLA-qualifying reason for absence occurs, the resulting absences will continue to be protected FMLA leave until the aggregate of 12 workweeks of designated FMLA leave has been reached, but such absences will be unpaid.

FMLA leave may be taken intermittently as required for the health of the employee or family member or as reduced-schedule leave in hourly increments. If intermittent leave or leave on a reduced schedule equals more than 20 percent of instructional time, the district may require instructional employees who take such leave due to medical reasons to take block leave or to find an alternative placement for the period of planned medical treatment. When an instructional employee on FMLA leave is scheduled to return close to the end of a school term, the district may elect to use a special rule to prolong the employee's leave until the beginning of the next school term, thus extending the leave beyond the period where an FMLA-qualifying reason exists. In such an instance, the prolonged leave time is unpaid and is not charged against the employee's annual FMLA entitlement. In cases where the special rules for instructional employees apply, the superintendent may apply those special rules or the general FMLA rules as best serves the interest of the district.

The district reserves the right to require certification of the serious health condition of the employee or employee's family member. Employees on FMLA-designated leave must periodically report on their status and intent to return to work. The district may also require that an employee present a certification of fitness to return to work.

Notice

Information concerning the employee's rights under this act will be posted in accordance with law and will be provided in any employee handbooks that are distributed.

For any employee who is not eligible for the FMLA leave, including any employee who has exhausted available FMLA-protected leave, requests for leave and the use of benefits time shall proceed according to the district's established policies, and the procedural requirements of the FMLA shall not apply where they are not mandated by law.

PERSONNEL SERVICES

Policy 4110

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 against any person because of race, color, religion, age, sex, national origin or disability. 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 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.

INSTRUCTIONAL SERVICES

Policy 6260

Instruction

Surrogate Parent

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 state Board of Education in writing within ten (10) days after the determination that such need exists.

STUDENTS

Policy 2130
(Regulation 2130)
(Form 2130)

Nondiscrimination and Student Rights

Harassment

It is the policy of the District to maintain a learning environment that is free from harassment because of an individual's race, color, sex, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation. The School District prohibits any and all forms of unlawful harassment and discrimination because of race, color, sex, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation.

It shall be a violation of District policy for any student, teacher, administrator, or other school personnel of this District to harass or unlawfully discriminate against a student through conduct of a sexual nature, or regarding race, color, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation as defined by this Policy.

It shall also be a violation of District policy for any teacher, administrator, or other school personnel of this District to tolerate sexual harassment or harassment because of a student's race, color, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation, as defined by this Policy, by a student, teacher, administrator, other school personnel, or by any third parties who are participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

For purposes of this Policy, the term "school personnel" includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the District.

The school system will act to promptly investigate all complaints, either formal or informal, verbal or written, of unlawful harassment or unlawful discrimination because of race, color, sex, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation; to promptly take appropriate action to protect individuals from further harassment or discrimination; and, if it determines that unlawful harassment or discrimination occurred, to promptly and appropriately discipline any student, teacher, administrator, or other school personnel who is found to have violated this Policy, and/or to take other appropriate action reasonably calculated to end the harassment/discrimination.

PERSONNEL SERVICES

Policy 4870

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

Regulation 4871
(Form 4871)

Staff Welfare

Driver Drug Testing

Definitions

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

1. *Alcohol* - the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl and isopropyl alcohol.
2. *Driver* - any person who operates a commercial motor vehicle (CMV) or is required by the District to hold a commercial drivers license (CDL). *Driver* includes, but is not limited to, full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers and independent, owner-operated contractors. For purposes of pre-employment/pre-duty testing, *driver* includes a person applying to the District for a position that involves the driving of a commercial motor vehicle.
3. *Employee* - an individual subject to drug urine and breath alcohol testing. For purposes of pre-employment testing, *employee* includes an applicant for employment.
4. *Medical Review Officer (MRO)* - a licensed physician responsible for receiving laboratory results generated by the District's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and any other relevant medical information.
5. *Safety-Sensitive Function* - a driver is considered to be performing a safety-sensitive function during any period in which he/she is actually performing, is ready to perform or is immediately available to perform any safety-sensitive function. *Safety-sensitive functions* include the following on-duty functions: all time at a facility waiting to be dispatched; all time inspecting or servicing a commercial motor vehicle; all time spent at the driving controls of a commercial motor vehicle; all time, other than driving time,

spent on or in a commercial motor vehicle (except sleeping time); all time loading or unloading a commercial motor vehicle, assisting in loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; all time spent performing the driver requirements associated with an accident; and all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

6. *Substance Abuse Professional* - a person who evaluates employees who have violated a Department of Transportation (DOT) drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare.

Covered Employees

Those District employees who are subject to the prohibitions and mandatory testing requirements of this regulation include all transportation workers, including, but not limited to, bus drivers and maintenance workers, who:

1. Hold commercial drivers licenses; and
2. Who perform safety-sensitive functions at any time during the course of their employment.

Program Coordinator

The Board designates the District's Manager of Transportation to be the Program Coordinator to ensure that the District's employee alcohol and drug program is implemented in accordance with federal regulations and District policy and regulations. The Coordinator will also be responsible for collecting and maintaining all records required by federal law. The Coordinator's name, address and telephone number will be provided to all covered employees.

Testing Program and Policy Information

Before beginning the testing program authorized by Policy 4871, the District will distribute to all covered employees educational materials that explain the requirements of the federal alcohol and drug testing regulations, and the District's policies and procedures with respect to meeting those requirements. The materials will include all information required by federal law. Each covered employee must sign a receipt indicating that he/she has received these materials prior to the beginning of alcohol and drug testing.

ALCOHOL MISUSE PREVENTION AND TESTING PROGRAM

Prohibitions

1. No driver shall use or possess, and the District shall prohibit a driver from using or possessing, alcohol while on duty or while performing a safety-sensitive function.

2. No driver shall use, and the District shall not permit a driver to use, alcohol for a minimum of four (4) hours before performing a safety-related function.
3. No driver shall perform, and the District shall not permit a driver to perform, safety-sensitive functions, where the driver is found, through testing conducted in conformity with federal rules, to have an alcohol concentration of 0.04 or greater until the driver has been evaluated by a substance abuse professional, completed any rehabilitation required by the substance abuse professional, and undergoes a return-to-duty test in which the driver tests at less than 0.02 for the presence of alcohol.
4. A driver who tests, through testing conducted in conformity with federal rules, at levels of 0.02 to 0.039 for the presence of alcohol shall be prohibited from performing, and shall be removed by the District from performing, safety-sensitive functions until the start of the driver's next regularly scheduled duty, but not less than 24 hours after the test was administered, and until he/she tests below 0.02.
5. A driver who exhibits behavior and/or the appearance characteristic of alcohol misuse will be prohibited from performing, and will be removed from performing, safety-sensitive functions until the driver tests at less than 0.02 for the presence of alcohol.
6. No driver required by federal law, or independent District policy, to take a post-accident alcohol test shall use alcohol for eight hours following the accident or until the driver undergoes a post-accident alcohol test, whichever comes first.

Administration of Alcohol Tests

Alcohol testing will be conducted through the use of a federally approved evidential breath testing device (EBTD), and by a trained breath alcohol technician (BAT), in accordance with federal regulations. The District will contract with an outside agency or organization to provide alcohol testing in accordance with federal regulations. The contract will provide that the alcohol testing site (1) must afford aural and visual privacy to the person being tested, and (2) must be secured while the testing is taking place.

DRUG MISUSE PREVENTION AND TESTING PROGRAM

Prohibitions

1. The District prohibits the unauthorized use of controlled substances. Illicit use of drugs by safety-sensitive employees is prohibited on or off duty.
2. No driver shall report for duty or remain on duty, and the District shall prohibit a driver from reporting for duty or remaining on duty, when the driver uses any drug, unless the drug is taken pursuant to the instructions of a physician who has advised the driver that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle.

3. The District may require a driver to notify it or the medical review officer of any therapeutic drug use if the driver tests positive, through testing conducted in conformity with federal law, for any controlled substance.
4. Following a determination through testing conducted in conformity with federal law, that a driver has engaged in prohibited use of drugs, the District will remove the driver from performing safety-sensitive functions and will refer the driver to a substance abuse professional. The District will not permit the driver to return to the performance of safety-sensitive functions until the driver submits a verified negative test result and completes any rehabilitation required by a substance abuse professional.

Administration of Drug Tests

1. **Collection Site** - The District will contract with an outside agency or organization to serve as a collection site for the collection of urine samples for laboratory drug testing. The District will ensure that collection site personnel follow federally prescribed rules for the collection of urine samples. The District will ensure that the collection site generally ensures aural and visual privacy for the person giving the sample. The collection site person will be required to split the sample into two bottles (the primary specimen and the split specimen). Following completion of a chain of custody form, the collection site person will seal and ship both bottles to a laboratory certified by the Department of Health and Human Services for analysis.
2. **Laboratory Analysis** - The District will separately contract with a certified laboratory to perform the required drug analysis. If the primary specimen tests negative for drugs, the laboratory will dispose of the split specimen. If the laboratory confirms that the primary specimen tests positive, the laboratory will retain the split specimen to ensure that it remains available for testing.
3. **Medical Review Officer** - The District will contract with a Medical Review Officer (MRO) who possesses the qualifications required by federal regulations. The MRO will receive and review all laboratory results generated by the District's drug testing program and will report the results to the District's designee as required by federal regulations. In the event the MRO receives a confirmed positive test result from the laboratory, the MRO will make every reasonable effort to confidentially contact the driver and give him/her the opportunity to provide a legitimate, alternative medical explanation for the positive result. If the MRO is unable to reach the driver directly, the MRO shall, in accordance with federal regulations, contact the District's designee who shall direct the driver to contact the MRO immediately. The District's designee shall inform the employee of the consequences of failing to contact the MRO within the next seventy-two (72) hours. The designated management official shall employ procedures that ensure, to the maximum extent practicable, that the requirement that the employee contact the MRO is held in confidence. If the MRO determines that there is a legitimate alternative medical explanation for the positive result, the MRO will report the drug test as being negative. If the employee expressly declines the opportunity to discuss the test, the MRO

may verify the test as positive. If the employee is contacted by the designated employer representative but does not contact the MRO within seventy-two (72) hours, the MRO may verify the test as positive. If neither the MRO nor the designated employer representative has been able to contact the employee within ten (10) days after making all reasonable efforts, the MRO may verify the test as positive. If the MRO verifies the presence of illegal, controlled substances, the MRO shall inform the covered employee that he or she has seventy-two (72) hours to request that the split specimen retained by the laboratory be sent to another certified laboratory for analysis. If the split specimen fails to confirm the presence of illegal, controlled substances, the employee's test will be reported as negative.

REQUIRED TESTS

Pursuant to federal law, the District will require that all covered employees submit to the following tests:

Pre-Employment Testing

1. Before any driver can perform a safety-sensitive function, the driver must take a controlled substances test with a verified negative result.
2. This testing is required of applicants and of employees transferring to a covered position. Testing for newly hired drivers shall be conducted prior to the employment offer, but in any event before commencing safety-sensitive functions. If an applicant refuses to submit to pre-employment drug testing, the District will remove the applicant from employment consideration.
3. After obtaining an applicant or employee's written consent, the District shall request information regarding the drug and alcohol testing record of employees it is intending to use to perform safety sensitive duties, pursuant to federal regulations.

Post-Accident Testing

1. Pursuant to federal law, all drivers will be required to submit to drug and alcohol testing as soon as practicable after any accident (a) involving the loss of life or (b) after any accident in which the driver receives a citation for a moving violation, if the accident involved either (1) bodily injury to any person who, as a result of the accident, immediately receives medical treatment away from the scene of the accident, or (2) disabling damage to one or more motor vehicles which requires the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle. Pursuant to its independent authority, the District requires all drivers to submit to drug and alcohol testing after any accident in which the driver was performing safety-sensitive functions.
2. All post-accident testing shall be conducted within the federally prescribed time periods. If a test is not conducted within the required time periods, then the District will not require the driver to submit to a test and the Program Coordinator, in accordance with

federal regulations, will prepare and maintain on file a report and submit it to the Department of Transportation (DOT) documenting the reason(s) why the test was not promptly given.

3. Prior to performing safety-sensitive functions, all drivers will be instructed on the necessity for post-accident testing and the procedures to be followed for post-accident testing so that the drivers can comply with federal regulations.

Random Testing

1. The District will conduct random, unannounced testing for drugs and alcohol for covered employees. The District's designee will establish a scientifically valid random selection method and will select covered employees using this method at unpredictable dates and frequencies throughout the testing year. Under the selection method, each covered employee will have an equal chance of being selected for each testing date.
2. Each year, the number of random alcohol tests conducted by the District will equal at least 25% of the average number of covered employees. Each year, the number of random drug tests conducted by the District will equal at least 50% of the average number of covered employees.
3. Random alcohol testing will be conducted just before, during, or just after a covered employee's performance of safety-sensitive duties. Random testing for drugs does not have to be conducted in immediate time proximity to the performance of safety-sensitive functions.
4. Once notified of selection for testing, the covered employee must proceed immediately (or as soon as possible) to the collection site for testing.

Reasonable Suspicion Testing

1. The District will require covered employees to be tested for drugs and/or alcohol when the driver's supervisor and/or other properly trained District officials determine that there is reasonable suspicion to believe that the driver has violated the provisions of this Policy.
2. All determinations that reasonable suspicion exists will be only by trained individuals and will be made solely on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the covered employee. Possession of alcohol, standing alone, will not lead to reasonable suspicion testing.
3. Covered employees will be required to submit to reasonable suspicion testing only if the required observations are made by a trained supervisor or District official during, just preceding, or just after the period of the workday that the covered employee is performing a safety-sensitive function.

4. The District designates the Program Coordinator as the District official who will receive the requisite training to determine whether reasonable suspicion exists to require a drug test and/or an alcohol concentration test.
5. The District designee will be responsible for making and signing a written record of the observations leading to reasonable suspicion testing for drugs and/or alcohol. With respect to drug testing, the District designee will ensure that this written record is completed within twenty four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Return-to-Duty Testing

1. When a driver is determined, by testing in conformity with federal regulations, to have an alcohol concentration of 0.04 or greater and/or a verified positive test result for drugs, the District will refer that driver to a substance abuse professional. The substance abuse professional will determine what assistance, if any, the driver needs in resolving problems related to drug or alcohol abuse.
2. Before a driver can return to the performance of safety-sensitive functions, the driver must be evaluated by a substance abuse professional to ensure that he/she has completed any necessary rehabilitation. The driver must also submit the results of (1) an alcohol concentration test showing an alcohol concentration of less than 0.02 and (2) a verified negative drug test.

Follow-Up Testing

1. When a covered employee who has violated prohibited alcohol and/or drug standards returns to the performance of safety-sensitive functions, he/she will be required to submit to follow-up testing.
2. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first 12 months after the employee returns to duty. Follow-up testing may be extended for a period not to exceed 60 months following return to duty.

Refusal to Submit to Testing

1. Federal regulations require covered employees to submit to required testing. When a covered employee refuses to submit to testing, or engages in conduct that obstructs the testing process, the test will be considered to be positive and the driver will, in accordance with federal regulations, be prohibited from performing safety-sensitive functions until all preconditions are satisfied.
2. Refusal to submit or to provide a specimen has the same sanctions under the federal regulations as a positive test. Any employee who fails to provide adequate breath or urine for testing must obtain, as soon as possible after the attempted test, an evaluation from a licensed physician who is acceptable to the employer concerning the employee's

inability to provide a sufficient specimen. If the physician determines, in his/her reasonable medical judgment, that a medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient quantity, the employer's failure shall not be deemed a refusal to take a test. The physician shall provide the District a written statement of the basis for his/her conclusion. If the licensed physician, in his/her reasonable medical judgment, is unable to make such a determination, the employee's failure to provide an adequate specimen shall be regarded as a refusal to take a test and a violation of this Policy.

TEST RESULTS, CONFIDENTIALITY AND RECORD RETENTION

Employee Records

1. All employee testing records are confidential and the District will ensure that all testing records are maintained in a secure location with controlled access. Test results and other confidential information may be released by the laboratory, the breath alcohol technician or the MRO only to designated District officials and/or the substance abuse professional. Any other release of confidential information is only pursuant to federal regulations or with the employee's written consent.
2. Covered employees are entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances, including records of tests and test results.

District Record Keeping and Retention

The District will comply with all federal record keeping and retention requirements. In addition, the Program Coordinator will maintain and compile all required statistics and reports and submit those reports to the necessary federal agencies. The District will notify the Director of the Department of Revenue within ten (10) days of notice that a District driver has failed a drug, alcohol or chemical test administered pursuant to this regulation.

Evaluation, Referral and Rehabilitation

Employees who violate the alcohol and drug misuse rules will be referred to a substance abuse professional for evaluation and will be advised of the available resources for evaluation and treatment. Any treatment or rehabilitation will be provided in accordance with the health insurance, medical or other benefit plan, or under applicable labor or collective bargaining agreements. The District is not required to provide rehabilitation or pay for treatment. In addition, the District is not required to hold the employee's position or to reinstate the employee to a safety-sensitive position.

Consequences for Violations

Pursuant to federal regulations, the District will remove from the performance of safety-sensitive functions any covered employee determined to have violated the provisions of this Policy and

will refer to a substance abuse professional those drivers who, based on testing conducted in conformity with federal regulations, have an alcohol concentration of 0.04 or greater and/or are determined to have a verified positive test result for drugs.

Based on its independent authority, the District reserves the right to impose additional consequences for violation of the provisions of this Regulation, including, but not limited to, placing the covered employee on indefinite unpaid leave or termination.

STUDENTS

Regulation 2400
(Form 2400)

Student Educational Records

Definitions

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

Student – any person who attends or has attended a school in the school district and for whom the district maintains education records.

Eligible Student – a student or former student who has reached age 18 or attending a post secondary school.

Parent – either a natural parent of a student or guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records – any record (in handwriting, print, tapes, film, computer, or other medium) maintained by the school district or an agent of the district that contains information directly related to a student, except:

1. Records kept in the sole possession of the maker of the record, used only as a personal memory aid and not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Records created and maintained by the school district law enforcement unit for law enforcement purposes.
3. An employment record that relates exclusively to an individual in his or her capacity as an employee of the school district and that is not available for use for any other purpose.
4. Alumni records that contain information about a student after he or she is no longer in attendance at the district and that do not relate to the person as a student.

Education Records – Provisions and Guidelines

A. General

1. Education records shall be retained according to the guidelines set forth in the Missouri Public Schools Records Manual.
2. Teacher and staff comments on Student records will be confined to matters related to student performance.
3. Parents and/or students may refuse to disclose a student's social security number to a district unless required by law.
4. Pursuant to state law, the permanent record of students reading below the fifth-grade reading level at the end of their sixth-grade year shall carry a notation advising that such student has not met minimal reading standards. The notation shall stay on the student's record until such time as the district determines that the student has met minimal reading standards,
5. It is the responsibility of the principal and the professional staff of the school to see that such records are kept in the proper manner and are utilized in accordance with the law.

B. Review of Education Records by Parents or Eligible Students

1. Education records shall be opened for inspection by parents of student or an eligible student. Both parents have access to their child's school records until and unless a court orders otherwise. Therefore, a copy of any applicable court order that restricts any parent's access to the student's education records must be filed with the school principal in order to certify to the district that a parents access rights are limited or denied pursuant to the court's directions.
2. Parents or eligible students should submit to the student's school principal a written request that identifies as precisely as possible the record or records he or she wishes to inspect. The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access must be given in 45 days or less from the date of receipt of the request. When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.
3. If a parent or eligible student believes the education records related to the student contain information that is inaccurate, misleading or in violation of the student's privacy, he or she may ask the district to amend the record by following the appeals procedures outlined in Section G of this regulation.

C. Transfer of Education Records

1. The district will respond to a request for records from another school district enrolling a student within five (5) business days of receiving the request. However, if the student's

record has been marked pursuant to notification by the highway patrol that the student has been classified as a missing child, the record shall not be forwarded to the requesting district and the district will notify the missing persons unit of the highway patrol of the record request.

2. Upon notification that a student has transferred to any other school district, the district will forward any written notification the district has received from a juvenile officer, sheriff, chief of police or other appropriate law enforcement authority that a petition has been filed in juvenile court alleging that the student has committed an offence listed in § 167.115.1, RSMo., and the notification of disposition of such case, to the superintendent of the new school district in which the student has enrolled.

D. Annual Notification of Rights to Parents and Students

1. The district shall annually notify parents of students currently in attendance or eligible students in attendance of their rights under the Family Educational Rights and Privacy Act (FERPA) and FERPA regulation by publication in the student handbook(s) or by distributing notification to the parents or eligible students at the beginning of the school year.
2. The district shall annually notify parents of students currently in attendance and eligible students currently in attendance of the “Directory Information” the district will release, as designated below.
3. The district may notify parents of secondary school students that is required to release the student’s name, address, and telephone listing to military recruiters and institutions of higher education upon request. Parents or eligible students may request that the district not release this information, and the district will comply with the request.
4. The district will notify parents at least annually of it’s policy on the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use. Parents will be directly notified annually at the beginning of the school year of the specific or approximate dates during the school year when such collection, disclosure or use of personal information is scheduled or expected to be scheduled. The district will also offer an opportunity for the parent or eligible student to opt the student out of participation in any such activity.

E. Annual Notification of Directory Information

1. “Directory Information” is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The school district designated the following items as ‘Directory Information’: student’s name; parent’s name; grade level; participation in officially recognized activities and sports including audiovisual or photographic records of the openly visible activities thereof (e.g., artistic performances, sporting contests, assemblies, service projects, awards

ceremonies, etc.); weight and heights of members of athletic teams; degrees, honors and awards received; and photographs including photographs of regular school activities that do not disclose specific academic information about the child and/or would not be considered harmful or an invasion of privacy.

2. The district shall annually notify parent of students currently in attendance and eligible students currently in attendance of the “Directory Information” the district will release. Parents or eligible students will have ten (10) school days after the annual public notice to view the student’s “Directory Information” and to provide notice in writing to the school district that they choose to not have this information or any portion of the “Directory Information” released. Unless notified to the contrary in writing within ten (10) school-days period, the school district may disclose any of those items designated as “Directory Information: without the parent’s or eligible student’s prior written consent, including in print and electronic publications of the school district.
3. “Directory Information” is considered a “public record” that must be released by the district to any person who requests it under the Missouri Sunshine Law, §§ 610.010-.030, RSMo.

F. Release of Education Records

1. Disclosure of information from a student’s education records will be made only with the written consent of the parent or eligible student, subject to the following exceptions. The district may disclose education record information without consent when the disclosure is:

- a. To school officials who have a legitimate educational interest in the records.

A school official is:

- i. A person employed by the district as an administrator, supervisor, instructor, or support staff member, including health or medical staff.
- ii. A person elected to the School Board.
- iii. A person employed by or under contract to the district to perform a special task, such as attorney, auditor, medical consultant, therapist, etc.
- iv. A person who is employed by the school district’s law enforcement unit.
- v. A student serving on an official committee, such as disciplinary or grievance committee, or who is assisting another school/official in performing his or her tasks.

A school official has a legitimate educational interest if the official is:

- i. Performing a task that is specified in his or her position description or by a contract agreement.
- ii. Performing a task related to a student’s education.
- iii. Performing a task related to the discipline of a student.

- iv. Providing a service or benefit relating to the student or student's family, such as health card, counseling, job placement, or financial aid.
 - v. Maintaining the safety and security of the campus.
-
- b. To officials of another school, upon request, in which a student seeks or intends to enroll.
 - c. Directory Information. If the district annually notifies parents and eligible Students that Directory Information may be released without prior written consent and gives parents and eligible students the opportunity to notify the district in writing that he or she does not want the information released, the district may release directory information without prior consent. See above for the definition of "Directory Information".
 - d. To military recruiters or institutions of higher education that have requested the names, addresses, and telephone listings of secondary school students. However, the district will honor a request from a secondary school student or his or her parent not to release the information.
 - e. To authorized representatives or state and local educational authorities.
 - f. School districts may report or disclose education records to law enforcement and juvenile justice authorities if the disclosure concerns law enforcement or juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed must comply with applicable restrictions set forth in 20 U.S.C. § 1232g (b)(1)(E).
 - g. To accrediting organizations to carry out their accrediting functions.
 - h. To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954.
 - i. To parents of a student who is not an eligible student or to the student.
 - j. To comply with a judicial order or a lawfully issued subpoena. Unless otherwise ordered, the district will make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or student may seek protective action.
 - k. In connection with a student's request for or receipt of financial aid to determine the eligibility amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
 - l. To the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the United States Department

of Education or an official employee of the Department of Education acting for the Secretary under a delegation of authority, or state and local education authorities in connection with an audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements relating to these programs.

- m. To appropriate parties in a health or safety emergency.
 - n. To other persons authorized to receive education records pursuant to FERPA and 34 C.F.R., Part 99.
2. The school district will maintain a record of all requests for and/or disclosures of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom the information may be re-disclosed and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student. This paragraph does not apply if the request was from or the disclosure was to:
- The parent or eligible student
 - School officials within the district who have a legitimate educational interest in the student's education records.
 - A party with written consent from the parent or eligible student.
 - A party seeking "Directory Information."
 - A party seeking or receiving the records as directed by a law enforcement subpoena if the issuing court or other issuing agency has ordered that the existence of the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.
3. The district may charge a fee for copies of student education records, unless the charge effectively prevents a parent or eligible student from exercising the right to inspect and review the student's education records. This fee will include the actual cost of copying and postage, but not the cost of document search.

G. Appeals Procedures

Parents or eligible students have the right to ask to have education records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of education records:

1. Parents or the eligible student must ask the school district to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading, or in violation of the student's privacy rights. The

request should be made to the custodian of records designated in Section H of this regulation.

2. The school district will decide whether it will amend the record as requested within a reasonable time after receiving the request. If it decides not to amend the record as requested, the district will notify the parents or eligible student of the decision and inform them of their right to a hearing to challenge the content of the student's education records on the grounds that the information included is inaccurate, misleading or in violation of the student's privacy rights.
3. Upon request, the school district will hold a hearing within a reasonable time after the request is received. The district will notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the district. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals of his or her choice, including an attorney.
5. The school district will prepare a written decision based solely on the evidence presented at the hearing within a reasonable period of time after the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If the school district decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student of the amendment in writing.
7. If the school district decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
8. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the school district discloses the contested portion of the record, it must also disclose the statement.

H. Types, Locations, and Custodians of Education Records

The following is a list of the types of school records that the district maintains, their location, and their custodians.

Types	Location	Custodian
Cumulative School Records , including discipline records (Current Students)	School Principal's office	School Principal
Cumulative School Records , including discipline records (Former Students)	School Principal's office	School Principal
Health Records	School Principal's office	School Principal
Occasional Records (Student education records not identified above, such as those in superintendent's office, in the school attorney's office, or in the possession of teachers.)	As appropriate for specific record	School Principal

GENERAL ADMINISTRATION

Regulation 1480

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.

CENTRAL RIII SCHOOL DISTRICT, PARK HILLS, MISSOURI

Standard Complaint Resolution Procedure

For Improving America's Schools Act Programs

This complaint resolution procedure applies to all programs administered by the Department of Elementary and Secondary Education under the Goals 2000: Educate America Act and the Improving America's Schools Act (IASA).

A complaint is a formal allegation that a specified federal or state law or regulation has been violated, misapplied, or misinterpreted by school district personnel or by Department of Education personnel.

Any parent or guardian, surrogate parent, teacher, administrator, school board member, or other person directly involved with an activity, program, or project under the general supervision of the Department may file a complaint. Such a complaint must be in writing and signed; it will provide specific details of the situation and indicate the law or regulation that is allegedly being violated, misapplied, or misinterpreted.

The written, signed complaint must be filed and the resolution pursued in accordance with local district policy: 2100: Nondiscrimination.

If the issue cannot be resolved at the local level, the complainant may file a complaint with the Missouri Department of Education. If there is no evidence that the parties have attempted in good faith to resolve the complaint at a local level, the Department may require the parties to do so and may provide technical assistance to facilitate such resolution.

Any persons directly affected by the actions of the Department may file a similarly written complaint if they believe state or federal laws or regulations have been violated, misapplied, or misinterpreted by the Department itself.

Anyone wishing more information about this procedure or how complaints are resolved may contact local district or Department personnel.

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. Enrollment.
2. Rates of pupil attendance.
3. High school dropout rate.
4. Staffing ratios, including the District ratio of students to all teachers, to administrators, and to classroom teachers.
5. Average years of experience of professional staff and advanced degrees earned.
6. Student achievement as determined through the assessment system developed pursuant to section 160.518.
7. Student scores on the SAT or ACT, as appropriate, along with the percentage of students taking each test.
8. Average teachers' and administrators' salaries compared to the state averages.
9. Average salaries of non-certificated personnel compared to state averages.
10. Average per pupil expenditures for the District as a whole and for each attendance center in the District.
11. Voted and adjusted tax rates levied.
12. Assessed valuation.

13. Percent of the District operating budget received from state, federal, and local sources.
14. Number of students eligible for free or reduced lunch.
15. School calendar information, including days of student attendance.
16. Parent-teacher conferences and rates of participation.
17. Staff development or in-service training.
18. Data on course offerings.
19. Special education programs.
20. Early childhood special education programs.
21. Parents as teachers programs.
22. Vocational education programs.
23. Gifted or enrichment programs.
24. Advanced placement programs.
25. Data on the number of students continuing their education in post secondary programs.
26. Information about job placement for students who complete District vocational education programs.
27. District's most recent accreditation by the state Board of Education, including measures for school improvement.
28. Rates, duration of, and reasons for suspensions of ten (10) days or longer and expulsions of students.

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 Responsibilities

1. 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.
2. Provide an orientation meeting for parents each school year before the end of the first quarter.
3. Provide parents of each school with the results of the annual review. This review is to include the individual school performance profiles.
4. Provide timely notification to parents, in the form of letters and flyers, regarding Title I meetings and workshops.
5. 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.
6. Offer workshops for parents on how to help assist in the instruction of their children.
7. Send data regarding year-end Title I program evaluation results to all parents.
8. Invite parents to and include parents in Title I program review team meetings.
9. 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.

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

Title I Grievance Procedure

Any parent, other individual, or organization alleging a violation of state or federal laws, rules, or regulations or an approved application by the District in the administration of Title I shall file with the Superintendent a written complaint containing the specific nature of the alleged violation, the time and place of the violation, and related details of the alleged violation. The Superintendent shall cause a review of the written complaint to be conducted and a written response mailed to the complainant within ten (10) working days after receipt of the written complaint. A copy of the written complaint and the Superintendent's response shall be provided each member of the Board of Education. If complainant is not satisfied with such response, he or she may submit a written appeal to the Board indicating with particularity the nature of disagreement with the response and his/her reasons underlying such disagreement.

The Board shall consider the appeal at its regularly scheduled board meeting following receipt of the response. The Board shall permit the complainant to address the Board in public or closed session, as appropriate and lawful, concerning his/her complaint and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

If the complainant is dissatisfied with the action taken by the Board of Education, a written notice stating the reasons for dissatisfaction shall be filed within fifteen (15) working days following resolution of the complaint by the Board with the state director of Title I. The state director of Title I will initiate an investigation, determine the facts relating to the complaint and issue notice of his/her findings to the Board and the complainant. If the findings support the allegations of the complainant, the Board will be requested to take corrective action. If the findings support actions taken by the Board of Education, the Board's action will stand.

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 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.

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 – Central R-III 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.

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 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)

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.

SECTION 504 GRIEVANCE PROCEDURE

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 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.

<p style="text-align: center;">Insurance Employee Notices Required by the Patient Protection and Affordable Care Act</p>

The Affordable Care Act Provisions include benefit and eligibility enhancement language. The key changes are now included in your benefits plan:

- Lifetime limit no longer applies
- No annual dollar limits apply except as permitted by the Affordable Care Act
- Extension of dependent coverage to age 26
- Elimination of any pre-existing exclusions for anyone under age 19
- Addition of first dollar coverage for in network preventive care
- Designation of Primary Care Providers and direct access to OB-Gyn

Patient Protection Disclosure

You do not need prior authorization from United Health Care or from any other person (including a primary care provider) in order to obtain access to obstetrical or gynecological care from a health care professional in our network who specializes in obstetrics or gynecology. The health care professional, however, may be required to comply with certain procedures, including obtaining prior authorization for certain services, following a pre-approved treatment plan, or procedures for making referrals. For a list of participating health care professionals who specialize in obstetrics or gynecology, refer to the United Health Care Website at myuhc.com.

You have the right to designate any primary care provider (PCP) who participates in the network and who is available to accept you or your family members. For Children, you may designate a pediatrician as the PCP. For information on how to select a PCP, and for a list of the participating care providers, refer to the United Health Care Website at myuhc.com.

Notice of Opportunity to Enroll in connection with Extension of Dependent Coverage to Age 26

Individuals whose coverage ended, or who were denied coverage (or were not eligible for coverage), because the availability of dependent coverage of children ended before attainment of age 26 are eligible to enroll in United Health Care insurance offered by the Central R-III District. Individuals may request enrollment for such children for 30 days from the date of notice. Enrollment will be effective retroactively to July 1 of each calendar year. For more information contact Sally Grounds at 431-2616 ext. 5112.

Notice Lifetime Limit No Longer Applies and Enrollment Opportunity

The lifetime limit on the dollar value of benefits under United Health Care no longer applies. Individuals whose coverage ended by reason of reaching a lifetime limit under the plan are eligible to enroll in the plan. Individuals have 30 days from the date of this notice to request enrollment. For more information contact the Sally Grounds at 431-2616 ext. 5112.

Notification of PPACA Nondiscrimination 105(h) Rules

The Patient Protection and Affordable Care Act (PPACA), which became law on March 23, 2010, extended the Section 105(h) rules of the Internal Revenue Code to non-grandfathered fully insured group health plans on their first plan year on or after September 23, 2010. Section 105(h) prohibits employers from discriminating in favor of highly compensated individuals relative to other employees in eligibility and benefits under a group health plan. For this purpose, HCIs generally consist of officers and owners and individuals in the top quartile of employees. Certain types of non-grandfathered plans, such as class/carve-out plans are either prohibited or suspect under 105(h). Insured plan sponsors that violate the 105(h) rules are subject to a \$100 per day penalty per failure penalty.

A fully insured plan sold on or after September 23, 2010 is not grandfathered under the current grandfather regulations and is immediately subject to the 105(h) rules. A fully insured plan sold after March 23 and before September 23, 2010 is also not grandfathered and is subject to the 105(h) rules on the first day of the plan year. Finally, a fully insured plan that was grandfathered on March 23, 2010, and subsequently lost its grandfather status due to changes in the plan will be subject to the 105(h) rules when the grandfathered status is lost.