**FAIRFAX**

 **FACULTY**

 **MANUAL**

 **2022-2023**

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 **Teacher’s Handbook 2022-2023**

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**MISSION STATEMENT**

It is the mission of the Fairfax R-3 Schools to equip students with appropriate Educational skills and Character Traits to function as responsible citizens in our changing global society. Each student will develop skills to the maximum of his/her potential in the areas of communication arts, mathematics, science, social relationships, fine arts, wellness, and technology. Students will experience the excitement of discovery and the school will nurture that experience into the life-long quest for learning and model citizenship.

Fairfax R-3 Board Policy

Adopted: November 10, 1995

Revised: February 14, 1996

Revised: June 18, 1998

Reviewed: March 15, 2001

Revised: November 16, 2006\*

**PHILOSOPHY STATEMENT**

A philosophy of education is the foundation on which a school district is built and upon which the product of the school program is evaluated. This philosophy approved by the Board of Education shall be a guide on determining the policies, rules, and regulations of the school district.

Recognizing each student as a unique individual, we believe that education should provide an opportunity for the maximum development of each individual. Through education it is possible for the individual to continually discover and learn.

We believe that in a democratic society education must help the student to realize his or her worth as an individual and should lead him or her toward becoming a productive member of society. Strong emphasis must be placed upon democratic values, which are important for an effective and satisfying personal and social life.

We believe that the role of the teacher in the educational process is to provide opportunities for the individual to learn, to provide motivation and encourage motivation toward life-long learning, and to promote through teaching, attitude, and example the principles of good citizenship.

We believe that parents/guardians have definite responsibilities in education. A trusting partnership needs to be developed between the parents/guardians and the school. The parents/guardians may assist by cooperating to the fullest with the school, by encouraging the student to give his/her best efforts to daily school responsibilities and by supporting school activities.

We believe that the student must display responsibilities in his/her educational process. The most important of these is a positive attitude. The student is to come with an open mind, ready to fulfill the responsibilities in his/her learning process. The student’s basic belief should be that the school is an institution of opportunity, staffed with trained personnel to help the student become a contributing member of society.

Approved: November 10, 1994

Revised: February 19, 1996

Reviewed: June 18, 1998

Reviewed: March 15, 2001

Revised: April 18, 2005

**GOALS**

1. **ACADEMIC ACHIEVEMENT** The percentage of our students scoring at or above the “Proficient” level in the Missouri Assessment Program will exceed the state average at every grade level tested and in all academic areas tested.

1. **READING** The percentage of our students at or above the “Proficient” level in the Missouri Assessment Program will exceed the state average in reading at every grade level tested.
2. **CAREER PREPARATION** One hundred percent of the district’s graduates will be accepted into higher education, post-secondary vocational training, and/or gainful employment.

4. **EDUCATIONAL PERSISTENCE** One hundred percent of the district’s students will persist in their efforts to complete an educational program.

1. **FACILITIES** The district will provide safe, healthful, well-maintained and appropriate facilities to house the educational programs of the district.

Revised: February 19, 1996

Reviewed: March 15, 2001

**Keep the Principal Informed**

It is important that the teachers keep the principal informed of all matters that could become controversial. **No surprises.**

**BUILDING RESPONSIBILITIES AND GENERAL INFORMATION**

School Website

The school website is located at [www.fairfaxk12mo.us](http://www.fairfaxk12mo.us) - There is a teacher resource tab that has district documents for teacher use. If you have any more documents that you would like to see posted on the teacher resource page please make your request to the building Principal. The Fairfax Faculty Handbook is posted in this site as well.

Board Policies

Fairfax R-3 Board Policies are located at [www.fairfaxk12mo.us](http://www.fairfaxk12mo.us) - in the school website there is a tab titled Administration/School Board. Under that tab is a link to the Board Policies of the Fairfax R-3 school district. Some pertinent policies are also located in the back of this handbook.

Report Time:

The reporting time for all classroom teachers is **7:30 a.m**. Teachers will be required to stay in the building until **3:15 p.m,** unless cleared by the principal.

It is the responsibility of the teachers that all windows are closed and locked and lights shut off at the end of the day.

Early Duty:

**All Teachers will be required to supervise students before school -7:30-8:00. Do not allow students to be in any other part of the building unless a student has an appointment with a teacher.**

Lunch Monitor:

Teachers will be required to serve as a Lunch Monitor in the old gym during the school year. .

Supervision:

A teacher has the responsibility of supervision in the halls, rest rooms and all other areas of the school property. This should be done before school, between classes and after school. Teachers shall supervise outside their doors during passing time and help supervise the students in the hall. Students are not to be on school property after school hours unless supervised by a staff member.

Dress Code:

Teachers are to represent the profession in the best possible manner. No jeans are allowed except on Fridays and on 12:15 early outs.

Absence:

Teachers will complete an absence report on themselves each time they are absent in order that accurate records can be kept in the office and so that the substitute can be paid. Requests for planned absences should be completed prior to absence. When you know you are going to be gone, please let the building principal know as early as possible. If you are sick, **please call AND email** the principal by 6:00 a.m. in the morning. A note from the doctor must be provided for any doctor's visit that requires a staff member to miss part or all of a school day. Dr. notes shall be turned into the building superintendent.

Substitute Teachers Folders:

Every teacher will have a folder with pertinent information for a substitute teacher to refer to and acquaint them with your schedule and practices. You need to have a copy of your hourly class roster and seating chart on your desk as well.

Computer Issue Procedure:

If you are having a problem with a computer, or a computer related issue, e-mail the problem to the building technology coordinator/principal. The tech coordinator/principal will forward the problem along to the proper individuals who will handle them on an orderly basis. Teachers are not to bypass the principal/ tech coordinator in this procedure. The technology coordinator is Dustin Barnes dbarnes@fxbulldogs.net

Google and Microsoft Documents

Fairfax R-3 is a Google Apps for Education School. It is our expectation that we use technology to facilitate learning in the classroom. Any document that can be saved and created in Google should be done so. Use Google Classroom if and when possible. IF you need to use Microsoft you need to save all documents on the U: drive. This saves to our server. **DO NOT SAVE ANYTHING on your desktop. TEACHERS SHOULD ALL Set up Google Classrooms to complement the schools AMI Plan.**

Faculty Meetings/Professional Development:

All teachers are required to attend faculty meetings and all early out trainings unless excused by the administration. The yearly professional development schedule is shared with all teachers and faculty meetings will be on an as needed basis.

Field Trips:

Field trips are an extension of the classroom; therefore, they must have educational value. Field trips will be limited to one per year. The distance and cost will play a major factor on where you go. Field trips must be approved through the principal and the superintendent before arrangements are made.

Students will be responsible for their own meals, fares, etc. Students will need to have a parental permission slip before going on a field trip. It shall be the responsibility of the

classroom teacher to see that these are signed. If not returned, the student stays at school.

Students on field trips will follow all school rules and policies just as if they were on the school premises.

Activity Field Trips:

The activity group will be responsible for all expenses-transportation, substitute teacher and any other expense involved for the trip.

Assemblies:

All teachers are to attend all assemblies throughout the school year. Teachers should mix throughout the student body for supervision purposes. Elementary teachers are to sit with their class.

Fund Raisers:

Money making projects must be approved by the principal in advance. Groups and clubs are limited to 1 fundraiser per year. Class fundraisers may start during the class’s freshman year. Grades 7 and 8 will not be permitted to have fundraisers.

Class Sponsors:

Sponsors will keep a folder of information regarding plans, ordering supplies, etc. to pass along to the new sponsor to make the transition from one sponsor to the next as smooth as possible.

Injury Reports:

Injury reports are available in the principal’s office, nurse’s office and on the school website. Should a student be injured in any way, the teacher is to fill out a report and turn it in to the principal’s office who will notify the superintendent. The school Nurse is here from 8-12 on Monday and Wednesday.

Janitorial Services:

**E-mail or fill out and submitt all Janitorial/Maintenance Requests to the building Superintendent. Use the Maintenance Request forms found on the school website.**

Lesson Plans:

Each teacher shall keep weekly lesson plans and have them available for inspection by the building Principal. Non- tenured teachers will turn in weekly lesson plans to the principal no later than 8:00 a.m. each Monday. If you are absent on Monday, it is your responsibility to get your lesson plans to school. All lesson plans will be written in such a way that a substitute teacher can read and understand them.

An emergency substitute lesson plan will be turned into the principal, listing alternate activities and worksheets if necessary. A copy of your class schedule is to be included.

The location of all materials should be listed on the substitute lesson plans.

Remind Text Groups

Each elementary classroom teacher shall create a remind text group for their class and will use this to send home information during the school week. It is the expectation that remind information go home each week. Special Education department will make a remind group for each individual student and will send home daily information to all parents of high school students. HS Teachers, Coaches and Sponsors are encouraged to make remind groups for all contact needs.

Organizational Meetings:

Organizational meetings will be assigned by administration throughout the month during the lunch hour. Then they will be placed on the high school activity calendar. All activities shall be scheduled at least two weeks in advance.

Parental Contact:

The SIS system has a place to record all parental contacts. Teachers are required to keep a record of all parent/teacher interactions on the system.

Parties:

In the elementary three class parties, Halloween, Christmas and Valentine’s Day, have been planned for the year.

In the high school, all parties are discouraged and any such activity must be approved by the principal.

Phone Calls/Cell Phone Usage:

Teachers will not be called out of class for phone calls unless it is an emergency.

Do not use school phones to make personal long-distance phone calls.

Teachers are not to use their cell phones during the school day with the exception of during their plan period or during their lunch hour. If there is an educational or emergency reason why you need to have your cell phone out during the school day it must be cleared with the principal.

Playground Supervision:

At least one teacher must be on the playground or in play supervision at all times. For liability reasons, don’t take any work with you when you are on duty.

Students are expected to play outside when it is nice. When students can’t play outside, they will use the old gym or cafeteria. When they are in use, students will have recess in the classroom.

If you aren’t on duty, don’t send your kids out when the supervising teacher isn’t outside. When recess is over teachers not on duty, need to meet their students in the hallway to insure a quiet and orderly procession to the classroom.

Purchase Orders:

All items needed for use by the classroom will be ordered by a purchase order. All purchase orders must be cleared by the principal and superintendent BEFORE PLACING THE ORDER!

If you expect to be reimbursed on out of pocket expenses, the classroom teacher will have to have approval of purchase beforehand by the principal and superintendent.

Records:

Anecdotal records: Keep a folder of each child’s work. This is helpful during conferences. Collect early days of school work for a comparison of work done later. Children’s permanent records are kept in the office and may be referred to at any time by a teacher. Also, keep a record of discipline problems. It does not need to be lengthy, but should show problems you have had with the student and what you have done to correct the problem. Date each discipline problem and keep a copy of any notes sent home.

Teachers grades K-3 will be required to update their Cum. Folders at the end of the year. Secretaries will run Cum. Labels and attach to files for all teachers 4-12.

Textbooks:

All new textbooks will be numbered by the classroom teacher. Textbooks that are lost or destroyed by a student will be replaced by that student at replacement value.

When students are issued textbooks, they will be responsible for that textbook and the number of that textbook shall be recorded by the classroom teacher.

Transportation request:

All transportation requests shall be made with the principal **at least two weeks** prior to the trip. Athletic and activity sponsors need to meet with the Athletic Director prior to the start of the season to discuss trips. Athletic Director will be responsible for filling out transportation requests, but it is the Coaches responsibility to make certain they have been put through and the leave times are accurate.

Daily Bulletin

Items for the bulletin should be submitted by 7:45 a.m. to the high school office exactly as you want it printed. Last minute items may be added to the bulletin on the morning of issue, but it should be a rarity and if time does not allow, last minute items may be omitted. You may e-mail bulletin items to Sandy Umbarger- sumbarger@fxbulldogs.net

School Calendar

The yearly calendar will be stored in the HS office and will be located on Google Calendar. The Google Calendar will be shared with all staff. Please use the calendar to keep track of upcoming events. IF you have an event that you would like placed on the calendar you need to take that request to the HS Secretary or Principal. The School Calendar also links to the school website main page.

Closing of School:

It shall be the responsibility of each teacher to see that their assigned areas are properly prepared for the summer vacation. All books and other items are to be stored off the floor or in bookcases or closets. All signs, posters, etc., shall be removed from around the classroom walls and windows. All desks and filing cabinets shall have all materials stored that might be blown or could fall on the floor during the movement of the furniture during the summer. As part of checkout teachers must sign off on the condition of their rooms with the superintendent or his/her designee.  The custodian will not be responsible for any articles that are not stored properly over the summer vacation.

The classroom teacher will turn in a list to the office of any items that need to be repaired over the summer.

We are here for the education of the students so classes will run as usual until the last day of school. The last day may be used for cleaning, collecting of books, taking down bulletin boards, etc.

**STUDENT DISCIPLINE:**

Discipline:

Good discipline is a must at all times for an accepted classroom learning atmosphere. It is the responsibility of all classroom teachers to maintain and exercise good classroom control.

All classroom teachers will remain in the respective classrooms at all times when their classes are in session. If a classroom teacher needs to leave the classroom, arrangements for another faculty member to supervise shall be made.

When any student is out of line, you have the authority and are asked to step in and make the correction whether or not that student is assigned to you. Handle the situation immediately and then take time to talk to the student for better adjustment.

Insist that all students do their part in taking care of the building. Hallways are not play areas and are to be respected as such. Keep noise to a minimum. Students can be happy and express joy without shouting or walking in a heavy manner.

In the elementary, one classroom bathroom break in the morning and one in the afternoon is sufficient. Individual students may go at the discretion of the teacher. Teachers should use their professional discretion when releasing more than one student from the classroom at a time.

Discipline shall be firm, consistent and fair. Group or mass consequences shall not be used unless discussed beforehand with the principal. No student will be reprimanded in front of their peers. If you have a problem with a student, take them somewhere private.

At no time should a group of students be without supervision. Discipline shall not stop

when a student leaves the classroom. It is also the duty of every classroom teacher and staff member to act as a disciplinarian at any time or place in the school building or at any school activity.

Certain instances and issues may arise that you are obligated to inform the administration about immediately. These instances include but are not limited to threats of violence, mentioning of bodily harm to another, (example-I’m going to kill you), physical altercations, bullying, and any suspicion of physical abuse towards a student. These are not judgment calls on your part. These things must be reported to the building administrator for review.

Discipline Referral Reporting:

1. **Classroom/Hallway/General Misconduct-** Teachers are required to send all referrals to the office via the Gradewatch Discipline Tracker. Make your referrals as accurate as possible with as much detail as you can. After School Detentions may be assigned by staff after a referral is sent. Upon viewing the referral, administration reserves the right to alter teacher assigned punishment.
2. **Student to Student Misconduct-** Instances of Student to Student misconduct require the reporting teacher to have the reporting student fill out a bullying incident report form. Teacher shall investigate matter and take statements. This form and statements shall then be given to the Principal for further investigation.

After School Detention (ASD/ZAP):

Teachers should try to take care of classroom discipline themselves. ASD’s will be assigned by the principal as needed. Students needing ASD’s should be referred to the principal.

ASD and ZAP will be held Monday through Thursday from 3:10-4:00 p.m. Teachers will be given an ASD schedule. The office will notify parents of the ASD’s assigned.

ZAP PROCEDURES FOR TEACHERS

1. Have Gradewatch up on your computer daily.
2. Re-check it hourly. You have to re-load the page to see if anything has been updated.
3. Remind any student that you have hourly of any assignments that they have on gradewatch.
4. When you place a student on gradewatch you must tell them immediately.
5. Make sure to update gradewatch throughout the day as papers come into you.

PROCTORS-

1. Students are to work on their ZAP work before working on anything else.
2. If a student gets their work done before 4:00 and it looks like they did an adequate job, they may turn it into you and then they may leave.
3. 4:00 is the cut-off time for ZAP.
4. If a student is working on something for ZAP and it is not finished at 4:00 take what they have done.
5. Put ZAP work in the teacher’s mailbox which assigned the work before you leave for the day.
6. You Must also end a quick e-mail to the teachers who assigned the work before you leave to let them know how well the students worked and what was accomplished.

TEACHERS WITH ZAP WORK

1. IF you are a teacher and had students on ZAP the day before, please check your mailbox first thing in the morning and get the ZAP list updated before the day starts.
2. If ZAP work is totally inadequate and needs to be re-done, bring the work to Mr. Barnes. Students will be placed back on ZAP and will be given work after school. They will not be allowed to work on it during the day.

Saturday School:

The Board of Education authorizes detention scheduled Saturdays from 8:00 a.m. until 12:00 noon. Students late for Saturday school will not be allowed to attend and further disciplinary action will be taken. Students who do not cooperate during the serving of Saturday school will be sent home following parent notification and further consequences will be assigned.

**DAILY CLASSROOM RESPONSIBILITIES**

Daily Attendance Reporting:

It is very important that an accurate report of attendance is made daily. Teachers are to report all absences, tardies and lunch count after the opening bell. Absences and tardies for each high school class shall be reported on SIS during the first 5 minutes of class. Absences and tardies for the remainder of the day shall be reported on either SIS or on the form that will be placed in the hallway. Teachers are to keep track of student tardies

in SIS and in their room. Teachers are to warn students on 3rd, tardy and all subsequent tardies per quarter. Be certain to Log out of the SIS system when not using.\* Teachers will only mark students with either A for absent, or T for Tardy. All other marks will be inserted by the office.

Daily Bulletins:

Each day a daily bulletin will be placed on SIS. It is important that high school teachers read the bulleting to students to inform them of school related items during 1st hour class. Elementary teachers should read selected items as appropriate.

Daily Cafeteria Report:

The daily lunch and breakfast count is very important for the cooks. 1st hour teachers will need to enter the daily lunch count in the SIS System by 8:30 a.m. daily.

**GRADE REPORTING**

Teachers are encouraged to call parents with any problems or drop in grades as soon as possible. Teachers are required to make phone contact with parents if their student has a D or F in their class at any mid-quarter grade check.

Grade Books:

All student assignments and grades will be entered in the SIS Computer Gradebook System OR COMMON GOAL- TEACHEREASE –(PK-4) Grades are required to be updated each Tuesday by noon. It is the expectation that new assignments be entered for each class, each week. All teachers will also be furnished with a hard copy grade book for the teacher to use if they wish. Please be very accurate in your recording as you will have to justify grades if a student’s parents request a conference. Please keep your grade book in a safe place away from students. Parents are able to view the online gradebook so you must keep all assignments up to date!!

High School:

D and F slips will be sent home by mail at 3 and 6 weeks. Progress reports will be handed to students at Mid-Term. All teachers are expected to keep parents informed of any major deficiency or drop in performance.

Elementary:

Teachers will send home a weekly, or bi-weekly reports on student achievement, highlighting any major raise or lower in score. Teachers are expected to keep parents informed of any major deficiency or drop in performance.

Grade Cards and Grade Sheets:

Grading at Fairfax is based on a quarterly system. Student grade cards are issued at the end of every quarter or nine week period. Each student receives a grade report at that time. Grade sheets are issued to his/her teacher with their classes on them. The teacher is to fill out the grade sheets and return these to the office at the designated date and time.

Teachers using the SIS system will be required to keep their grades on the computer system up to date and are required to import grades to the office after the grading period ends. The secretary will mail the grade cards out to the students.

PK-4 will utilize Standards Based Grading scales.

Elementary Students Grades-High School Teachers who have elementary students are required to turn the student’s grades into the elementary office secretary in a timely

fashion. These grades should be the first ones taken care of by Primarily High School teachers.

**TEACHER EVALUATIONS**

Evaluations:

It is the responsibility of the principal to evaluate teachers. Fairfax R-3 School District

uses a district created model based on the Missouri Model Evaluation System in conjunction with a district created summative form. All teachers will be evaluated every year. With each Summative Evaluation, the principal will file an evaluation report on his/her classroom visitation. The office will keep one copy and the teacher will keep a duplicate copy. The School Districts Summative Form is located on the School Website

Student Learning Objectives

Student performance is a key component of the Teacher Evaluation System. Part of the teacher’s evaluation will be based on Student Learning Objectives. Teachers will collect learning data on each individual student during the course of the first semester and will share student evaluations and growth data with the building principal.

Professional Growth Plans

Growing yearly as a professional is a key component to the Fairfax R-3 school district’s evaluation plan. Each teacher will make professional growth plans yearly and will share these plans with the building administrator. The administrator and teacher will discuss the plan during the course of the year and the principal will evaluate individual teacher growth based on goals and outcomes. Teachers are required to create a professional growth folder on google drive and share that with the principal. Teachers will create a digital portfolio of evidence to show the principal their goals and their evidence towards attainment of such goals.

 **CLARIFICATION OF SALARY SCHEDULE PROVISIONS AND BENEFITS**

1. Previous Experience

Teachers employed by the district will be allowed a maximum of eight years of outside teaching experience for placement on the schedule. Teachers having eight years experience coming into the district would be placed on the 9th step in their first year teaching in the Fairfax School District.

1. Moving Horizontally on Salary Schedule

In order to move horizontally on the salary schedule a teacher must submit to the superintendent’s office by the first week of September evidence of satisfactory completion of the degree or course work. Once salary is established for the year, it will not be changed until the beginning of the next contract year.

1. Paydays

The teachers contracted salary will be divided into twelve equal payments for distribution on the 20th of each month.

1. Personnel Leave

All leave is subject to approval by administration and will only be granted in compliance with board policy and regulation 4320.

* 1. All Full-Time Employees

The number of sick leave days allotted to each exempt employee each year will be eight. Additionally, non-exempt employees are granted eight days of sick leave each fiscal year but not prior to their 91st day of employment.

* 1. Accumulation of Leave Time

Employees are allowed to accrue up to 70 days of sick leave. Annual sick and personal leave granted by the district, and not used by an employee at the end of a fiscal year (June 30th), are added to his/her sick leave.

* 1. Uses of Sick Leave

Sick leave may be used for illness of self, spouse or dependents, and for death of close family members (close family members are parent/guardian, child, sibling and grandparents of employee only) and others as approved by the superintendent. A doctor’s statement may be required to verify that a person was ill. Policy located on page 46 of this manual. Regulation found on school website under board policy 4320.

* 1. Payment for Unused Sick Leave

After two years of service, when full-time employees voluntarily leave the employment of the district, they shall be compensated for unused sick leave days at the rate of $50.00 per day up to the maximum accumulated. The value of all accumulated sick leave of deceased employees will be assigned to their heirs. A full-time employee will be paid out each fall for sick leave accumulated in excess of 70 days. Payment will not occur prior to September. No payment will be made to an employee who is under district investigation, terminated or non-renewed or who resigns in lieu of termination/non-renewal.

* 1. Access to Leave Based on Employee Attendance

Contracted Employee: A contracted employee must attend one work day, on site, under the contract for the current school year, prior to being allowed to access to newly allotted leave.

Hourly Employee: An hourly employee is granted leave in the following manner based on length of employment. Leave is granted to hourly employees after the completion of his/her first, full day of work:

|  |  |  |
| --- | --- | --- |
| Length of Employment | Full-time Hourly Employee | Part-Time Hourly Employee |
| Days 2-30: | 2 total sick days | 1 total sick days |
| Days 31-60: | 4 total sick days | 2 total sick days |
| Days 61-90: | 6 total sick days | 3total sick days |
| Days 91+: | 8 total sick and 4 total personal days | 4 total sick and 2 total personal days |

* Personal days accrue for full-time, hourly employees the same as contracted employees after the hourly employee’s 90th day of employment.
* No additional sick or personal leave is granted to part-time employees after 90 days of employment.
1. Personal Leave

Personal leave may be taken for any reason including in lieu of sick days. Personal days allotted to an employee which remain unused at the end of the fiscal year (June 30th) are added to sick leave. The amount of personal days allotted to each employee is dependent on years of service in the district:

Years 1-3: 4 Personal Days

Years 4-6: 6 Personal Days

Years 7+: 8 Personal Days

An administrator may require three (3) days notice before personal leave is granted. Personal leave may not be used during the testing window in April and the first or last days of the school year.

1. Bereavement Leave:

A maximum of three (3) days per occurrence may be used for bereavement purposes. Use of these days will be charged to comp time, personal days, sick days, and vacation days in that order. When one leave bank is exhausted the next type of leave can be used. Additional days may be requested and approved by the Superintendent/designee prior to use. Bereavement leave is available only upon the death of a member of the employee’s immediate family as the term is defined in the sick leave regulations.

1. Pregnancy

Employees who are absent from school due to maternity leave must utilize types of leave during their absence. Additionally, the district will grant up to ten days of additional, paid, maternity leave to employees when 100% of the employee’s other leave sources have been exhausted in connection with pregnancy and/or maternity leave. The additional ten paid maternity days will only be granted during the six weeks allotted for maternity leave.

Employees must notify the superintendent’s office as early as possible, but no later than one pay period prior to the planned first day of maternity leave, in order to access paid maternity leave of any kind.

1. Professional Leave

In connection with responsibilities assigned by administration, teachers may be granted professional leave. If an employee is performing duties related to district-assigned responsibilities, that employee will be granted professional leave. Additionally, professional leave will be granted for any professional development approved by the Professional Development Committee and/or by administration. Professional leave is in addition to other types of leave and can only be utilized with administrative approval.

1. Comp Time

Non-exempt (hourly) employees are able to accrue comp time when he/she works more than 40 hours in a single work week. A work week is defined as Sunday through Saturday. Comp time is gained at the rate of 1.5 hours for every hour of overtime worked. It is a requirement to utilize comp time prior to sick, personal, and vacation leave. Any comp time accrued between June 1st and December 31st of each year and not used by December 31st of each year will be paid out at the employee’s hourly rate in January. Similarly, any comp time accrued between January 1st and June 30th of each year and not used by June 30th of each year will also be paid out at the employee’s hourly rate in July.

1. Vacation:

Twelve-month, full-time, hourly employees are allotted 10 days of vacation after completing their first year of employment. Vacation can be taken for any reason but is subject to approval by administration. Unused vacation days accrue and are separate from accrued sick days. Vacation days are subject to black-out dates based on the needs of the district. No vacation for 12-month, hourly employees can be taken between the last Monday in July through the Friday before Labor Day.

1. Domestic Violence and Victim Leave

The district provides up to two weeks of unpaid leave for employees who become victims of domestic or sexual violence. Employees may utilize sick leave, comp time, personal leave, or vacation time to offset a loss in pay that might occur due to leave for domestic/sexual violence. After this type of leave is taken, the employee is entitled to return to the position held prior to leave or an equivalent position. Details on this type of leave can be found in board Policy 4322.

1. Other types of leave:

Jury Duty, Military Leave, and Leave of Absence are also available to employees and defined in board policies and regulations 4320 and 4322.

1. Running out of leave:

Occasionally an employee runs out of appropriate leave that could be used to cover an absence. When this occurs, the employee in question will receive a deduction in pay equal to their daily rate multiplied by the number of days absent. For contracted staff, daily rate is calculated by dividing the employee’s total contract amount by the total number of contracted days.

1. Beginning of Service

Employees will not be paid any portion of their salary for a contract year prior to the beginning of services or prior to the pay period date. All teachers must have on file

with the school district (1) a teaching certificate and (2) a certified transcript of college work before any salary can be paid.

1. Breach of Contract

The Board realizes that, in some cases, it might be necessary for staff members to seek release from their contracts. In such a case, the Board will require the staff member wishing to void his or her contract to pay liquidated damages. Contracts will be offered at the March Board Meeting, as appropriate, but in no event any later than May 15th. Probationary teachers will have 15 days after the contract is provided to them to return the accepted contract. Failure to return the signed contract within 15 days will be considered a rejection of the contract by the teacher. Probationary teachers who have signed their contracts for the next school year may apply to the Board to be released from their contract under the following schedule.

* 1. Fifteen days after issuance of the contract until May 31st- $1,500.00 and Board Approval required.
	2. June 1st and after- $2,500.00 and Board approval required.
	3. Permanent teachers will work under a continuing contract. Permanent teachers will have until June 1st to resign their position with the school district. Following June 1st, permanent teachers may apply to the board to be released from their contract under the following schedule: June 1st and after- $2,500.00 and Board approval required.

Employee Insurance Benefit

The school district pays a portion of insurance for each of its employees based on the number of month contract a teacher has.

|  |  |
| --- | --- |
| Contract Length | District paid %- Single Employee Premium |
| 9 Month | 77% |
| 9.5 Month | 80% |
| 10 Month | 83% |
| 10.5 Month | 86% |
| 11 Month | 89% |
| 11.5 Month | 92% |
| 12 Month | 95% |

1. Employee Requested Deductions

If you have any requested deductions, such as Tax Sheltered Annuities (TSA’s), please let the bookkeeper know by September 1.

1. District Paid Meals

The school will allow a meal expense for teachers of a total of $20 per day when they are away on school business. Reimbursement for meal costs incurred while participating in professional development must be approved by the PDC during the PD approval process. All other meal reimbursements must be approved with an immediate supervisor prior to the event

1. Handling of District Money- Sponsors should request money for events from the elementary secretary. All funds collected for any reason should be counted and turned in to the Elementary Secretary for a second counting and deposit. Under no circumstances should money collected by staff be kept in the classroom overnight or in the staff-member's private vehicle or residence. Please see the Elementary Secretary for instructions on handling and collecting money

**POLICIES AND PROCEDURES:**

 Confidentiality:

Through the course of your work in a school district you will be privy to certain student information that is confidential in nature. Information pertaining to students in the district is protected information and must be treated as such. Only individuals who need to know such information will be given such information. You must be confidential with all information you learn about students. No gossiping or talking to others about student information that is not applicable to them. This includes to parents, public, spouses, other teachers and the likes. If you have a question as to if something is confidential or not, err on the side of caution and say nothing. You can ask your Principal or Superintendent for clarification.

**NOTICE OF NONDISCRIMINATION**

The Fairfax R-3 School District is committed to maintaining an educational and workplace environment that is free from discrimination, harassment, and retaliation in admission or access to, or treatment or employment in, its programs, services, activities and facilities. The District is committed to providing equal opportunity in all areas of education, recruiting, hiring, retention, promotion and contracted service.

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

The following person is designated and authorized as the District’s Non-Discrimination and Title IX Coordinator to coordinate compliance with the laws identified above, including to handle inquiries or complaints regarding the District’s non-discrimination policies:

Principal Dustin Barnes

500 Main Street- Fairfax, MO. 64446

660-686-2851

dbarnes@fxbulldogs.net

For information regarding how to report or file a claim of discrimination, harassment, or retaliation, see Board of Education Policy and Regulation [1300, 1301] shall govern the grievance procedures, process, and response for complaints and concerns by parents, patrons, employees, or students of the District related to discrimination, harassment, or retaliation on the basis of race, color, national origin, ancestry, religion, sex, disability, age, genetic information, or any other characteristic protected by law.

Inquiries or concerns regarding civil rights compliance by school districts should be directed to the local school district’s Non-Discrimination and Title IX Coordinator. Inquiries and complaints may also be directed to the Kansas City Office, Office for Civil Rights, US Department of Education, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114; (816) 268-0550; TDD (877) 521-2172.

**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 which 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):

 o School officials with legitimate educational interest;

 o Other schools to which a student is transferring;

 o Specified officials for audit or evaluation purposes;

 o Appropriate parties in connection with financial aid to a student;

 o Organizations conducting certain studies for or on behalf of the school;

 o Accrediting organizations;

 o To comply with a judicial order or lawfully issued subpoena;

 o Appropriate officials in cases of health and safety emergencies; and

 o 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.

**2600 Discipline**

The District has the authority to discipline for student conduct that is prejudicial to good order and discipline in the schools as provided by state law. School officials are authorized to hold students accountable for misconduct in school, on school property, and during school-sponsored activities. Students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline up to and including expulsion. However, no student will be confined in an unattended locked space except for emergency situations while awaiting the arrival of law enforcement officials.

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

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

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

**2610 Misconduct and Disciplinary Consequences**

All students attending school in District schools will be expected to accept the obligation and responsibility to attend school on a regular basis and to comply with the District's discipline code set forth in Regulation 2610. Those students who choose not to fulfill their responsibilities at school will be held accountable for their conduct. Consequences for individual acts of misconduct are calculated to discipline the student, to deter future misconduct, and to provide a safe and positive environment in which students can learn. Students who engage in significant acts of misconduct off campus which materially and adversely impact the educational environment of district students to the extent allowed by law will be subject to discipline up to and including expulsion.

**2620 Firearms and Weapons in School**

The District recognizes firearm and weapon possession as a potential threat to the health, safety and security of students, employees, and other persons. The District will not tolerate the presence of firearms or weapons on the premises of our schools.  This prohibition includes possession of firearms and weapons on school playgrounds, school parking lots, school buses, and at school activities, whether on or off school property. This policy excludes FFA trapshooting activities.  No firearms and ammunition will be transported in school vehicles to and from trapshooting activity.  The District complies with the provisions of the Improving America's Schools Act of 1994 and other applicable federal and state law.

Nothing in this policy shall prohibit the District from permitting a Civil War re-enactor to bring a Civil War era weapon to school for educational purposes so long as the weapon is not loaded.

Students who violate this policy will be suspended for no less than one (1) year and are subject to permanent expulsion. However, the Superintendent may recommend to the Board a modification of the suspension on a case-by-case basis. Students with disabilities under the Individuals with Disabilities Act and/or Section 504 of the Rehabilitation Act are entitled to the protections of those laws.

This policy will be annually submitted to the Department of Elementary and Secondary Education together with a report of disciplinary action taken for possession of a "firearm" or "weapon" as defined in Regulation 2620.

**2655 Bullying**

The District is committed to maintaining a learning and working environment free of any form of bullying or intimidation by students toward District personnel or students on school grounds, or school time, at a school sponsored activity or in a school related context. Bullying is the intentional action by an individual or group of individuals to inflict physical, emotional or mental suffering on another individual or group of individuals.

Bullying occurs when a student:

* Communicates with another by any means including telephone, writing, cyberbullying or via electronic communications, intention to intimidate, or inflict physical, emotional, or mental harm without legitimate purpose, or
* Physically contacts another person with the intent to intimidate or to inflict physical, emotional, or mental harm without legitimate purpose. Physical contact does not require physical touching, although touching may be included.

Students who are found to have violated this policy will be subject to the following consequences depending on factors such as: age of student(s), degree of harm, severity of behavior, number of incidences, etc. Consequences: Loss of privileges, classroom detention, Conference with Teacher, parents contacted, conference with Principal, in-school suspension, out-of-school suspension, expulsion and law enforcement contacted.

District employees are required to report any instance of bullying of which the employee has first-hand knowledge. Moreover, the District will provide training for employees relative to enforcement of this policy.

**Prohibition Against Harassment, Discrimination and Retaliation R 1300**

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

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

**DISTRICT’S COMPLIANCE OFFICER**

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

Title and/or Name Dustin Barnes

Address Fairfax R-3 School 500 main street, Fairfax, MO. 64446

Number- 660-686-2851

Email dbarnes@fxbulldogs.net

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

The Compliance Officer will:

1. \*Receive complaints of discrimination or harassment based on an individual’s race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, disability, age, genetic information, or any other characteristic protected by law.
2. Oversee the investigative process.
3. Assess the training needs of District staff and students in connection with the dissemination, comprehension, and compliance with this Regulation.
4. Arrange for necessary training required for compliance with this Regulation.
5. Insure that investigations are conducted by an impartial investigator.
6. In the event the complaint is about the Compliance Officer or Compliance Officer’s immediate supervisor, the District will consider appointment of an outside investigator.

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

**DEFINITIONS**

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

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

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

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

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

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

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

For the purposes of this Regulation, sexual harassment is defined as unwelcome conduct of a sexual nature or based upon sex when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or consequence is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the

district’s programs and activities or the conditions of employment.

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

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

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

**Illustrations and Examples of Prohibited Harassment**

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

**Examples of Sexual Harassment**

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

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

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

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

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

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

**OBLIGATION TO REPORT**

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

**INTERIM MEASURES**

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

**INVESTIGATION AND RESPONSE**

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

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

Engaging in harassment, discrimination, and/or retaliation will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in District activities. Anyone else who engages in harassment, discrimination, and retaliation on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Employees and students should fully cooperate with investigation process.

**Informal Process for Resolution**

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

Anyone may use informal procedures to report and resolve complaints of harassment, discrimination, and retaliation. If a staff member receives an informal complaint of

harassment, discrimination, and/or retaliation and the complaint cannot be resolved informally, the staff member shall inform their relevant building administrator or supervisor. The administrator/supervisor may attempt to resolve the matter informally and should inform complainants of this Regulation.

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

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

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

Informal remedies may include, but are not limited to:

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

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

**Formal Process for Resolution**

Step One – Complaint to District

Anyone may initiate a formal complaint of harassment, discrimination, or retaliation by filing a written complaint with the District’s Compliance Officer. At any step in the formal resolution process, where appropriate, the District will take interim measures to protect the complainant or alleged victim before the final outcome of the District’s investigation. Additionally, the District may appoint an outside investigator at any step of the informal or formal resolution process. A subordinate shall not investigate his/her supervisor.

The following process will be followed at Step One:

Filing of Complaint

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

Investigation of Complaint

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

Response to Complaint

* The Superintendent will review the report completed by the Compliance Officer.
* The Superintendent will respond in writing with a Letter of Outcome to the complainant and the accused party within **thirty (30)** calendar days of the Compliance Officer’s receipt of the written complaint, unless otherwise agreed to by the complainant or if circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the District will notify the complainant in writing of the reason for the extension and the anticipated response date.
* The Letter of Outcome will include: 1) a statement of the outcome of the investigation including whether a preponderance of the evidence establishes that harassment, discrimination, and/or retaliation occurred in violation of Policy 1300; 2) if violation of Policy 1300 is found to have occurred, the assurance that the District will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; and 3) notice of the right to appeal to the school board and the necessary filing information.
* Any corrective measures deemed necessary will be instituted as promptly as reasonable.
* The District will inform the complainant (and their parent/guardian if the complainant is a student) how to report any subsequent problems. Additionally, where appropriate the District will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to respond and appropriately address continuing or new problems.
* If the Superintendent is the subject of the complaint, the actions set forth herein to be completed by the Superintendent will be completed by the Board President.

Step Two – Appeal to Board of Education

Notice of Appeal

* The complainant or accused party may appeal to the Board of Education by filing a written notice of appeal with the secretary of the Board within **ten (10)** calendar days following receipt of the Letter of Outcome.
* On receipt of the written appeal, the matter shall be placed on the agenda
* of the Board for consideration not later than their next regularly scheduled

 meeting, unless otherwise agreed to by the complainant and the superintendent or for good cause.

* Parties will be allowed to provide comment and information as the Board deems relevant and material.

Board Decision

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

**RETALIATION**

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

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

**CONFIDENTIALITY**

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

**CONSEQUENCES AND REMEDIES**

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

**Consequences**

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

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

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

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

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

**Remedies**

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

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

**TRAINING & PUBLICATION OF POLICY**

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

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**2770 SECLUSION AND RESTRAINT**

 • Promote safety and prevent harm to all students, school personnel and visitors in the school district.

 • Treat all students with dignity and respect in the use of discipline and behavior-management techniques.

 • Provide school personnel with clear guidelines about the use of seclusion, isolation and restraint on school district property or at any school district function or event.

 • Promote retention of teachers and other school personnel by addressing student behavior in an appropriate and safe manner.

 • Promote parent understanding about state guidelines and district policies related to the use of discipline, behavior management, behavior interventions and responses to emergency situations.

 • Promote the use of non-aversive behavioral interventions.

Definitions:

"Authorized School Personnel" means school personnel who have received annual training in:

 • De-escalation practices,

 • Appropriate use of physical restraint,

 • Professionally-accepted practices in physical management and use of restraints,

 • Methods to explain the use of restraint to the student who is to be restrained and to the individual's family,

 • Appropriate use of isolation,

 • Appropriate use of seclusion, and

 • Information on the policy and appropriate documentation and notification procedures.

"Assistive technology device" means any item, piece of equipment or product system that is used to increase, maintain or improve the functional capacities of a child with a disability.

"Aversive behavioral interventions" means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as: contingent application of noxious, painful, intrusive stimuli or activities; any form of noxious, painful or intrusive spray, inhalant or tastes; or other stimuli or actions similar to the interventions described above. The term does not include such interventions as voice control, limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student.

"Behavior Intervention Plan (BIP)" sets forth specific behavior interventions for a specific student who displays chronic patterns of problem behavior.

"Chemical restraint" means the administration of a drug or medication to manage a student's behavior that is not a standard treatment and dosage for the student's medical condition.

"Emergency situation" is one in which a student's behavior poses a serious, probable threat of imminent physical harm to self or others. [District option to also include "or destruction of school or another person's property."]

"Functional Behavior Assessment" a formal assessment to identify the function or purpose the behavior serves for the student so that classroom interventions and behavior support plans can be developed to improve behavior. The assessment could include observations and charting of the behavior and interviews with family, teachers, and the student, so as to determine the frequency, antecedent and response of the targeted behavior.

"IEP" means a student's Individualized Education Program as defined by the Individuals with Disabilities Education Act (IDEA).

"Isolation" means the confinement of a student alone in an enclosed space without locking hardware.

"Law enforcement officer" means any public servant having both the power and duty to make arrests for violations of the laws of this state.

"Locking hardware" means mechanical, electrical or other material devices used to lock a door or to prevent egress from a confined area.

"Mechanical restraint" means a device or physical object that the student cannot easily remove that restricts a student's freedom of movement of or normal access to a portion of his or her body. This includes but is not limited to straps, duct tape, cords or garments. The term does not include assistive technology devices.

"Physical escort" means the temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out or eloping to walk to a safe location.

"Physical restraint" means the use of person-to-person physical contact to restrict the free movement of all or a portion of a student's body. It does not include briefly holding or hugging a student without undo force for instructional or other purposes, briefly holding a student to calm them, taking a student's hand to transport them for safety purposes, physical escort or intervening in a fight.

"School personnel" means

 • Employees of a local board of education.

 • Any person, paid or unpaid, working on school grounds in an official capacity.

 • Any person working at a school function under a contract or written agreement with the school system to provide educational or related services to students.

 • Any person working on school grounds or at a school function for another agency providing educational or related services to students.

"Seclusion" means the confinement of a student alone in an enclosed space from which the student is physically prevented from leaving by locking hardware.

"Section 504 Plan" means a student's individualized plan developed by the student's Section 504 multidisciplinary team after a pre-placement evaluation finding the student is disabled within the meaning of Section 504 and its implementing regulations.

"Time out" means brief removal from sources of reinforcement within instructional contexts that does not meet the definition of seclusion or isolation. Time out includes both of the following:

 a. Non-exclusionary time out: removal of reinforcers from the student without changing the physical location of the student (e.g., asking the student to put his/her head down on the desk); and

 b. Exclusionary time-out: removal of the student from participation in an activity or removal from the instructional area.

Use of Restrictive Behavioral Interventions:

 • Time-Out

Nothing in this policy is intended to prohibit the use of time-out as defined in this section.

 • Seclusion

Seclusion as defined in this policy is prohibited except for an emergency situation while awaiting the arrival of law enforcement personnel as provided for in RSMo 160.263.

 • Isolation

Isolation, as defined in this policy, may only be used by authorized school personnel, as defined in this policy:

 o After de-escalating procedures have failed;

 o In an emergency situation as defined in this section; or

* As specified in a student's Individualized Education Program (IEP), Section 504 plan, or other parentally agreed-upon plan to address a student behavior.

Use of isolation requires all of the following:

 o The student to be monitored by an adult in close proximity who is able to see and hear the student at all times. Monitoring shall be face-to-face unless personal safety of the child or staff member is significantly compromised, in which case technology-supported monitoring may be utilized.

 o The total time in isolation is to be reasonably calculated by District personnel on a case-by-case basis based on the age of the child and circumstances, and is not to exceed 40 minutes [District option to alter the time limit] without a reassessment of the situation and consultation with parents and/or administrative staff, unless otherwise specified in an IEP or Section 504 Plan or other parentally agreed-upon plan to address a student's behavior.

 o The space in which the student is placed should be a normal-sized meeting or classroom commonly found in a school setting.

 o The space in which the student is confined is comparable in lighting, ventilation, heating, cooling, and ceiling height to those systems that are in use in other places in the school.

 o The space in which the student is placed must be free of objects that could cause harm.

Isolation shall never be used as a form of punishment or for the convenience of school personnel.

• Physical Restraint

Physical restraint shall only be used in one of the three circumstances below:

 o In an emergency situation, as defined in this policy;

 o When less restrictive measures have not effectively de-escalated the situation; or

 o When otherwise specified in an IEP, Section 504 Plan or other parentally agreed-upon, plan to address a student's behavior.

Physical restraint shall:

 o Only be used by authorized school personnel, as defined in this policy.

 o Only be used for as long as necessary to resolve the actual risk of danger or harm that warranted the use of the physical restraint;

 o Use no more than the degree of force necessary to protect the student or other persons from imminent bodily injury;

 o Not place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat of the student which restricts breathing; and

 o Only be done by school personnel trained in the proper use of restraint.

Any school personnel using physical restraint shall:

* Use only methods of restraint in which the person has received district approved training.

 o Conduct restraint with at least one additional adult present and in line of sight, unless other school personnel are not immediately available due to the unforeseeable nature of the emergency situation.

Physical restraints should never be used as a form of punishment or for the convenience of school personnel.

• Mechanical Restraint

Mechanical restraint shall only be used as specified in a student's IEP or Section 504 plan with two exceptions:

 o Vehicle safety restraints shall be used according to state and federal regulations.

 o Mechanical restraints employed by law enforcement officers in school settings should be used in accordance with law enforcement policies and procedures and appropriate professional standards.

• Chemical Restraint

Chemical restraints shall never be used by school personnel.

Aversive interventions that compromise health and safety shall never be used by school personnel.

Communication and Training

• School Personnel Debriefing

Following any situation involving the use of seclusion, isolation or restraint, as defined in this policy, a debriefing shall occur as soon as possible but no later than two (2) school days after the emergency situation. The debriefing shall include, at a minimum, a discussion of the events that led to the emergency and why the de-escalation efforts were not effective; any trauma reactions on the part of the student, other students or school personnel; what, if anything, could have been done differently; and an evaluation of the process.

• Parental Notification

Except as otherwise specified in a student's IEP or Section 504 plan:

 o Following a situation involving the use of seclusion, isolation or restraint the parent or guardian of the student shall be notified through verbal or electronic means of the incident as soon as possible, but no later than the end of the day of the incident.

 O The parent or guardian shall receive a written report of the emergency situation within five (5) school days of the incident. The written incident report shall include all of the following:

  Date, time of day, location, duration, and description of the incident and de-escalation interventions.

  Event(s) that led up to the incident.

  Nature and extent of any injury to the student.

  Name of a school employee the parent or guardian can contact regarding the incident, and contact information for that employee.

• Staff Training

School districts shall ensure that all school personnel are trained annually regarding the policy and procedures involving the use of seclusion, isolation and restraint.

Students with Disabilities

The foregoing policy applies to all students. However, if the IEP team determines that a form of restraint or isolation or aversive behavior intervention may be appropriate in certain identified and limited situations, the team may set forth the conditions and procedures in the IEP or Section 504 plan. Any use of restraint, isolation or aversive behavior interventions must be limited to what is set forth in the IEP or Section 504 plan. Before adding the use of restraint, isolation or aversive behavior interventions to an IEP or Section 504 plan, the student must have undergone appropriate assessments to include, but not limited to, a formal functional behavior assessment and a positive behavior intervention plan must be developed, which indicates a plan to eliminate the use of the restraint, isolation or aversive behavior intervention over time.

Reports on Use of Seclusion, Isolation, Restraint or Aversive Behavior Interventions

Districts shall maintain records documenting the use of seclusion, isolation, restraint and aversive behavior interventions showing each of the following: when, reason for use, duration, names of school personnel involved, whether students or school personnel were injured, name and age of the student, whether the student has an IEP, Behavior Intervention Plan (BIP) or other personal safety plan, when the parents were notified, if the student was disciplined, and any other documentation required by federal or state law.

Applicability of this Policy

This policy applies to all district school personnel. School personnel assigned to programs not located on district premises (hospitals, detention centers, juvenile facilities, and mental health facilities) shall follow the policy and procedure of the facility/program where they work.

**P 2875 Student Allergy Prevention and Response**

The purpose of this policy is to create an organized system for preventing and responding

to allergic reactions in accordance with House Bill 922 (2009). This policy is not a guarantee of an allergen-free environment; instead, it is designed to increase awareness, provide education and training, reduce the chance of exposure and outline responses to allergic reactions.

This policy applies to district facilities to which students have access and includes transportation provided by the district. The Board instructs the superintendent or designee to develop procedures to implement this policy.

**Identification**

An allergic reaction is an immune system response to a substance that itself is not harmful but that the body interprets as being harmful. Allergic reactions range from mild to life- threatening. Each school in the district will attempt to identify students with life-threatening allergies, including food allergies. At enrollment, the person enrolling the student will be asked to provide information on any allergies the student may have.

**Prevention**

Students with allergies that rise to the level of a disability as defined by law will be accommodated in accordance with district policies and procedures pertaining to the identification and accommodation of students with disabilities. An Individualized Health Plan (IHP), including an Emergency Action Plan (EAP), may be developed for students with allergies that do not rise to the level of a disability.

All staff members are required to follow any 504 Plan or IHP/EAP developed for a student by the district. Staff members who do not follow an existing 504 Plan or IHP/EAP will be disciplined, up to and including termination.

Staff members shall not use air fresheners, oils, candles, incense or other such items intended to add fragrance in any district facilities. This provision will not be construed to prohibit the use of personal care items that contain added fragrance, but the principal may require staff members to refrain from the use of personal care items with added fragrance under particular circumstances.

Staff members are prohibited from using cleaning materials, disinfectants, pesticides or other chemicals except those provided by the district.

The district will not serve any processed foods, including foods sold in vending machines, which are not labeled with a complete list of ingredients. Vended items must

include a list of ingredients on the individual package. The food service director will create an ingredient list for all foods provided by the district as part of the district’s nutrition program, including food provided during the school day and in before- and after-school programs. This list will be available upon request.

Prepackaged items used in concessions, fundraisers and classroom activities must include a list of ingredients on the package. If the package does not contain a list of ingredients, the list of ingredients must be available at the location where the package is sold or provided.

**Education and Training**

All staff members will be annually trained on the causes and symptoms of and responses to allergic reactions. Training will include instruction on the use of epinephrine premeasured auto-injection devices.

Age-appropriate education on allergies and allergic reactions will be provided to students as such education aligns with state Grade-Level Expectations (GLEs) for health education. Education will include potential causes, information on avoiding allergens, signs and symptoms of allergic reactions and simple steps students can take to keep classmates safe.

**Confidentiality**

Information about individual students with allergies will be provided to all staff members and others who need to know the information to provide a safe learning environment for the student. Information about individual students with allergies will be shared with students and others who do not have a legitimate educational interest in the information only to the extent authorized by the parent/guardian or as otherwise permitted by law, including the Family Educational Rights and Privacy Act (FERPA).

**Response**

Response to an allergic reaction shall be in accordance with established procedures, including application of the student’s 504 Plan or IHP/EAP, where applicable. Parents of students with life-threatening allergies should supply the school with epinephrine premeasured auto-injection devices to be administered in accordance with Board policy.

**P 2710 Reporting Student Abuse**

The Board of Education believes that school staff members are in a unique position to assist children, families, and the community in dealing with the issue of child abuse and neglect.  Child abuse is defined as any physical injury, sexual abuse or emotional abuse inflicted on a child other than by accidental means. Neglect is defined as the failure to provide the proper or necessary support, education, nutrition or medical, surgical or other care necessary for the child's well-being.  Employees making reports of allegations of sexual abuse of a student will be provided immediate unrestricted use of communication technology and will be temporarily released from their work duties to make an immediate report.

If a school employee has a reasonable belief including a report of abuse to believe that a student has been or maybe subjected to abuse or neglect, such employee and the Superintendent shall report the information immediately upon receiving the information to the Children’s Division.  Thereafter, the Superintendent will investigate the allegation for the purpose of making decisions about the accused person’s employment.  Depending upon the specific facts, the District may place the alleged abuser on paid leave of absence; place the employee in a non-student contact position; initiate dismissal proceedings, or continue the employee in their present position pending outcome of the investigation.

Any school district employee, acting in good faith, who reports alleged sexual misconduct on the part of a school employee will not be disciplined or discriminated against because of such reporting.

The District will annually provide employee training, which will include but not be limited to current information concerning identification of the signs of sexual abuse in children as well as the identification of the danger signals of potentially abusive relationships between children and adults.  This training will emphasize the importance of mandatory child abuse reporting, including the obligation to report suspected abuse by other mandated reporters.  Employees will receive training on the need for and methods to create an atmosphere of trust so that students believe their school and school employees are available to discuss matters concerning abusive behavior.

The District will post in each student restroom and in a clearly visible location in each school office, the toll free child abuse and neglect hotline number established by the Children’s Division.  These signs will be published in both English and Spanish.  Such child abuse and neglect hotline numbers shall be depicted in large print on posters 11 inches by 17 inches and will be placed at eye level for easy viewing.  The hotline number will be shown in bold print.  The signs shall also contain instructions to call 911 for emergencies and contain directions for accessing the Children’s Division’s website for more information on reporting abuse and neglect.

**P 1110 Religious Expression**

The District is committed to provide educational services and to maintain a learning environment, which does not limit or deny participation in constitutionally protected prayer or other protected religious expression. Consistent with the provisions of the First Amendment, the District and its employees, who are engaged in official duties, will not sponsor any religious activity or expression. Conversely, the District and its employees, who are engaged in official duties, will not discourage or preclude religious expression that is privately initiated, consistent with this policy and regulation. (For Board policy regarding instruction and religious or controversial issues, refer to Policy 6242 - Religious or Controversial Issues.)

**P 6242 Religious or Controversial Issues**

Religious education is the responsibility of the home and church. The espousal by any teacher or staff member of any particular religious denomination or faith is strictly forbidden; however, teachers may teach about religion with information being presented at an appropriate maturity level for students.

No partisan political views may be espoused by any teacher or staff member; however, teachers may teach about political parties and politics as related to the governmental systems of the nation or world.

**PERSONNEL SERVICES 4650**

Employee personal communication with students, in all forms including oral and nonverbal shall be appropriate and consistent with Board policy. Personal communication shall be deemed to be inappropriate if such communication is sexual in nature; is sexually suggestive; suggests romantic activity with student or students; or is otherwise inconsistent with Board policy. Violation of this provision will result in disciplinary action up to and including dismissal.

Communications between employees and students will be primarily direct, oral or written in nature. Employee's communication with students and/or teacher's electronic media must be made available to the student's parents/guardians. While the employee need not notify their building principal of the content of the electronic communication, the employee must notify the principal, in writing, of the date and time of the communication and the identity of the student with whom communication occurred. Such notification is not required where the communication is between the teacher and his/her children or siblings.

The District does not have sufficient staff to monitor every communication between employees and students and does not, therefore, commit to monitoring such communication. Nonetheless, where there is reason to believe that an employee has

inappropriately communicated with a student(s) they may require the teacher to provide access to the specific communication in question.

The District will provide official electronic media which may be utilized by employees for communication with students for dissemination of school related information (i.e. homework, practice schedules, supplemental instructional material.)

**P 6320 Internet Usage**

**A. Introduction**

It is the policy of the District to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

**B. Access to Inappropriate Material**

To the extent practical, technology protection measures shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

**C. Internet Safety Training**

In compliance with the Children’s Internet Protection Act, each year, all District students will receive internet safety training which will educate students about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response.  Such training will include Internet, cell phones, text messages, chat rooms, email and instant messaging programs.  (See also Policy 6116 – State Mandated Curriculum – Human Sexuality).

**D. Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of the District'sonline computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage

includes: (a) unauthorized access, including so-called "hacking," and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

**E. Supervision and Monitoring**

It shall be the responsibility of all District employees to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet protection Act. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of \_\_Dustin Barnes\_\_ or designated representatives.

**P 4630 Staff Conduct**

The Board of Education requires all staff members to serve as positive role models for District students.  District schools exist to provide quality, cognitive, and affective education for District students in a safe and appropriate setting.  In achieving these objectives, staff are required to meet certain performance criteria including, but not limited to:

1. Review and comply with Board policies, regulations, and procedures as well as related building rules and practices.
2. Properly prepare for student instruction.
3. Fully utilize instructional time for learning activities.
4. Maintain students under active supervision at all times.
5. Assess student performance in a regular and accurate manner.
6. Modify instructional goals to meet the needs of each student.
7. Comply with administrative directives.
8. Communicate with students in a professional and respectful manner.
9. Communicate with colleagues, parents and District citizens in a professional manner.
10. Properly operate and maintain district property.
11. Utilize district technology solely for school district business.
12. Maintain required records and submit requested reports in a timely manner.
13. Comply with all safety guidelines and directives.
14. Refrain from the use of profane and obscene language.
15. Dress in a professional manner.
16. Attend to all duties in a punctual manner.
17. Maintain student confidentiality pursuant to state and federal law.
18. Follow and implement student Individual Education Programs (IEP) under the Individuals with Disabilities Education Act (IDEA) or plans under Section 504 of the Rehabilitation Act.
19. Maintain and account for District funds in the staff member’s possession and control.
20. Maintain professional relationships with students.  With the exception of students who are immediate family with the staff member, this requirement also includes avoiding situations that could lead to allegations of inappropriate relationships with students, including, but not limited to:
	1. Being present in any setting where students are provided or are consuming alcohol or illegal drugs.
	2. Inviting students to be alone with a staff member at a staff member’s residence, on staff member’s private property, or in a staff member’s motor vehicle without the prior consent of the building principal.
	3. Communicating with students, electronically or in person, about the student’s sexual activity or concerning the staff member’s sexual or romantic conduct.
	4. Being present on District premises alone with a student in a room where the door is closed, the door is locked, or the lights are off, unless required temporarily due to emergency circumstances.  Counselors and administrators are exempted from this prohibition in performance of professional duties.
	5. Covering the interior window(s) of instructional space and offices with any material that blocks or obscures outside vision into the space, unless required temporarily due to emergency circumstances.
	6. Communicating with students about sexual topics outside approved District curriculum, unless done as part of a District investigation into sexual abuse or harassment.
	7. Utilizing students to attend to personal errands for the staff member.
	8. Allowing students to drive a staff member’s vehicle.

**Drug Free Workplace**

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

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

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

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

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

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

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

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

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

It shall be a violation of this policy for any employee to possess, use, manufacture, distribute, or be under the influence of medical marijuana in any manner inconsistent with Missouri state law and applicable regulations.  Additionally, employees may not be under the influence of marijuana while they are (i) acting in the scope of their employment, whether on District property or off, or (ii) present at any school- or District-sponsored or sanctioned event such as athletic events or conferences. Employees may seek reasonable accommodations related to medical marijuana under the District’s policies and procedures addressing the Americans with Disabilities Act.

**Transportation Employees**

District employees who are subject to the Transportation Employee Testing Act may not use medical marijuana on work days and may not use marijuana while on District transportation. Transportation employees who test positive for any controlled substance including marijuana are subject to dismissal. Transportation employees who cannot, for medical reasons, comply with this policy may request a transfer to a non-safety sensitive position.

**P 4871 Driver Drug Testing**

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

**P 4321 Family and Medical Leave**

The Board of Education recognizes that leaves of absence are occasionally necessary due to family or medical reasons or in certain circumstances associated with servicemembers' service in the Armed Forces. The District has adopted detailed procedures to ensure compliance with the Family and Medical Leave Act of 1993 (FMLA). As provided by District regulations, eligible employees are entitled to use up to twelve (12) workweeks

of unpaid leave for family and medical reasons (up to 26 workweeks for covered events related to those serving in the Armed Forces). The Board of Education has designated Superintendent Jeremy Burright to act as FMLA Compliance Officer. As part of its compliance program, the District will notify each employee of the name, address and telephone number of the District's FMLA Compliance Officer and will provide a statement of commitment to adhere to FMLA regulations. The FMLA Compliance Officer will regularly evaluate the District's FMLA compliance to ensure fair and equitable opportunities for all eligible employees.

**P 6243 Copyrighted Materials**

It is the intent of the Board to delineate, enforce, and abide by the provisions of current copyright laws and regulations as they affect the School District and its employees. The District will not purchase any videos, computer software, audio tapes, publications or other materials that have been illegally copied or reproduced.

Copyrighted materials, whether they are print or non-print, will not be duplicated unless such reproduction meets "fair use" standards, or unless written permission from the copyright holder has been received.

Details about "fair use" will be made available to all teachers. A summary of these standards will be posted or otherwise made easily available at each machine used for making copies.

The Board does not sanction illegal duplication in any form. Employees who willfully disregard the District's copyright position are in violation of Board policy; they do so at their own risk and assume all liability responsibility.

Any materials produced by an employee (or employees) during the time he/she is paid for production of said materials shall be owned by the School District, and any civil rights of authorship are forfeited with payment by the District for production of materials.

**Prohibition Against Harassment, Discrimination and Retaliation P 1300**

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

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

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

Title and/or Name Dustin Barnes

Address Fairfax R-3 School 500 main street, Fairfax, MO. 64446

Number- 660-686-2851

Email dbarnes@fxbulldogs.net

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

**P 2260 Homeless Students**

The Board of Education is committed to providing equal access for all eligible homeless students to a free, appropriate education in the same manner as is provided to other District students.  In carrying out this commitment, the District will identify and assess the needs of the District's homeless students; provide for the placement of its homeless students in the school of best interest; provide access to the District's programs; and appoint a homeless liaison.  The Superintendent will review all District policies to determine whether they act as barriers to the enrollment of homeless students. Special attention will be given to policies regarding transportation, immunization, residency, birth certificates, school records and guardianship.

**R 2785 Student Suicide Awareness**

**The district will address suicide awareness and prevention through the following policy components1:**

1. Crisis response team
2. Crisis response procedures
3. Procedures for parent involvement
4. Community resources available to students, parents, patrons and employees
5. Responding to suicidal behavior or death by suicide in the school community
6. Suicide prevention and response protocol education for staff
7. Suicide prevention education for students
8. Publication of policy

**1. Crisis Response Team**

The district will include suicide awareness and prevention in already established district or building crisis response teams or will establish such team(s) if not already in existence. Crisis response team members will include administrators, counselors and the school nurse, and may also include school social workers, school resource officers, teachers and/or community resources as appropriate. The crisis response team will be responsible for implementation of crisis response procedures.

The district will adopt an evidence based/informed tool for assessing suicide risk. The crisis response team, the building administrator, or his/her designee will receive training and coaching in using this tool to collect and document student suicidal behaviors and safety planning strategies.

**2. Crisis Response Procedures**

Student suicidal behaviors are not confidential and may be revealed to the student’s parents, guardians, school personnel or other appropriate authority when the health, welfare or safety of the student is at risk.

Any school employee who has a reasonable belief that a student may be at risk for suicide or witnesses any attempt towards self-injury will notify a member of the crisis response team, the building administrator or his/her designee.

If a student suicide behavior is made known to any school employee and a member of the crisis response team, the building administrator or his/her designee is not available, the employee will notify the student’s parent/guardian, the National Suicide Prevention Lifeline (800-273-8255) or local law enforcement in an emergency situation. As soon as practical, the employee will notify the building designee or principal.

The following steps will be employed in response to any risk of student suicide:

 **LOCATE THE STUDENT**

**LOCATED STUDENT** **NON LOCATED STUDENT**

Student will not be left alone unless it Contact and inform

Is determined there is no longer a risk of Parent/Guardian of Concern

Suicide/ Notify Parent/guardian

 **NOTIFY MEMBER OF CRISIS TEAM**

 **CONDUCT RISK ASSESSMENT**

 If Crisis Member cannot be located,

 Contact Emergency Services

 **A STUDENT EXIBITING SUICIDAL BEHAVIOR**

Will be directed to meet with building designee,

 Parent/Guardian and Counselor to discuss safety plan

**3. Procedures for Parent Involvement**

A member of the crisis response team, the building administrator or his/her designee shall reach out to the parents/guardians of a student identified as being at risk of suicide to consult with them about the risk assessment of their student, to make them aware of community resources, and to discuss how to best support the student’s mental well-being and safety.

If the parent refuses to cooperate or if there is any doubt regarding the student’s safety, local mental service providers and/or law enforcement may need to be engaged, and a report may need to be made to the Child Abuse and Neglect Hotline.

Contact with a parent concerning risk of suicide will be documented in writing.

**4. School and Community Resources**

A student exhibiting suicidal behavior will be directed to meet with the building designee, their parent/guardian and counselor to discuss support and safety systems, available resources, coping skills and a safety plan as necessary.

The district will, in collaboration with local organizations and the Missouri Department of Mental Health, identify local, state and national resources and organizations that can provide information or support to students and families. A basic list of resources can be found on the Department of Mental Health website and the district will strive to develop its own list of local resources to be made readily available.

[http://dmh.mo.gov/mentalillness/suicide/prevention.html](http://www.moconed.com/)

**5. Responding to Suicidal Behavior or Death by Suicide in the School Community**

When the school community is impacted by suicidal behavior or a death by suicide, the district will confer with their crisis response teams and, when appropriate, confer with local community resources and professionals to identify and make available supports that may help the school community understand and process the behavior and/or death.

The crisis response team, the building administrator or his/her designee will determine appropriate procedures for informing the school community of a death by suicide and the supports that will be offered. Staff and students who need immediate attention following a death by suicide will be provided support and resources as determined necessary.

**6. Suicide Prevention and Response Protocol Education for Staff**

All district employees will receive information annually regarding this policy and the district’s protocol for suicide awareness, prevention and response. The importance of suicide prevention, recognition of suicide protective and risk factors, strategies to strengthen school connectedness and building specific response procedures will be highlighted.

Such information shall include the following:

1. Current trends in youth mental health, wellbeing and suicide prevention andawareness
2. Strategies to encourage students to seek help for themselves and otherstudents
3. Warning signs that indicate a student may be at risk ofsuicide
4. The impact of mental health issues and substanceabuse
5. Communication to students regarding concerns about safety and that asking for help can save a life
6. Understanding limitations and boundaries for giving help and techniques to practiceself-care
7. Identification of key school personnel who are comfortable, confident and competent to help students at risk of escalated distress andsuicide

All district staff will participate in professional development regarding suicide awareness and prevention.

**7. >Suicide Prevention Education for Students**

Starting no later than fifth grade, students will receive age appropriate information and instruction on suicide awareness and prevention. Information and instruction may be offered in health education, by the counseling staff or in other curricula as may be appropriate.

Student education will include the following:

1. Information about mental health, well-being and suicide prevention andawareness
2. Promotion of a climate that encourages peer referral and which emphasizes schoolconnectedness
3. Recognition of the signs that they or peers are at risk forsuicide
4. Identification of issues that may lead to suicide including depression, anxiety, anger,and drug/alcoholdependency
5. Directive to not make promises of confidence when they are concerned about peersuicide
6. Identification of a trusted adult on campus with whom students can discuss concerns aboutsuicide

**8. Publication of Policy**

The district will notify employees, students and parents of this policy by posting the policy and related procedures and documents on the district’s website and discussing this policy during employee training as detailed herein.

**P 4221 Support Staff Duties, Schedules and Working Hours**

The school year and work calendars will be set annually by the Board of Education. Work hours may be changed by the administration as needed.

Regular attendance is essential in order to maintain a high quality of instruction. Support staff employees, with reasonable notice, will be subject to disciplinary action when their absenteeism is deemed to be excessive.

**Overtime/Compensatory Time**

Employees who work overtime must receive prior authorization from their immediate supervisors.

**P 6445 Screening for Dyslexia**

Dyslexia is a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit on the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading, comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

In order to close the gap between struggling readers and their “normally” developing peers, the District will:

1. Identify students at risk for dyslexia or reading failure.
2. Form small groups for instruction and intervention.
3. Plan instruction and intervention.
4. Goal setting for individual student achievement.
5. Set criteria for intervention exit.

**Screening**

Each student, kindergarten through third grade, will annually be screened for dyslexia. Kindergarten students will be screened by the end of the first semester and first through third grade students within the first thirty (30) days of the school year. In order to monitor progress or lack of progress, benchmark assessments will also be completed for K-3 students in the middle and at the end of each school year.

The dyslexia screening protocol set forth in this policy will also be administered to the following students:

1. K-3 Missouri transfer students who have not been previously screened.
2. K-3 out-of-state transfer students who do not have documentation of previous screening.
3. Students in grades 4 and above with a record of potential dyslexia related issues as determined by the classroom teacher or as requested by the student’s parent/guardian.

The following groups are exempt from dyslexia screening:

1. Students with an existing diagnosis of dyslexia.
2. Students with a sensory impairment (visual/auditory).
3. Students with severe intellectual disabilities.
4. Students who are English Learners where screening administration and/or interpretation are not available. However, English Learners may be screened for dyslexia-related risk factors through screening in the student’s native language, where feasible.

**Screening Components**

There is no one test that encompasses all recommended skills. The District will utilize screening tools that are both reliable and valid. However, universal screening is not sufficient to identify students with dyslexia. Universal screening can reveal specific weaknesses that are consistent with dyslexia. Monitoring a student’s response to high quality reading instruction may be the best way to identify students with severe dyslexia.

The District will identify the appropriate staff to complete student screenings. These staff members may include: classroom teachers, reading interventionists, Title I teachers, reading specialists, or coaches or any combination of these individuals.

**Supports and Accommodations**

Once identified, students with dyslexia will be provided with the supports and accommodations tailored to meet the individual student’s needs. These accommodations will derive from the following supports and accommodations.

1. General classroom instruction modifications
2. Instructional environment
3. Technology
4. Social/Emotional
5. Design of Classroom Assignments
6. Test and Exams
7. The District will consider the specific supports and accommodations set forth in DESE’s “Serving Students at Risk for Dyslexia: Guidance to LEAs.”

**Practicing Teacher Assistance Problems**

Practicing teachers will receive two hours of in-service training during the 2018-19 school year regarding dyslexia and related disorders. Teachers employed by the District in subsequent years, who have not received this training in another district will be provided the same training by video or by in-person training.

Such in-service training should include:

1. Introduction to dyslexia and dyslexia simulation;
2. Key areas of literacy and reading intervention;
3. Screening/progress monitoring, data-based decision-making, fidelity and classroom supports.
4. Training for secondary-level staff will be tailored to the unique needs of secondary students.

**P 4120 Employment Procedures**

The Board of Education, upon recommendation of the Superintendent, votes on the employment of all staff members.  In approving applicants the Board will be guided by the desire to obtain individuals committed to providing the highest quality education for the District's students.  For Title I staff qualifications and hiring, refer to Policy and Regulation 1621 – Title I.

No person will be employed by the Board until the District obtains a clear criminal records check and a clear check of the Child Abuse/Neglect Registry maintained by the Missouri Department of Social Services.  Similarly, all persons employed by outside vendors/contractors who will have contact with students will be required to successfully undergo a criminal records and a clear check of the Child Abuse/Neglect Registry prior to contact with students.  Such background checks will be performed at the vendors/contractors’ expense and will, upon request, be shared with the District*.* All finalists for an employment position will be required to sign a release of liability authorizing prior employers, including school districts, to furnish any information about the applicant and the applicant’s work performance, including but not limited to discipline records and performance evaluations. The administration may also conduct random background checks after employment.  Failure to check references and prior

employment for new hires prior to their start date may result in disciplinary action up to and including suspension without pay.

As part of the criminal records check, any person employed after January 1, 2005, shall submit two sets of fingerprints to be used by the Missouri Highway Patrol and the Federal Bureau of Investigation.  The fingerprints shall be collected pursuant to standards determined by the Missouri Highway Patrol.  All District employees who are authorized to access the Missouri Automated Criminal History Site (MACHS) will only use such criminal history information for purposes of verifying qualifications for employment.  The District will not create copies of the criminal record for employment record purposes and will not disseminate the record, except as permitted by law.

The District will designate a full-time employee, who will be fully trained in the Missouri Highway Patrol’s automated criminal history site (MACHS), to serve as the District Local Agency Security Officer (LASO).  The District’s LASO Security Officer will be responsible for implementation and oversight of the District’s Use of MACHS for all applicants.  Any employee who attempts to access MACHS without authorization, improperly disseminates an applicant’s criminal history record or facilitates unauthorized access to MACHS, will be subject to disciplinary action up to and including termination.

All vacancies should be posted for a minimum of ten (10) school days before the Superintendent may recommend a qualified applicant to the Board for employment.  In an emergency situation the Superintendent may temporarily employ an applicant prior to the expiration of the posting.  The temporary applicant may be considered along with other applicants for the position after the ten days.  However, in order to hire a Board member's spouse, the position must have been advertised.  (Refer to Policy 0342 – Nepotism, Conflict of Interest and Financial Disclosure.)

The Superintendent or his designee is the person who shall respond to requests from potential employers for information regarding a former District employee. The information the District should provide is title, position, length of employment, whether the employee was terminated or resigned, and whether the District would re-hire the employee.

Additionally, when requests for information regarding a former employee against whom allegations of sexual misconduct involving a student have resulted in the employee being terminated or resigning in lieu of termination, or allegations of sexual misconduct have been substantiated by Children’s Division, the Superintendent or his designee shall disclose the allegations of sexual misconduct and the findings of a CD investigation when responding to requests for information to a potential public school employer .

Any school district employee who is permitted to respond to requests for information, acting in good faith, who reports authorized information, as provided in this policy or,

who, in good faith, reports alleged sexual misconduct on the part of a District employee, will not be disciplined or discriminated against because of such report.

This foregoing policy is intended to comply with the Amy Hestir Student Protection Act, Senate Bill 54, including section 162.068 RSMo.  The District shall provide notice of this policy to all current employees and to all potential employers who contact the District regarding the possible employment of a District employee.

**P 2672 Discipline of Students with Disabilities**

The obligation and the responsibility to attend school regularly and to comply with the District's discipline policies applies to all students. The District may discipline a student with a disability who has not complied with the District's discipline policies in a manner that is consistent with the District's policies and applicable law. Special education services will be provided to a disabled student if the student has been removed from school for more than ten (10) school days. If a student with a disability is removed for less than ten (10) cumulative days, educational services will be provided only if such services are provided to students without disabilities who have been similarly removed in accordance with applicable federal and state law and Board policy.

**P 5260 Safety, Security and Communications**

The Board of Education directs the Superintendent to ensure that the administration and management of all District operations be in compliance with local laws and regulations pertaining to student and staff safety and state and federal laws and standards regarding occupational safety and health. At various times District supervisors will issue specific safety standards and will provide ongoing directives, oral and written, to maximize employee and student safety. Failure to comply with such safety directives will be considered serious misconduct and will result in disciplinary action up to and including dismissal.

**Safety Requirements**

In order to promote safety and to reduce the occurrence of injuries to the employee; to the employee's colleagues, students and visitors to our schools, the following requirements are mandated by the Board. These requirements are not intended to be exclusive, but to be illustrative for measures required to promote safety. Moreover, these requirements are in addition to all relevant requirements of federal and state law, as well as, Board policy. Employees will be required to review, sign and return this policy on an annual basis. These requirements are:

1. All accidents are to be reported, in writing, to your supervisor on the date they occur.
2. All unsafe conditions are to be reported to your supervisor immediately.
3. No running or horseplay is permitted.
4. The use of alcohol or non-prescribed drugs during work hours is strictly prohibited. The use of prescribed drugs is permitted subject to the limitations imposed by the prescribing physician.
5. Standing on chairs, desks, boxes, or any object other than a ladder or step stool is prohibited.
6. When using chemicals, all appropriate safety equipment must be used. If the appropriate safety equipment is not available, the absence of same should be reported to your supervisor immediately.
7. If your duties require you to drive, the use of a seatbelt is mandatory. The use of a cell phone for phone calls or texting is prohibited in a moving vehicle.
8. The use of employer provided safety devices is mandatory.

**GENERAL ADMINISTRATION Policy 1301**

 **(Regulation 1301)**

**Equal Opportunity**

**Prohibition Against Sexual Harassment and Retaliation under Title IX**

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

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

Title and/or Name Dustin Barnes

Address Fairfax R-3 School 500 main street, Fairfax, MO. 64446

Number- 660-686-2851

Email dbarnes@fxbulldogs.net

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

**GENERAL ADMINISTRATION Regulation 1301**

**Equal Opportunity**

**Prohibition Against Sexual Harassment and Retaliation under Title IX**

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

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

**DISTRICT’S TITLE IX COORDINATOR**

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

Title and/or Name Dustin Barnes

Address Fairfax R-3 School 500 main street, Fairfax, MO. 64446

Number- 660-686-2851

Email dbarnes@fxbulldogs.net

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

**DEFINITIONS**

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

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

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

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

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

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

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

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

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

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

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

**Illustrations and Examples of Prohibited Sexual Harassment**

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

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

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

**OBLIGATION TO REPORT**

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

**Response to Actual Knowledge of Sexual Harassment or Related Retaliation**

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

1. Promptly contact the complainant to discuss the availability of supportive measures;
2. Consider the complainant’s wishes with respect to supportive measures;
3. Explain the process for filing a formal complaint under this Regulation; and
4. Inform the complainant of the availability of supportive measures regardless of whether a formal complaint is filed under this Regulation.

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

**Grievance Process for Formal Complaint**

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

Formal Complaint

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

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

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

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

1. Provide written notice of the allegations, the grievance process, and any informal resolution process to the complainant and the respondent to give both parties the proper time to prepare a response before an interview;
2. Inform the complainant and the respondent of the prohibition against making false statement or knowingly submitting false information;
3. Inform the complainant and the respondent that they may have an advisor (who may be but who is not required to be an attorney) present during any of their own subsequent meetings; and
4. Offer supportive measures in an equitable manner to the complainant and the respondent, when appropriate.

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

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

1. The conduct alleged in the formal complaint would not constitute sexual harassment even if proved.
2. The conduct alleged in the formal complaint did not occur in the District’s education program or activity.
3. The conduct alleged in the formal complaint did not occur within the United States.

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

1. The complainant has notified the District in writing that the complainant would like to withdraw the formal complaint or any allegations.
2. The respondent is no longer enrolled or employed by the District.
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint.

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

Investigation

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

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

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

1. Provide an equal opportunity for the complainant and the respondent to present witnesses and evidence;
2. Not restrict the ability of either the complainant or the respondent to discuss the allegations under investigation or to gather and present relevant evidence;
3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;
4. Provide the complainant and the respondent with the same opportunities to have an advisor present during any grievance proceeding;
5. Provide to the complainant and the respondent whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the individual to prepare to participate;
6. Provide the complainant and the respondent an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and
7. Result in the creation of an investigative report that fairly summarizes relevant evidence.

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

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

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

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

Determination of Responsibility

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

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

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

1. The allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District’s code of conduct to the facts; and
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District’s education program or activity will be provided by the recipient to the complainant.

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

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

Appeal

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

1. A procedural irregularity that affected the outcome of the investigation;
2. New evidence that was not reasonably available at the time of the determination and that could affect the outcome of the investigation; or
3. A conflict of interest on the part of the Title IX Coordinator, investigator, or decision-maker.

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

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

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

Informal Resolution

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

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

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

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

**RETALIATION**

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

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

**CONFIDENTIALITY**

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

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

**CONSEQUENCES**

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

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

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

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

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

**RECORDKEEPING**

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

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

1. Any appeal decided under this Regulation;
2. Any informal resolution reached under this Regulation;
3. Materials used for training the Title IX Coordinator, investigator, decision-makers, and facilitators of the informal resolution process under this Regulation; and
4. Actions taken in response to actual knowledge of sexual harassment or related retaliation under this Regulation, including supportive measures designed to restore or preserve equal access to the District’s education program or activity.

**TRAINING & PUBLICATION OF POLICY**

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