

2023-2024

**Licensed Personnel
Handbook**

**USD 251
North Lyon County**

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POLICY DISCLAIMER: Board of Education policies are regularly reviewed and revised. Any policy reference contained in this Handbook is accurate as of the approval date. Should policies change, the most recently adopted policy of the Board of Education will be followed regardless of what is printed in this handbook. Should any language in this handbook conflict with adopted board policy, board policy retains authority. Some of the board policies cited in this publication are shorter summaries and others contain the entire policy. The complete board policy handbook is maintained on the school district webpage for additional information.

NOTICE OF NON-DISCRIMINATION: It is the policy of North Lyon County USD 251 not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), and socioeconomic status (for programs) in its educational programs, including career and technical education programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. **If you have questions or a grievance related to this policy please contact the district's Title IX Compliance Coordinator, Section 504, Title II Compliance Coordinator, Robert Blair, Superintendent, 614 Main Street, Americus, KS 66835 (620) 481-2085, blairb@usd251.org**

INTRODUCTION: This handbook was compiled to provide, in writing, USD 251 policies, procedures, and practices, which pertain to licensed employees. All of the above are subject to change through appropriate administrative or board action. Ultimately, the Board of Education retains its legal obligation to establish USD 251 policies. This Handbook will make reference to and/or summarize significant USD 251 board policies that pertain to licensed employees. The entire 677-page Board Policy manual is available online at www.usd251.org.

USD 251 is committed to excellence. We reflect this commitment by working together to promote a school culture where excellence occurs. At North Lyon County, we are proud that our school culture reflects and expects positive attitudes. Everyone has an obligation to maintain conditions what will provide the proper atmosphere for student learning and student activities.

A spirit of cooperation is expected and open communication is encouraged of all employees in the daily performance of their duties. All licensed team members should be committed to continuous improvement, collaboration, communication, focus on student learning/achievement, and contributing to maintaining a positive school culture.

Effective communication is extremely important. In high functioning organizations, team members share their concerns directly with the person involved with the concern rather than dragging a third party into the mix. Remember that school is here for the benefit of the students. The staff is here for the benefit of the students. We are here to assist each student in becoming a responsible adult. If a staff member has questions, suggestions, or concerns that could improve the schools, she/he should feel free to offer them in a constructive manner to the person who is responsible for that aspect. When concerns or grievances arise, the best way to resolve the issue is through honest and forthright communication while following the chain of command.

Every organization develops its own unique culture or own way of doing business. At USD 251, the following professional behaviors are expected:

- Present yourself in a professional manner – attire, speech, attitude, and behavior.
- Commit to working with all colleagues. Assume collective responsibility for the achievements of our students and school.
- Be visible and nurturing. Treat others with dignity and respect: everyone, everyday. Use praise rather than criticism.
- Hold high expectations for yourself and all of your students – no one can rise to low expectations.
- Assume aggressive responsibility for your own professional development.
- Be an expert on the content and students you teach. Be an advocate for students.
- Look for opportunities to be a leader and serve as a resource for colleagues.
- Communicate effectively which includes listening to the ideas of others and be willing to compromise and reach consensus.
- Be part of the solution - whatever the problem might be.
- Be able to qualitatively and quantitatively respond to the question, “Is it working?” If it is not working, be willing to make adjustments.

ESSENTIAL INFORMATION:

Beliefs:

Every student has a right to intellectual challenge

Every student has a right to feel connected

Student Discipline Options:

Before imposing discipline, a teacher or administrator should consider whether a proposed consequence “fits the crime.” Consequences must be reasonable under the circumstances. A continuum of discipline measures, with a focus on desired outcome, is essential if discipline is to be effective. In addition to specific actions with students, meeting with parents are often effective.

Regardless of the infraction, the teacher should always have a conference with the student prior to imposing a consequence and the principal should always have a conference with the student prior to imposing a consequence. In the event that the student does not take responsibility for their actions, the principal will conduct a thorough investigation to determine the facts prior to any teacher or office imposed discipline action. It is also imperative that all students are treated equally when administering discipline consequences.

The principal should be informed of all teacher assigned detentions prior to the assignment of the detention. This step will provide protection for the student and the staff member.

When detention or in school suspension is assigned, students should be properly supervised (not out of sight, out of mind). Students will be expected to engage in academic work and given credit for their work.

Students assigned detentions by teachers or the office should be given 48 hours or 2 days to serve the detention after it is assigned.

In School Suspension:

Kansas statutes speak to the issue of student suspension or expulsion in general, but do not differentiate between in school and out of school suspension. Under Kansas law, a student should be afforded the same due process rights of in school suspension and out of school suspension. That would require an informal due process hearing for placement in in school suspension for ten or fewer days.

Teaching Positive & Productive Behavior:

The principal will work with the teachers to clarify major behavior (office managed) and minor behavior (teacher managed). Minor offenses should begin with the teacher working with the student and parent to solve the problem prior to an office referral. Major offenses should be automatic office referrals, for example, fighting, disrespecting staff, bullying type behaviors, etc. Each building will develop a behavior matrix containing expectations for student behavior for the classroom, bus, hallway, cafeteria, gym, activities, etc. Post the behavior matrix in the building. Teach/review/re-teach students the desired behaviors. Communicate with parents/guardians pertaining to all office referrals and teacher referrals – call and email/mail both. Be fair and consistent by applying the rules the same for everyone.

Academic Sanctions for Student Misconduct:

The use of academic penalties such as loss of credit or grade reduction for behavior, which is unrelated to academic performance, should not be practiced. Academic sanctions such as failing grades or denial of credit have been widely approved by the courts when they are imposed solely in response to academic performance or non-performance.

Students in both in school and out of school suspension should be allowed to make up their academic work.

Extra-Curricular Activities:

Unlike obtaining an education, which is a right, participating in extra-curricular activities is considered by most courts to be a privilege. Even though most courts refuse to find a constitutionally protected property interest in athletic participation, courts will require that rules and regulations governing participation be reasonable. For this reason, coaches and activity sponsors should submit team/group rules and guidelines to the building principal for

review prior to providing them to students and parents. Students and parents should be made aware of the rules before they begin participating in the extra curricular activity.

Dress Code Violations:

Teachers observing student dress code violations should report all such violations to the building principal for investigation. All students should be treated equally.

Freedom of Speech:

The U.S. Supreme Court has demonstrated that students retain their constitutional rights, including the right to freedom of speech, in the public school setting. At the same time, the Court recognized the need to maintain an atmosphere conducive for learning and suggested that student speech could be restricted or regulated in instances where school officials could show that speech resulted in a substantial disruption of school activities or material interference with the rights of others in school.

Teachers and staff should defer to building principals in determining what constitutes substantial disruption or material interference. The types of speech that are unprotected in the school setting are:

Speech that incites lawless action, fighting words, obscenity, libel/defamation speech, true threats.

Fourth Amendment:

The Fourth Amendment forbids unreasonable searches or seizure of an individual's personal property. The legality of a search in the school setting depends on what is reasonable under the circumstances. All school searches will be conducted by the building principal.

Technology:

All teachers are expected to enforce the school cell phone policy. If the teacher decides to allow the students to bring their phones to class on a particular day for educational purposes, the teacher should inform the building principal prior to doing so.

Students are expected to utilize school issued technology while at school. Students should not be allowed to bring personal computers from home for school use. School policies, which govern acceptable use of computers, comes into play when students use school equipment for inappropriate purposes. Discipline for statements made on electronic communication devices must not infringe on First Amendment rights. Searches of electronic devices must comply with Fourth Amendment requirements. Other school rules, such as rules prohibiting discrimination or harassment, may be violated with the use of computers or other electronic devices. The building principal will be responsible for conducting all of these types of searches and investigations.

Crisis Plan:

The USD 251 Board of Education approved a new/revised crisis plan in 2021. This is a comprehensive plan written in collaboration with and approved by the Lyon County Sheriff's Department. It expanded the previous 2-page plan to 73 pages. It includes the addition of a section on staging areas/rally points and transportation. Each building principal will provide initial and on-going training to building staff and students as needed. A 2-page quick reference guide will be provided to all staff at the beginning of each school year.

Licensure:

All licensed personnel are required to maintain their professional license through KSDE. This is the sole responsibility of the employee.

Cell Phone Use:

Teachers are allowed to use their cell phones during their planning time and lunch. If the teacher has a family emergency, they may use their cell phones.

Classroom Time:

The teacher should set a good example for prompt attendance by being on time. Start your classes on time and definitely hold your class until you dismiss it when the bell rings. Never leave students unattended. Interruptions should be kept to a minimum. Refrain from placing students in the hallway unsupervised.

Dress Guidelines:

Teachers should follow the board policy located on the school webpage under Teachers & Staff.

Dress Code (Student):

It is a teacher's responsibility to enforce the dress code. Administrators and teachers should notify students they observe in violation of the dress code prior to the beginning of the school day in order to give students an opportunity to comply. Obviously, we will not observe every potential violation, however, once students attend class, teachers should notify the principal of any potential violations.

Problem Resolution:

Board policy KN will be used for all complaints. Complaints about discrimination or harassment by an employee should be addressed to the employee's supervisor, the building principal, or the district compliance coordinator. Complaints by a student should be addressed to the building principal, another administrator, or another certified staff member. Any school employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator.

Sexual Harassment:

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action.

Abuse/Neglect Reporting:

Any district employee who has reason to know or suspect a child has been injured as a result of physical, mental or Any district employee who has reason to know or suspect a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, shall promptly report the matter to the local Kansas Department for Children and Families (DCF) office or to the local law enforcement agency if the DCF office is not open. Employees may file a report of suspected abuse anonymously to either DCF by phoning 1-800-922-5330 or to local law enforcement officials. The Code for Care of Children also provides civil immunity from prosecution if the report is made in good faith. The employee making the report will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect.

The building principal shall allow a student to be interviewed by DCF or law enforcement representatives on school premises to investigate suspected child abuse and shall act as appropriate to protect the student's interests during the process.

State law provides that anyone making a report in accordance with state law and without malice shall be immune from any civil liability that might otherwise be incurred or imposed.

Purchasing:

All purchasing must go through the building principal first. All employees must submit an E-Req and have approval from the building principal and district office prior to making school purchases.

Keys:

1. No student or adult should ever have possession of your keys or swipe card for any reason.
2. If your keys or swipe card are lost for any reason, report the loss to the office immediately.

Student Accidents:

When a staff member witnesses a student who has been involved in an accident at school, on school property or at a school sponsored event the staff member shall report the accident to the building principal and the school nurse at the earliest reasonable time. Teachers on duty when such accidents occur will be responsible for completing the district accident report form.

Time On Task:

Teachers who keep students on task will derive the following benefits: students are engaged in their own learning, teacher movement in the classroom positively affects time on task, students on task at the beginning of the class period results in students being on task throughout the period, classrooms where excellence is demanded are more on task, and classrooms with procedures and routines that are the same day after day enhanced student time on task.

Student Trips:

All field trips should be approved in advance by the building principal. All groups proposing to take out of state trips must complete a detailed district form that contains estimated trip costs for registration fees, hotel fees, meals, etc. The form should also provide details of the group's fundraising efforts, activity account balance, and proposal with how the trip will be paid for. The sponsor and some group members will attend a board of education meeting to give the board details of the trip's purpose, the proposed cost, budget, and fundraising information. Generally groups will be expected to fundraise and pay for their trips out of their activity fund, however, there are instances where the group seeks partial funding from the board. The board must approve all out of state trips. Overnight in-state trips will need to be approved by the building principal who will inform the superintendent of the details and pertinent financial implications that may require district funding. Groups that take annual out of state trips should plan year round fundraising to ensure the necessary funds are available.

Fundraising:

All fundraising should be approved in advance by the building principal. If school groups re-sale any items for fundraising efforts, they must calculate and collect Kansas sales taxes with the selling price. After the fundraiser the group will be credited with their entitled profits and the district will pay the taxes to the state of Kansas. This could either be the sales tax percentage as an add on or just an increase in the per item price to cover the sales taxes. All school groups should plan realistic fundraisers to match their group's needs. All donations must be approved by the board of education.

Communication:

Each building is responsible for communicating information to their students/parents. Infinite campus messages specific to each building will be posted by that building.

Student Supervision:

Teachers have a duty to ensure that all students are supervised at all times. Students should never be left alone anywhere on school property. Any time students are left alone; the school district is exposed to a potential negligence risk.

Transportation:

Inform the district office (transportation) regarding any activity postponements, cancellations, or time changes as soon as possible. The district office will utilize the activity calendar to schedule transportation unless informed of changes by the principal or athletic director. In addition, inform parents regarding any changes in a timely manner. Utilize both social media and the alert calling system when changes are communicated.

Athletic/Activity Expectations:

Students representing our school and community should be held to high expectations. For example, profanity should not be tolerated in practices, on school transportation, or at games, contests, or other school sponsored activities. Athletics and activities should emphasize the teaching of life lessons, positive character traits, good work ethic, and should be an extension of the classroom. Everything our students do representing our school has a direct reflection on the coach or sponsor, administration, school, and community.

Chain of Command/Solving Problems:

Employees are to follow the proper "chain of command" by first contacting your immediate supervisor for resolution of problems. Exceptions may be made if the supervisor is the source of the complaint, for example, in a situation involving sexual or racial harassment. If neither of these policies apply, employees shall first discuss all concerns with their immediate supervisor before taking additional action. In the absence of the Principal, contact should be made with the appropriate District Administrator for serious situations that cannot wait for the next day for a solution.

Substitute Teachers:

1. Each teacher should maintain a substitute teacher folder with all the information necessary to manage your classroom.
2. This folder together with up to date lesson plans is to be left on the teacher desk at all times.
3. It is better to assign written work or multi-media presentations rather than "study sessions" when a substitute will be in your classroom.

Classroom Maintenance:

Faculty/staff is responsible for maintaining a safe and organized classroom. Maintenance staff is responsible for daily/weekly cleaning of the classrooms and building; however, unnecessary messes are the responsibility of the person making them. Any item in need of repair should be reported to the building principal, and a maintenance request should be completed by the staff member.

Effective Communication

The dysfunctional family makes great TV sitcom material. Unfortunately, schools sometimes take on the characteristics of dysfunctional families, and they're horribly sad to belong to. What often differentiates a healthy from unhealthy family is who members talk to when a problem arises.

- In healthy families, Mom talks to Dad when she is upset with Dad; Dad talks to Mom when he's upset with Mom. In healthy schools, educators(s) talk to the educator with whom she/he is upset.
- In unhealthy families, Mom talks to the kids when she is upset with Dad; Dad talks to his friends when he is upset with Mom. In unhealthy schools educators(s) talk to students, parents and/or other educators when she/he is upset with a colleague.
- In healthy families, Junior talks to his teacher when he doesn't understand an assignment or has a grievance.
- In unhealthy families, Mom/Dad talk to Junior's principal when Junior doesn't understand an assignment or has a grievance.

I bet you see the pattern here! In the healthiest families and schools, members share their concerns directly with the person involved with the concern...rather than dragging a third party into the mix. Remember, the school is here for the benefit of the students. The staff is here to assist each student in becoming a responsible adult. If a student, parent or staff member has questions, suggestions or concerns that could improve the schools, she/he should feel free to offer them in a constructive manner to the person who is responsible for that aspect. When concerns or grievances arise, the best way to resolve the issue is through honest and forthright communication while following the chain of command.

CONDUCT**Confidentiality**

We are obligated by law to protect students' right to privacy by keeping all information related to students' education records confidential. We cannot discuss a student's academic progress or behavior with anyone other than his or her legal guardian, unless otherwise allowed under state or federal law.

Reference - Family Educational Rights and Privacy Act (FERPA) and BOE Policy JR, JRA-R, JRB Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies. Parents or eligible students have the right to request that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student

has the right to place a statement with the record setting forth his or her view about the contested information. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339. Or you may contact: Family Policy Compliance Office, U.S. Department of Education 400 Maryland Avenue, SW; Washington, D.C. 20202-4605

Abuse/Neglect Reporting

Reference – BOE policy GAAD

Any district employee who has reason to know or suspect a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, shall promptly report the matter to the local Kansas Department for Children and Families (DCF) office or to the local law enforcement agency if the DCF office is not open. Employees may file a report of suspected abuse anonymously to either DCF by phoning 1-800-922-5330 or to local law enforcement officials. The Code for Care of Children also provides civil immunity from prosecution if the report is made in good faith. The employee making the report will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect.

DCF or Law Enforcement Access to Students on School Premises - The building principal shall allow a student to be interviewed by DCF or law enforcement representatives on school premises to investigate suspected child abuse and shall act as appropriate to facilitate the agency's access to the child and to protect the student's interests during the process. State law grants the investigating agency the authority to determine whether a school employee may be present while the interview is being conducted, taking into account the child's best interests. If asked to sit in on the interview by the agency representative conducting it, the building principal or designee thereof shall oblige such request in order to provide comfort to the child throughout the process and to facilitate the investigation. Cooperation Between School and Agencies - Principals shall work with DCF and law enforcement agencies to develop a plan of cooperation for investigating reports of suspected child abuse or neglect. To the extent that safety is not compromised, law enforcement officers investigating complaints of suspected child abuse or neglect on school property shall not be in uniform. Reporting Procedure - The employee shall promptly report to the local DCF office or law enforcement if DCF is closed. It is recommended the building administrator also be notified after the report is made. If the building principal has been notified, the principal shall immediately notify the superintendent that the initial report to DCF has been made. If appropriate, the principal may confer with the school's social worker, guidance counselor or psychologist. At no time shall the principal or any other staff member prevent or interfere with the making of a suspected child abuse report. If available, the following information shall be given by the person making the initial report: name, address and age of the student; name and address of the parents or guardians; nature and extent of injuries or description of neglect or abuse; and any other information that might help establish the cause of the child's condition. Any personal interview or

physical inspection of the child by any school employee shall be conducted in an appropriate manner with an adult witness present. State law provides that anyone making a report in good faith and without malice shall be immune from any civil liability that might otherwise be incurred or imposed. Annual Training - Annual training for all school employees on child abuse and neglect reporting requirements shall be provided, and documentation of the training shall be maintained.

Sexual Harassment

Reference – BOE policy GAAC

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. The district does not discriminate on the basis of sex in admissions, employment, or the educational programs or activities it operates and is prohibited by Title IX from engaging in such discrimination. Discrimination on the basis of sex, including sexual harassment, will not be tolerated in the school district. Discrimination on the basis of sex of employees or students of the district by board members, administrators, licensed and classified personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited. Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events within the United States. Sexual harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds. It shall be a violation of this policy for any student, employee, or third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action, up to and including termination. Sexual harassment shall include conduct on the basis of sex involving one or more of the following: (1) A district employee conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking. Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include but is not limited to: verbal harassment or abuse of a sexual nature; pressure for sexual activity; repeated remarks to a person with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning an employee's job status. The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and resolved. **Any person may make a verbal or written report of sex discrimination by any means and at any time. The Superintendent, 614 Main Street, Americus KS 66835, blairb@usd251.org, 620-481-2085 has been designated to coordinate compliance with nondiscrimination requirements contained in Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1967, and the Kansas Act Against Discrimination. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the Title IX Coordinator.** Inquiries about the application of Title IX to the district may be referred to the Title IX Coordinator; to the Assistant Secretary for Civil Rights at the U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington D.C. 20202-1100, (800) 421-3481, or at O C R @ e d . g o v; or both. Response to Harassment Complaints - The district takes all reports of sexual harassment seriously and will respond meaningfully to every report of discrimination based on sex, including sexual harassment, of which the district has actual knowledge. Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building administrator or the Title IX Coordinator. All employees receiving reports of alleged sexual harassment shall notify the Title IX Coordinator. Definitions - The following definitions apply to the district in responding to complaints of sexual discrimination including sexual harassment as defined by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. The "complainant" means an individual who is alleged to be a victim of conduct that could constitute sexual harassment. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall

be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved. The “decision-maker” reviews all the evidence and prepares an impartial written responsibility determination as to whether the alleged conduct occurred and provides an opportunity for the parties and their representatives to prepare written questions to be answered by the other party. The decision-maker shall not be the Title IX Coordinator or investigator.

“Domestic violence” includes crimes of violence committed by a person who is a current or former spouse, partner, person with whom the victim shares a child, or who is or has cohabited with the victim as a spouse or partner, by a person similarly situated to a spouse of the victim under Kansas or applicable federal law, or by any other person against an adult or youth victim having protection from such person’s acts by Kansas or applicable federal law. A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The “investigator” is the person who carries out the investigation after the formal complaint is filed and conducts interviews of the witnesses, collects and documents evidence, and drafts an investigative report. A “respondent” is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. “Sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress. The “Title IX Coordinator” is the individual designated at the district level who has responsibility to coordinate compliance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. The Title IX Coordinator’s responsibilities include, but are not limited to: developing materials and ensuring professional development occurs for staff involved in Title IX compliance, creating systems to centralize records, gathering relevant data, contacting the complainant (and/or parents or guardians, if applicable) once the district has actual knowledge of alleged sexual harassment, coordinating the implementation of supportive measures, signing a formal complaint to initiate a grievance process, and ensuring any remedies are implemented. The Title IX Coordinator, any investigator, decision-maker, or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence. Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action. District officials who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action. Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness, and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline. If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence. The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge as follows: Contact the complainant within 10 business days and discuss the availability of supportive measures, with or without the filing of a formal complaint, and consider the complainant’s wishes as to supportive measures; and Inform the complainant of the right to a formal complaint investigation consistent with Title IX and the informal resolution process. Supportive Measures - The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or the respondent. Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. “Supportive Measures” shall include, but not be limited to, measures designed to protect the safety of all parties, to protect the district’s educational environment, or to deter sexual harassment. These measures may include counseling, extensions of deadlines or course-related

adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. The Formal Complaint - No investigation of alleged sexual harassment may occur until after a formal complaint has been filed.

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting an investigation. The procedures for filing a formal complaint are as follows: At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district concerning which the formal complaint is filed. A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. Filing of the complaint with the Title IX Coordinator may be done in person, by mail, or by email. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office. A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing. An investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by a qualified individual designated by the Title IX Coordinator or another individual appointed by the board. The investigation shall be thorough. All interested persons, including the complainant and the respondent, will be afforded an opportunity to submit written or oral evidence relevant to the complaint. Formal Complaint Notice Requirements - Upon filing of a formal complaint, the district shall provide written notice to the known parties including: Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including: the identities of the parties involved, if known; the conduct allegedly constituting sexual harassment; and the date and location of the alleged incident, if known. The district's investigation procedures, including any informal resolution process; A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation; Notice to the parties they may have an advisor of their choice and may inspect and review any evidence; and Notice to the parties of any provision in the district's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information. If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice initially provided, notice of the additional allegations shall be provided to known parties. Formal Complaint Investigation Procedures - To ensure a complete and thorough investigation and to protect the parties, the investigator shall: Ensure that the preponderance of the evidence burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the district and not the parties; Provide an equal opportunity for the parties to present witnesses and evidence; Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence; Allow the parties to be accompanied with an advisor of the party's choice; Provide written notice of the date, time, location, participants, and purpose of any interview, meeting, or hearing at which a party is expected to participate; Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint, including the investigative report, and the opportunity to respond to that evidence before a determination is made; Be impartial and objectively evaluate all relevant evidence without relying on sex stereotypes; Not have conflicts of interest or bias for or against complainants or respondent; Not make credibility determinations based on the individual's status as complainant, respondent, or witness. Formal Complaint Investigation Report - The investigator shall prepare an investigative report that fairly summarizes relevant evidence and share the report with the parties and their advisors for review and response. Before completing the investigative report, the investigator must send each party and their advisors the investigative report for review and allow the parties 10 days to submit a written response for the investigator's consideration. The investigator's written report shall include an objective evaluation of all relevant evidence using a preponderance of the evidence standard to determine responsibility. Decision-Maker's Determination - Upon receiving the investigator's report, the decision-maker must make a determination regarding responsibility and afford each party the opportunity to submit written, relevant questions that the parties want asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence. The decision-maker's written determination shall: Identify the allegations potentially constituting sexual harassment; Describe the procedural steps taken, including any notifications to the parties, site visits, methods used to gather evidence, and interviews; Include the findings of fact supporting the determination; Address any district policies and/or conduct rules which apply to the facts; Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any disciplinary sanctions imposed on the respondent, and whether the remedies are designed to preserve access to the educational program or activity will be provided by the district to the complainant; and The procedures and permissible bases for the complainant and/or respondent to appeal the determination. A copy of the written determination shall be provided to both parties simultaneously. The range of disciplinary sanctions and remedies may include, but may not be limited to, supportive measures, short-term suspension, long term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed. If the investigation results in a recommendation that an employee be suspended with or without pay or terminated, procedures outlined in board policy, the negotiated agreement (as applicable), and/or state law will be followed. Records relating to complaints filed and their resolution shall be maintained by the Title IX Coordinator for seven years. The decision becomes final on the date the parties receive the results of an appeal, if any appeal is filed, or on the date the opportunity for an appeal expires. Appeals - The complainant or respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following base: Procedural irregularity that affected the outcomes; New evidence that was not reasonably available at the time that could affect the outcome; and/or The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome. The request to appeal shall be made in writing to the Title IX Coordinator within 20 days after the date of the written determination. Appeals shall be on the record and heard by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator, or the decision-maker from the original determination. The appeal decision-maker will issue a written decision within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result. The appeal decision-maker shall: Review the evidence gathered by the investigator, the investigator's report, and the original decision-maker's determination; Notify both parties in writing of the filing of an appeal and give them 10 days after the appeal is filed to submit further evidence in writing; Not have a conflict of interest or bias for or against complainant or respondent and receive the required training; Issue a written decision and the rationale for the decision within 30 days after the appeal is filed; Describe the result of the appeal and the rationale for the result in the decision; and Provide the written decision simultaneously to both parties and to the Title IX Coordinator. Informal Resolution Process - At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions: The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, information on when it may preclude the parties from resuming a formal complaint arising from the same allegations; At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the investigation of the formal complaint and be informed of any consequences resulting from participating in the informal resolution process; The parties voluntarily and in writing consent to the informal resolution process; and

The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student. If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the proposed resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within 20 days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved, or if the individual does not believe the resolution remains acceptable within 20 days after the informal resolution document is executed, the individual or the Title IX Coordinator may proceed with the formal complaint process. If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination,

including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or appeal. Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission. Initiation of a complaint of sexual harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving sex discrimination including sexual harassment is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment. To the extent possible while still following the above procedures, confidentiality will be maintained throughout the investigation and resolution of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to provide supportive measures to both parties, to take appropriate corrective action, and to provide due process to the complainant and the respondent. False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant. A summary of this policy and the complaint procedures including how to report or file a formal complaint of sex discrimination or sexual harassment shall be posted in each district facility, shall be published in employee handbooks, and on the district's website as directed by the Title IX Coordinator. Notification of the policy may include posting information notices, publishing in local newspapers, publishing in newspapers and magazines operated by the school, or distributing memoranda or other written communications to students and employees. In addition, the district is required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants, or employees.

Racial and Disability Harassment

Reference – BOE policy GAACA

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Racial and disability harassment will not be tolerated in the school district. Racial or disability harassment of employees or students of the district by board members, administrators, certified and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited. Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. Disability harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of racial and disability harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events. Racial or disability harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds. It shall be a violation of this policy for any student, employee or third party (visitor, vendor, etc.) to racially harass or harass on the basis of disability any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violations of this policy by any employee shall result in disciplinary action, up to and including termination. Harassment prohibited by this policy includes racially or disability-motivated conduct which: Affords an employee different treatment, solely on the basis of race, color, national origin, or disability, in a manner which interferes with or limits the ability of the employee to participate in or benefit from the services, activities or programs of the school; Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of creating a hostile working environment; Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of interfering with an individual's work performance or employment opportunities. Racial or disability harassment may result from verbal or physical conduct or written or graphic material. The district encourages all victims of racial or disability harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of racial or disability harassment will be promptly investigated and resolved. Employees who believe they have been subjected to racial or disability harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building principal or the district compliance coordinator. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the district's discrimination complaint procedure. (See KN)

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes racial or disability harassment under the definition outlined above. Unacceptable conduct may or may not constitute racial or disability harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline. Any employee who witnesses an act of racial or disability harassment or receives a complaint of harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building principal. Employees who fail to report complaints or incidents of racial or disability harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints of racial or disability harassment may also face disciplinary action. Initiation of a complaint of racial or disability harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation against any person who has filed a complaint or testified, assisted, or participated in an investigation of a racial or disability harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to termination of employment. To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to take appropriate corrective action or to provide due process to the accused. False or malicious complaints of racial or disability harassment may result in corrective or disciplinary action against the complainant. A summary of this policy and related materials shall be posted in each district facility. The policy shall also be published in student, parent and employee handbooks as directed by the district compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually.

Complaints of Discrimination

Reference: Board policy GAAB

The district is committed to maintaining a working and learning environment free from discrimination, insult, intimidation, or harassment due to race, color, national origin, religion, sex, age, genetic information, or disability. Except as otherwise provided in this policy and board policies GAAC, JGEC, and KNA, any incident of discrimination in any form shall promptly be reported to an employee's supervision, the building principal, or the district compliance officer. Any employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including termination.

Bullying

Reference: BOE policy EBC, GAAE, JDDC, KGD, KGC

Board of Education policy prohibits bullying in any form, by any student, staff member, or parent towards a student or a staff member on or while using school property, in a school vehicle or at a school-sponsored activity or event. For the purposes of this policy, the term "bullying" shall have the meaning ascribed to it in Kansas law. The administration shall propose, and the board shall review and approve, a plan to address bullying as prohibited herein. The plan shall include provisions for the training and education of staff members. Staff members who bully others in violation of this policy may be subject to disciplinary action, up to and including suspension and/or termination. If appropriate, staff members who violate the bullying prohibition shall be reported to local law enforcement. Parents participating in prohibited bullying conduct aimed at district students and/or staff members may jeopardize their access to district facilities, district property, school-sponsored activities, programs, and events, and/or district students and/or staff members through the district's communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors.

Drug Free Schools

Reference: BOE policy GAOA, GAOB

Maintaining a drug free workplace is important in establishing an appropriate learning environment for the students of the district. Unless otherwise specified in this policy, the unlawful manufacture, distribution, sale, possession, or use of a controlled substance is prohibited at school, on or in school district property; and at school

sponsored activities, programs and events. Possession and/or use of a controlled substance by an employee for the purposes of this policy shall only be permitted if such substance was obtained directly, or pursuant to a valid prescription or order issued thereto, from a person licensed by the state to dispense, prescribe, or administer controlled substances and any use is in accordance with label directions. The possession, use, sale, distribution, or being under the influence of controlled substances and/or alcohol by school employees at school, on or while utilizing school property, or at school sponsored activities or events are prohibited.

Tobacco and Nicotine Delivery Device Use

Reference: BOE policy GAOC

The use of tobacco products in any form and/or of any nicotine delivery device is prohibited for staff members in any district facility; in school vehicles; at school-sponsored activities, programs, or events; and on school owned or operated property.

Staff-Student Relations

Reference: BOE policy GAF

Staff members shall maintain professional relationships with students, which are conducive to an effective educational environment. Staff members shall not submit students to bullying, harassment, or discrimination prohibited by board policy. Staff members shall not have any interaction of a romantic and/or sexual nature with any student at any time regardless of the student's age or consent.

Gifts

Reference: Board policy GAJ

The giving of gifts between students and staff is discouraged. A gift by a faculty member to an individual student or to classes of students during school hours or on school property shall require prior approval of the principal.

Activity Funds

Reference – BOE policy DK

All funds raised by any school organization through any school activities of the group are school money and not the property of the individuals of that group. All funds so raised must be spent in accordance with school regulations and with the approval of the group sponsors and the administration. Such approval and regulations shall be subject to policy adopted by the USD #251 Board of Education, and any question of policy may be referred to the superintendent of schools.

Political Activities

Reference: BOE policy GAHB

Staff members shall not use school me or school property for the purpose of furthering the interests of any political party, the campaign of any political candidate or the advocacy of any political issue.

Ethics

Reference: BOE policy GBU

An educator in the performance of assigned duties shall:

- Meet and continuously maintain applicable certification or licensure requirements.
- Actively support and pursue the district's educational mission.

- Recognize the basic dignity of all individuals.
- Maintain professional integrity.
- Avoid accepting anything of substantial value offered by another which is known to be or which may appear to influence judgment or the performance of duties.
- Accurately represent professional qualifications.
- Be responsible to present any subject matter in a fair and accurate manner.

Drug and Alcohol Free Workplace

Reference: BOE policy GAOA

Maintaining a drug free workplace is important in establishing an appropriate learning environment for the students of the district. The unlawful manufacture, distribution, sale, dispensing, possession, or use of a controlled substance is prohibited in the district.

As a condition of employment in the district, employees shall abide by the terms of this policy.

Tobacco-Free School Grounds for Staff

Reference: BOE policy GAOC

The use, possession, or promotion of any tobacco product by staff members is prohibited at all times in any district facility; in school vehicles; at school-sponsored activities, programs, or events; and on school owned property.

Drug and Alcohol Testing

Reference: Board policy GAOD

All district employees performing job functions, which require the employee to maintain a commercial driver's license, shall be tested for alcohol and drugs as required in current federal law.

Suspension

Reference: BOE policy GBK

The superintendent shall have the authority to suspend licensed employees with pay pending further board action.

Nonrenewal and Termination

Reference: BOE policy GBN

Nonrenewal or termination shall be in accordance with Kansas law and the negotiated agreement.

DISTRICT PROCEDURES

Complaints (Community)

Reference – See BOE policy KN

The board encourages all complaints regarding the district to be resolved at the lowest possible administrative level. Whenever a complaint is made directly to the board as a whole or to a board member as an individual, it will be referred to the administration for study and possible resolution.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. Harassment of an individual on any of these grounds is also prohibited. The Superintendent, 614 Main Street, Americus KS 66835, blairb@usd251.org, 620-481-2085 has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.

Complaints About Discrimination or Discriminatory Harassment - Complaints of discrimination or discriminatory harassment by an employee, excluding complaints regarding discrimination or harassment on the basis of sex or in child nutrition programs, should be addressed to the employee's supervisor, the building principal, or the district compliance coordinator. Such complaints by a student should be addressed to the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of such discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator. Complaints by any other person alleging such discrimination should be addressed to the building principal or the district compliance coordinator. Except as otherwise provided in this policy regarding complaints of discrimination on the basis of sex or regarding child nutrition programs, complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures: Informal Procedures - The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any school employee who receives a complaint of such discrimination or harassment from a student, another employee, or any other individual shall inform the individual of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. The building principal shall discuss the complaint with the individual to determine if it can be resolved. If the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint and forward this record to the district compliance coordinator. Within 20 days after the complaint is resolved in this manner, the principal shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the individual in the meeting with the principal, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint. If such discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing. Formal Complaint Procedures - A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the building principal may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office. A complaint should be filed as soon as possible after the conduct occurs but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing. If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator, or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint. A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant and the accused no later than 30 days after the filing of the complaint. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed. If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement (as applicable), and state law will be followed. Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator. The complainant may appeal the determination of the complaint. Appeals shall be heard by the

district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 days after the appeal is filed. If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing. Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission. Complaints About Discrimination on the Basis of Sex - Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state laws regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policies GAAC and JGEC and shall be directed to the Title IX Coordinator at (position or name, address, email address, and phone number of Title IX Coordinator). Complaints Concerning Child Nutrition Programs - Complaints alleging discrimination in child nutrition programs offered by the district shall be handled in accordance with the procedures outlined in board policy KNA. Complaints About Policy - The superintendent shall report any unresolved complaint about policies to the board at the next regularly scheduled board meeting. Complaints About Curriculum (See IF) - The superintendent shall report a failure to resolve any complaint about curriculum to the board at the next regularly scheduled board meeting. Complaints About Instructional Materials - The building principal shall report any unresolved complaint about instructional materials to the superintendent immediately after receiving the complaint. Complaints About Facilities and Services - The superintendent shall report any unresolved complaint about facilities and services to the board at the next regularly scheduled board meeting. Complaints About Personnel - The superintendent or the building principal involved shall report any unresolved complaint about personnel to the board at the next regularly scheduled board meeting. Complaints About Emergency Safety Intervention Use - Complaints concerning the use of emergency safety interventions by district staff shall be addressed in accordance with the local dispute resolution process outlined in board policy GAAF

Employee Complaints

Reference – BOE policy GAE

Any employee may file a complaint with their supervisor concerning a school rule, regulation, policy or decision that affects the employee. The complaint shall be in writing, filed within ten (10) days following the event complained of, and shall specify the basis of the complaint. The supervisor shall meet with the employee and provide a written response within ten (10) days. If the employee disagrees with the decision, the employee may appeal to the superintendent. The superintendent's decision shall be final. Employees covered by the negotiated agreement shall follow procedures outlined in that document.

Advertising & Promotion in Schools

Reference: BOE policy JKA, KI

Individuals or groups not affiliated with the school system that desire to distribute or post materials on school district property must first receive permission of the building principal. All material must be submitted to the principal of the attendance center involved in distribution or posting. The principal shall be responsible for evaluating and approving all materials before the materials are distributed or posted. The principal may consult other appropriate staff members for their input. The material shall be evaluated for educational value, service to the community and be expended by the instructional staff for distributed and retrieving material. The superintendent shall be consulted in any cases that the principal deems may be a problem.

Assignment and Transfer

Reference: BOE policy GACE

The board reserves the right to assign, reassign, or transfer all employees unless otherwise provided in the negotiated agreement. The board may delegate its authority to assign, reassign, or transfer any or all employees to the superintendent.

Classroom Maintenance

Faculty/staff is responsible for maintaining a safe and organized classroom. Maintenance staff is responsible for regular cleaning of the classrooms and the building; however, unnecessary messes are the responsibility of the person making them. If there is a hazardous spill or accident (ex. Blood, vomit, etc.), maintenance staff should be called for the proper removal.

Any item in need of repair should be reported to the building principal, and an online maintenance request should be completed by the staff member. It should only be marked urgent if it is a safety hazard.

Staff Meetings

Reference: BOE policy GBRD

Staff meetings for licensed personnel shall be called by the administration.

Emergency Safety Interventions

Reference: Board policy GAAP

The board of education is committed to limiting the use of Emergency Safety Intervention (ESI), such as seclusion and restraint, with all students. Seclusion and restraint shall be used only when a student's conduct necessitates the use of an emergency safety intervention. The board of education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

SAFETY AND SECURITY

Accidents

An accident occurring at school that necessitates the services of a doctor or removal of the student from class should be reported to the principal and the school nurse at the earliest reasonable time. Teachers on duty when such accidents occur will be responsible for completing the standard Accident Report form available from the school nurse.

Animals & Plants in School

Reference: BOE policy ING

With the prior approval of the principal, animals or plants may be brought to school for instructional purposes. Teachers must check for any student allergies prior to bringing animals to school. Service and therapy animals may be permitted in the schools and on school property in accordance with board-approved guidelines and may be used by employees, patrons, and students. If someone is injured by an animal or comes into contact with a toxic plant, the incident shall be immediately reported to the administration and nurse/clerk by the supervising teacher. The principal shall notify the appropriate persons.

Seat Belt Use In District Vehicles

Reference: BOE policy EDDAA

All passengers (adults and students) driving or being transported in a district owned or leased passenger vehicle equipped with safety restraints (seatbelts) will be required to wear the restraints at all times.

Supervision of Students

Reference: BOE policy JGFB

Students shall be supervised by school personnel when they are under the jurisdiction of the school.

Students will be under the supervision of school personnel at all times including school activities.

Release of a Student During the School Day

Reference: Board policy JBH

Students shall not be released during the school day unless the principal has obtained written or verbal confirmation from the student's lawful parent or person acting as a parent. Before releasing a student during the school day, the principal will be responsible for verifying the identity of the person seeking release of the student. Students shall not be allowed to run personal errands for school employees off school premises during the school day.

Interrogations and Investigations

Reference: Board policy JCAC

Building administrators and/or others designated by the superintendent may conduct investigations and question students about violations of school rules, the student conduct code, and/or law. Unless otherwise provided, such investigators shall not be required to contact the student's parent, guardian, or representative prior to questioning. If there is reason to believe a violation of criminal law has been committed, the building administrator shall notify the appropriate law enforcement agency.

When law enforcement officers initiate an investigation involving questioning of a student on a topic unrelated to a report of child abuse or neglect or to the identity of the student during school hours, the building administrator shall make a reasonable attempt to contact a parent, guardian, or representative of the parent prior to questioning.

Student Accidents and Health Emergencies

Reference: Board policy JGFG

When a staff member becomes aware that a student has been involved in an accident or is in need of emergency care at school, on school property, or at a school sponsored activity, the staff member shall follow the rules for the care of an injured student and shall report the accident to the building principal. If a student has an accident which appears to require medical treatment, an employee shall send for medical help and try to make the student as comfortable as possible while waiting for medical assistance to arrive.

When appropriate, the student's parent(s) shall be notified of the student's condition as soon as possible to determine appropriate action. If the student needs medical attention, and the parents cannot be reached, the principal shall seek emergency medical treatment.

At the scene of an emergency or accident when medical help is not readily available to assist in the care of an injured student, an employee may render emergency care or assistance, including, but not limited to, first aid, as deemed reasonably necessary until medical help arrives. Kansas law provides protections from civil liability for

any person who, in good faith and without compensation, renders emergency care or assistance to any person, including a minor without first obtaining the consent of the parent/guardian of such minor, at the scene of the accident or emergency. However, this protection does not extend to individuals whose acts or omissions in rendering emergency care in these circumstances were grossly or wantonly negligent.

TEACHING AND LEARNING

Lesson Plans

Reference: BOE policy IKI

Each teacher shall develop, maintain and follow lesson plans, which conform to the approved curriculum, the district's educational goals and the expected student learning outcomes. Principals shall establish methods to regularly review teacher lesson plans.

Lesson plans should be available to the principal and substitute teachers.

Maintaining Proper Control

Reference: BOE policy GAO

Each employee is responsible for maintaining proper control in the school.

Homework

Reference: BOE policy IHB

Homework shall not be used as a means to discipline students. Homework shall be assigned as needed to reinforce lessons introduced in the classroom.

Security and Safety

Reference: BOE policy EBC

Any district employee who knows or has reason to believe any of the following has occurred at school; on school property; or at a school sponsored activity, program, or event shall immediately report this information to local law enforcement. Reportable events would include:

- Any act which constitutes the commission of a felony or a misdemeanor.
- Any act which involves the possession, use, or disposal of explosives, firearms, or other weapons as defined by current law.
- It is recommended the building administrator also be notified.

Outside Speakers

Reference: BOE policy IFBH

With administrative approval, outside speakers may be invited to meet with groups of students as part of the educational process. Speakers shall be informed of this policy and any rules when they are invited to make a presentation. Outside speakers should be selected so that various points of view are presented. Profanity, vulgarity, lewd comments, bullying of students or staff, and making of sexually, racially, or disability related discriminatory comments are prohibited during any school sponsored speaking engagement. Similarly, any language that encourages a student to skip school, use drugs, alcohol, or tobacco, incite a riot, or act in an unlawful manner is prohibited.

Controversial Issues

Reference: Board policy IKB

When a controversial subject arises in the classroom, teachers may use the opportunity to teach about the controversy. Teachers shall ensure that various positions concerning any controversial subject are presented and that students have the opportunity to freely discuss the topic.

Religion in Curricular or School Sponsored Activities

Reference: Board policy IKD

No religious belief or non-belief shall be promoted or disparaged by the district or its employees. Students and staff should be tolerant of each other's religious views. Teachers may teach about religion, religious literature, and history but are prohibited from promoting, expounding upon, criticizing or ridiculing religion. IN compliance with this policy, religious themes may be presented in the curriculum and as part of school activities. Music, art, literature, and drama having a religious theme or basis are permitted as part of a school activity if they are presented in a balanced and objective manner and are a traditional part of the cultural or religious tradition of a particular holiday or field of study.

Attendance Records

Reference: Board policy JB

Daily attendance records shall be maintained for each student in each school. The primary responsibility for recording attendance shall be assigned to teachers. A cumulative attendance record for each student shall be kept in the principal's office.

Academic Achievement

Reference: Board policy JF

Staff shall establish high expectations for all students. These expectations shall be based on individual student ability to meet the board approved learning objectives for each subject.

USD 251 Sexual Harassment Policy Summary (JGEC)

Discrimination Free Environment

USD 251 is committed to providing a learning environment free from discrimination on the basis of sex, including sexual harassment. Discrimination on the basis of sex, including sexual harassment will not be tolerated.

Sexual Harassment is Unlawful Discrimination

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. All forms of sexual harassment are prohibited on school property, and at all school-sponsored activities.

Sexual Harassment Definition

Sexual harassment shall include one or more of the following: (1) A district employee conditioning the provision of an aid, benefit or service of the district on an individual's participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined to be so severe, pervasive, and objectively offensive that it denies a person equal access to the educational program or activity; (3) sexual assault, dating violence, domestic violence, or stalking. Sexual Harassment may result from verbal or physical conduct or written or graphic material.

How to Make a Complaint of Sexual Harassment

Contact Superintendent/Title IX Coordinator, 614 Main Street, Americus, KS 66835, blairb@usd251.org, 620-481-2085. If you believe you have been subjected to sexual harassment, report the alleged harassment to the principal, another administrator, counselor, Title IX Coordinator, or another staff member.

School Response to Harassment Complaints

The Title IX Coordinator will contact the family in a timely fashion (within 10 business days) to discuss the availability of supportive measures and inform the family of the right to a formal complaint investigation.

The Formal Complaint

A formal complaint is a document filed by the complainant alleging sexual harassment and requesting an investigation. The complaint form is available at all district locations and on the school webpage www.usd251.org. An investigation shall follow the filing of the complaint. USD 251 will appoint an investigator who will prepare a report that fairly summarizes relevant evidence and share the report with the parties involved. A decision-maker appointed by USD 251 will make a determination regarding responsibility based on the evidence. A copy of the written determination will be provided to both parties.

Appeals

The complainant or respondent may appeal the decision-maker's determination in writing to the Title IX Coordinator within 10 days after the date of the written determination regarding responsibility or a dismissal of a formal complaint for the following reasons: (1) Procedural irregularity that affected the outcomes (2) New evidence that was not reasonably available at the time that could affect the outcomes (3) The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome. The appeal decision-maker appointed by USD 251 will issue a written decision within 30 days after the appeal is filed.

USD 251 Racial and Disability Harassment Policy Summary (JGECA)

Discrimination Free Environment

USD 251 is committed to providing a learning environment free from discrimination, including harassment on the basis of race, color, national origin, or disability. Discrimination on the basis of race, color, national origin, or disability will not be tolerated.

Racial Harassment is Unlawful Discrimination

Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of racial harassment are prohibited on school property, and at all school sponsored activities.

Disability Harassment is Unlawful Discrimination

Discrimination harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of disability harassment are prohibited on school property, and at all school sponsored activities.

Racial and Disability Harassment Definition

Prohibited conduct under this policy includes racially or disability motivated conduct which:

- Affords a student different treatment, solely on the basis of race, color, national origin, or disability, in a manner that interferes with or limits the ability of a student to participate in or benefit from the services, activities, or programs of the school;
- Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of creating a hostile academic environment; or
- Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of interfering with a student's academic performance or ability to participate in or benefit from the services, activities or programs of the school.

Racial or disability harassment may result from verbal or physical conduct or written graphic material.

How to Make a Complaint of Racial or Disability Harassment

Contact Superintendent, 614 Main Street, Americus, KS 66835, blairb@usd251.org, 620-481-2085. Contact the building principal, another administrator, counselor, or another certified staff member.

School Response to Harassment Complaints

The building principal will discuss the complaint with the student to determine if it can be resolved to the satisfaction of the student in this meeting, the student may initiate a formal complaint under the district's discrimination complaint procedure in policy KN. A complaint form is available at all district locations and on the school webpage www.usd251.org.

Informal Investigation

Complaints received will be investigated to determine whether the alleged behavior constitutes racial or disability harassment. If discrimination has occurred, the district will take prompt, remedial action to prevent its reoccurrence.