

# SUPPORT STAFF HANDBOOK 2017-18



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Park Hill School District

Building Successful Futures • Each Student • Every Day

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## **INTRODUCTION**

This Handbook is designed to give you a framework of District guidelines. All employees are expected to know and follow the rules, policies, and procedures of the School District. Board policies are maintained at each administrative site and may be viewed upon request. Policies may also be viewed on-line by accessing the District's web site at [www.parkhill.k12.mo.us](http://www.parkhill.k12.mo.us). This Handbook is not intended to create any employment rights or benefits and does not modify, amend or supersede state law, board policy, or any agreement between any labor union representing support employees and the District.

## **PARK HILL VISION, MISSION AND VALUES**

### **Vision**

Building Successful Futures • Each Student • Every Day

### **Mission**

Through the expertise of a motivated staff, the Park Hill School District provides a meaningful education in a safe, caring environment to prepare each student for success in life.

### **Values**

Continuous Improvement

High Expectations

Integrity

Visionary Leadership

Student Focus

## **AT-WILL EMPLOYMENT**

Employment in the Park Hill School District is for an unspecified term and can be terminated "at will" (meaning at any time, with or without cause, and with or without advance notice), either at the employee's option or the District's option.

## **CONTRACT DISCLAIMER**

This Handbook is not intended as either an expressed or implied contract of any kind and does not constitute a contract of employment between the Park Hill School District and the employee for any specific or fixed duration or terms of employment.

## **PROBATIONARY PERIOD**

The first 90 days of your continuous employment (or longer if the District believes in its discretion that an extension is appropriate for any reason) will be considered a Probationary Period. During this period, you will have the opportunity to determine if your job with the District is suitable for you. It will also give the District a preliminary chance to evaluate your abilities, job performance, attitude, attendance and other job-related factors and to determine if the skills and assets you bring to the job are compatible with the needs of the District. Successful completion of the Probationary Period does not change your status as an “at will” employee.

## **PROHIBITION AGAINST DISCRIMINATION, HARASSMENT, AND RETALIATION**

(Board Policy AC)

### **General Rule**

The Park Hill Board of Education is committed to maintaining a workplace and educational environment that is free from discrimination and harassment in admission or access to, or treatment or employment in, its programs, services, activities and facilities. In accordance with law, the district strictly prohibits discrimination and harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law. The Park Hill School District is an equal opportunity employer. The Board also prohibits:

1. Retaliatory actions including, but not limited to, acts of intimidation, threats, coercion or discrimination against those who:
  - a) Make complaints of prohibited discrimination or harassment.
  - b) Report prohibited discrimination or harassment.
  - c) Participate in an investigation, formal proceeding or informal resolution, whether conducted internally or outside the district, concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing discrimination, harassment or retaliatory actions.
3. Discrimination, harassment or retaliation against any person because of such person’s association with a person protected from discrimination or harassment in accordance with this policy.

All employees, students and visitors must immediately report to the district for investigation any incident or behavior that could constitute discrimination, harassment or retaliation in accordance with this policy. If discrimination, harassment or retaliation that occurs off district property and that is unrelated to the district's activities negatively impacts the school environment, the district will investigate and address the behavior in accordance with this policy, as allowed by law.

### **Additional Prohibited Behavior**

Behavior that is not unlawful or does not rise to the level of illegal discrimination, harassment or

retaliation might still be unacceptable for the workplace or the educational environment. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation or perceived sexual orientation.

### **Boy Scouts of America Equal Access Act**

As required by law, the district will provide equal access to district facilities and related benefits and services and will not discriminate against any group officially affiliated with the Boy Scouts of America, the Girl Scouts of the United States of America or any other youth group designated in applicable federal law.

### **Interim Measures**

When a report is made or the district otherwise learns of potential discrimination, harassment or retaliation, the district will take immediate action to protect the alleged victim, including implementing interim measures. For example, the district may alter a class seating arrangement, provide additional supervision for a student or suspend an employee pending an investigation. The district will take immediate steps to prevent retaliation against the alleged victim, any person associated with the alleged victim, or any witnesses or participants in the investigation. These steps may include, but are not limited to, notifying students, employees and others that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment or retaliation have occurred.

### **Consequences and Remedies**

If the district determines that discrimination, harassment or retaliation have occurred, the district will take prompt, effective and appropriate action to address the behavior, prevent its recurrence and remedy its effects.

Employees who violate this policy will be disciplined, up to and including employment termination. Students who violate this policy will be disciplined, which may include suspension or expulsion. Patrons, contractors, visitors or others who violate this policy may be prohibited from school grounds or otherwise restricted while on school grounds. The Superintendent or designee will contact law enforcement or seek a court order to enforce this policy when necessary or when actions may constitute criminal behavior.

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

In accordance with law and district policy, any person suspected of abusing or neglecting a child will be reported to the Children's Division (CD) of the Department of Social Services.

Remedies provided by the district will attempt to minimize the burden on the victim. Such remedies may include, but are not limited to: providing additional resources such as counseling, providing access to community services, assisting the victim in filing criminal charges when applicable, moving the perpetrator to a different class or school, providing an escort between classes, or allowing the victim to retake or withdraw from a class. The district may provide additional training to students and employees, make periodic assessments to make sure behavior complies with district policy, or perform a climate check to assess the environment in the district.

## Definitions

*Compliance Officer* - The individual responsible for implementing this policy, including the acting compliance officer when he or she is performing duties of the compliance officer.

*Discrimination* - Conferring benefits upon, refusing or denying benefits to, or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law, or based on a belief that such a characteristic exists.

*Grievance* - A verbal or written report (also known as a complaint) of discrimination, harassment or retaliation made by a grievant to the compliance officer.

*Harassment* - A form of a grievant, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment.

Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law or based on a belief that such a characteristic exists: graffiti; display of written material, pictures or electronic images; name calling, teasing or taunting; insults, derogatory remarks or slurs; jokes; gestures; threatening, intimidating or hostile acts; physical acts of aggression, assault or violence; theft; or damage to property.

*Sexual Harassment* - A form of discrimination, as defined above, on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment 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. Sexual harassment may occur between members of the same or opposite sex. The district presumes a student cannot consent to behavior of a sexual nature with an adult regardless of the circumstance.

Behaviors that could constitute sexual harassment include, but are not limited to:

1. Sexual advances and requests or pressure of any kind for sexual favors, activities or contact.
2. Conditioning grades, promotions, rewards or privileges on submission to sexual favors, activities or contact.
3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact.
4. Graffiti, name calling, slurs, jokes, gestures or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching or rubbing.
6. Comments about an individual's body, sexual activity or sexual attractiveness.
7. Physical sexual acts of aggression, assault or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking) against a person's will or when a

person is not capable of giving consent due to the person's age, intellectual disability or use of drugs or alcohol.

8. Gender-based harassment and acts of verbal, nonverbal, written, graphic or physical conduct based on sex or sex stereotyping, but not involving conduct of a sexual nature.

*Working Days* - Days on which the district's business offices are open.

### **Compliance Officer**

The Board designates the following individual to act as the district's compliance officer:

Assistant Superintendent for Human Resources  
Park Hill School District  
7703 NW Barry Road  
Kansas City, MO 64153  
816.359.4040 (phone)  
816.359.4049 (fax)

In the event the compliance officer is unavailable or is the subject of a report that would otherwise be made to the compliance officer, reports should instead be directed to the acting compliance officer which is the:

Executive Director for Quality & Evaluation  
Park Hill School District  
7703 NW Barry Road  
Kansas City, MO 64153  
816.359.6804 (phone)  
816.359.4059 (fax)

The compliance officer or acting compliance officer will:

1. Coordinate district compliance with this policy and the law.
2. Receive all grievances regarding discrimination, harassment and retaliation in the Park Hill School District.
3. Serve as the district's designated Title IX, Section 504 and Americans with Disabilities Act (ADA) coordinator, as well as the contact person for compliance with other discrimination laws.
4. Investigate or assign persons to investigate grievances; monitor the status of grievances to ensure that additional discrimination, harassment and retaliation do not occur; and recommend consequences.
5. Review all evidence brought in disciplinary matters to determine whether additional remedies are available, such as separating students in the school environment.
5. Determine whether district employees with knowledge of discrimination, harassment or retaliation failed to carry out their reporting duties and recommend disciplinary action, if necessary.
6. Communicate regularly with the district's law enforcement unit to determine whether any reported crimes constitute potential discrimination, harassment or retaliation.
7. Oversee discrimination, harassment or retaliation grievances, including identifying and addressing any patterns or systemic problems and reporting such problems and patterns to the Superintendent or the Board.
8. Seek legal advice when necessary to enforce this policy.

9. Report to the Superintendent and the Board aggregate information regarding the number and frequency of grievances and compliance with this policy.
10. Make recommendations regarding changing this policy or the implementation of this policy.
11. Coordinate and institute training programs for district staff and supervisors as necessary to meet the goals of this policy, including instruction in recognizing behavior that constitutes discrimination, harassment and retaliation.
12. Perform other duties as assigned by the Superintendent.

### **Public Notice**

The Superintendent or designee will continuously publicize the district's policy prohibiting discrimination, harassment and retaliation and disseminate information on how to report discrimination, harassment and retaliation. Notification of the district's policy will be posted in a public area of each building used for instruction or employment or open to the public. Information will also be distributed annually to employees, parents/guardians and students as well as to newly enrolled students and newly hired employees. District bulletins, catalogs, application forms, recruitment material and the district's website will include a statement that the Park Hill School District does not discriminate in its programs, services, activities, facilities or with regard to employment. The district will provide information in alternative formats when necessary to accommodate persons with disabilities.

### **Reporting**

Students, employees and others may attempt to resolve minor issues by addressing concerns directly to the person alleged to have violated this policy, but they are not expected or required to do so. Any attempts to voluntarily resolve a grievance will not delay the investigation once a report has been made to the district. Unless the concern is otherwise voluntarily resolved, all persons must report incidents that might constitute discrimination, harassment or retaliation directly to the compliance officer or acting compliance officer. All district employees will instruct all persons seeking to make a grievance to communicate directly with the compliance officer. Even if the potential victim of discrimination, harassment or retaliation does not make a grievance, district employees are required to report to the compliance officer any observations, rumors or other information regarding actions prohibited by this policy. If a verbal grievance is made, the person will be asked to submit a written complaint to the compliance officer or acting compliance officer. If a person refuses or is unable to submit a written complaint, the compliance officer will summarize the verbal complaint in writing. A grievance is not needed for the district to take action upon finding a violation of law, district policy or district expectations.

Even if a grievance is not directly made, if the compliance officer otherwise learns about possible discrimination, harassment or retaliation, including violence, the district will conduct a prompt, impartial, adequate, reliable and thorough investigation to determine whether unlawful conduct occurred and will implement the appropriate interim measures if necessary.

### **Student-on-Student Harassment**

Building-level administrators are in a unique position to identify and address discrimination, harassment and retaliation between students, particularly when behaviors are reported through the normal disciplinary process and not through a grievance. The administrator has the ability to immediately discipline a student for prohibited behavior in accordance with the district's discipline policy. The administrator will report all incidents of discrimination, harassment and retaliation to the compliance officer and will direct the parent/guardian and student to the compliance officer for further assistance.

The compliance officer may determine that the incident has been appropriately addressed or recommend additional action. When a grievance is made, the investigation and complaint process detailed below will be used.

### **Investigation**

The district will immediately investigate all grievances. All persons are required to cooperate fully in the investigation. The district compliance officer or other designated investigator may utilize an attorney or other professionals to conduct the investigation.

In determining whether alleged conduct constitutes discrimination, harassment or retaliation, the district will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred and all other relevant information. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. If, after investigation, school officials determine that it is more likely than not (the preponderance of the evidence standard) that discrimination, harassment or other prohibited behavior has occurred, the district will take immediate corrective action.

### **Grievance Process Overview**

1. If a person designated to hear a grievance or appeal is the subject of the grievance, the compliance officer may designate an alternative person to hear the grievance, or the next highest step in the grievance process will be used. For example, if the grievance involves the Superintendent, the compliance officer may designate someone outside the district to hear the grievance in lieu of the Superintendent, or the grievance may be heard directly by the Board.
2. An extension of the investigation and reporting deadlines may be warranted if extenuating circumstances exist as determined by the district's compliance officer. The person making the complaint will be notified when deadlines are extended. If more than twice the allotted time has expired without a response, the appeal may be taken to the next level.
3. Failure of the person making the grievance to appeal within the timelines given will be considered acceptance of the findings and remedial action taken.
4. The district will investigate all grievances, even if an outside enforcing agency such as the Office for Civil Rights, law enforcement or the CD is also investigating a complaint arising from the same circumstances.
5. The district will only share information regarding an individually identifiable student or employee with the person making the grievance or other persons if allowed by law and in accordance with Board policy.
6. Upon receiving a grievance, district administrators or supervisors, after consultation with the compliance officer, will implement interim measures as described in this policy if necessary to prevent further potential discrimination, harassment or retaliation during the pending investigation.

### **Grievance Process**

**Level I** - A grievance is made with the district's compliance officer. The compliance officer may, at his or her discretion, assign a school principal or other appropriate person to conduct the investigation when appropriate.

Regardless of who investigates the grievance, an investigation will commence immediately, but no later

than five working days after the compliance officer receives the grievance. The compliance officer or designee shall conduct a prompt, impartial, adequate, reliable and thorough investigation, including the opportunity for the person making the grievance and other parties involved to identify witnesses and provide information and other evidence. The compliance officer or designee will evaluate all relevant information and documentation relating to the grievance.

Within 30 working days of receiving the grievance, the compliance officer will complete a written report that summarizes the facts and makes conclusions on whether the facts constitute a violation of this policy based on the appropriate legal standards. If a violation of this policy is found, the compliance officer will recommend corrective action to the Superintendent to address the discrimination, harassment or retaliation; prevent recurrence; and remedy its effects. If someone other than the compliance officer conducts the investigation, the compliance officer or acting compliance officer will review and sign the report. The person who made the grievance, the victim if someone other than the victim made the grievance, and any alleged perpetrator will be notified in writing, within five working days of the completion of the report, in accordance with law and district policy, regarding whether the district's compliance officer or designee determined that district policy was violated.

**Level II** - Within five working days after receiving the Level I decision, the person making the grievance, the victim if someone other than the victim made the grievance, or any alleged perpetrator may appeal the compliance officer's decision to the Superintendent by notifying the Superintendent in writing. The Superintendent may, at his or her discretion, designate another person (other than the compliance officer) to review the matter when appropriate.

Within ten working days, the Superintendent will complete a written decision on the appeal, stating whether a violation of this policy is found and, if so, stating what corrective actions will be implemented. If someone other than the Superintendent conducts the appeal, the Superintendent will review and sign the report before it is given to the person appealing. A copy of the appeal and decision will be given to the compliance officer or acting compliance officer. The person who initially made the grievance, the victim if someone other than the victim made the grievance, and any alleged perpetrator will be notified in writing, within five working days of the Superintendent's decision, regarding whether the Superintendent or designee determined that district policy was violated.

**Level III** - Within five working days after receiving the Level II decision, the person making the grievance, the victim if someone other than the victim made the grievance, or any alleged perpetrator may appeal the Superintendent's decision to the Board by notifying the Board secretary in writing. The person making the grievance and the alleged perpetrator will be allowed to address the Board, and the Board may call for the presence of such other persons deemed necessary. The Board will issue a decision within 30 working days for implementation by the administration. The Board secretary will give the compliance officer or acting compliance officer a copy of the appeal and decision. The person who made the grievance, the victim if someone other than the victim made the grievance, and the alleged perpetrator will be notified in writing, within five working days of the Board's decision, in accordance with law and district policy, regarding whether the Board determined that district policy was violated. The decision of the Board is final.

### **Confidentiality and Records**

To the extent permitted by law and in accordance with Board policy, the district will keep confidential the identity of the person making a grievance and any grievance or other document that is generated or received pertaining to grievances. Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out disciplinary measures. The district will

disclose information to the district's attorney, law enforcement, the CD and others when necessary to enforce this policy or when required by law. In implementing this policy, the district will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The district will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions, in accordance with the Missouri Secretary of State's retention manuals and as advised by the district's attorney.

### **Training**

The district will provide training to employees on identifying and reporting acts that may constitute discrimination, harassment or retaliation. The district will instruct employees to make all complaints to the district's compliance officer or acting compliance officer and will provide current contact information for these persons. The district will inform employees of the consequences of violating this policy and the remedies the district may use to rectify policy violations. All employees will have access to the district's current policy, required notices and complaint forms. The district will provide additional training to any person responsible for investigating potential discrimination, harassment or retaliation. The district will provide information to parents/guardians and students regarding this policy and will provide age-appropriate instruction to students.

## **WORKPLACE ACCIDENTS AND INJURIES**

(Board Policy GBEA)

An employee of the Park Hill School District who is injured, killed or who is exposed to and contracts any occupational disease arising out of and in the course of employment is eligible for compensation in accordance with this policy and the Missouri Workers' Compensation Law. The District will not retaliate against an employee who exercises his or her rights under the Workers' Compensation Law.

### **Reporting**

Immediate notification of employee injuries is essential in effectively treating our employees and returning the employee to work.

When an employee is injured, the following steps should be taken immediately:

1. If the injury is serious and/or life threatening, contact 911.
2. For any injury that requires any medical attention, report the injury to the Office of the Assistant Superintendent of Business Services at 359-4020.
3. For injuries that do not require immediate medical treatment, go to the nearest school health room. The Nurse will notify the District Office.

An employee must also report all injuries immediately to his or her immediate supervisor by completing the District's incident report form. The District expects incident forms to be completed within 72 hours. If the nature of the injury or illness is such that the employee cannot immediately submit the completed incident form, the employee's supervisor will assist the employee in completing the form as soon as possible, but no later than 30 days after the injury or illness. Employees who fail to promptly report an

injury or illness arising out of and in the course of employment may jeopardize their ability to receive compensation and other benefits pursuant to law and this policy.

Upon receiving a report of an injury or illness, the supervisor will immediately forward the report to the executive administrative assistant for Business Services at District Office. Business Services will promptly forward a copy of the report to the District's workers' compensation insurance carrier and will be responsible for keeping the carrier informed of the employee's status.

### **Use of Leave**

The District does not permit the use of paid leave for absences during the period when the employee receives workers' compensation wage benefits. Because by law an employee will not receive workers' compensation wage benefits for the first three (3) days of absence if the total absence is less than 14 days, the District will apply available paid leave for those days. However, the employee will only receive compensation for those days once the District knows that the employee will not receive workers' compensation wage benefits for those days.

Employees who are absent due to an illness or injury compensable under workers' compensation and who are receiving such compensation will not lose seniority or any accumulated paid leave due to the absence. However, the employee will not continue to accumulate paid leave during the absence.

Employees are required to use accumulated paid leave to receive medical treatment, evaluation or to attend physical rehabilitation during work time. If paid leave has been exhausted and the employee must be absent during work time to receive medical treatment, evaluation or to attend physical rehabilitation in conjunction with a work-related injury or illness, the employee may be granted unpaid leave.

### **Medical Providers**

The District will designate medical providers to be used in the administration of workers' compensation claims and treatment. A list of District-designated providers will be available to employees upon request. If the employee chooses to use his or her own provider, the employee is responsible for all costs associated with the provision of those services.

### **Reasonable Accommodations (Light Duty)**

If an employee is released back to work after a workplace accident, but has restrictions that cannot be reasonably accommodated in his/her regular position, then every effort will be made to offer work in an area where restrictions can be reasonably accommodated. Light duty work may be in a different type of job or in a different building. If light duty work is offered but the employee refuses to do the work, then workers' compensation benefits will not be paid. The employee has the option of utilizing personal paid leave, if desired, or being off work and unpaid.

### **Loss of Benefits**

An injury caused by the failure of employees to use safety devices provided by the District or obey rules adopted by the District for the safety of employees will result in the reduction of benefits payable under this policy and pursuant to law.

Violation of the District's Drug-Free Workplace policy or any other District policy, procedure or rule relating to the use of alcohol or non-prescribed controlled substances will result in a reduction or loss of

benefits if the injury was sustained in conjunction with the use of alcohol or non-prescribed controlled substances.

The Board authorizes post-injury testing for non-prescribed controlled substances or alcohol in accordance with Board policy and law. Refusal to submit to the test will result in the loss of benefits.

An employee is disqualified from receiving temporary total disability workers' compensation benefits during any period of time in which the employee receives unemployment benefits.

Temporary, partial or total disability workers' compensation benefits are not payable if an employee is terminated from employment for misconduct post-injury.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY (FERPA)**

The Family Education Rights & Privacy Act (FERPA) provides for the privacy of educational records and ensures access to educational records by parents and students. All employees of the Park Hill School District are expected to maintain confidentiality of student education records as prescribed by law and as prescribed by Policy JO and Regulation JO-R.

### **Definitions**

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

*Student:* Any person who attends or has attended a school in the school district and for whom the district maintains education records.

*Eligible Student:* A student or former student who has reached age 18 or is attending a postsecondary school.

*Parent:* A biological or adoptive parent of a student, a guardian of a student, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

*Education Record:* A record that is directly related to a personally identifiable student and that is maintained by the school district or an agent acting on behalf of the school district. An education record may include information that is handwritten, in print or recorded using digital, electronic or other means and includes biometric records such as fingerprints. Education records do not include:

1. Records kept in the sole possession of the maker of the record, used only as a personal memory aid and not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. An employment record that relates exclusively to an individual in his or her capacity as an employee of the school district and that is not available for use for any other purpose.
3. Records that contain information about a student after he or she is no longer in attendance at the district and that are not directly related to the person's attendance as a student, such as alumni records.
4. Grades on peer-graded papers before they are collected and recorded by a teacher.

*Directory Information:* Information contained in an education record of a student that generally would not be considered harmful or an invasion of privacy if disclosed. The school district defines directory information in policy JO.

*Health Records:* Any record relating to a student's health or disability including, but not limited to, doctor's orders, doctor's notes, medical evaluations, medical diagnoses, information regarding medications, Section 504 plans, individualized education programs (IEP) and individualized health plans (IHP). A health record is a type of education record.

*School Official:* A person who has a legitimate educational interest and who meets one of the following criteria:

1. A person employed by the district as an administrator, supervisor, instructor or support staff member, including health staff.
2. A School Board member of the Park Hill School District.
3. A person paid by the district to perform a special task that requires access to student records, such as an attorney, auditor, medical consultant or therapist.
4. A person serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another school official in performing his or her tasks.
5. A contractor, consultant, volunteer or other party performing services on behalf of the district if 1) the service would have otherwise been performed by district employees, 2) the person or party is under the direct control of the district regarding the use and maintenance of education records, and 3) the person or party agrees to follow confidentiality laws regarding the redisclosure of information.

*Legitimate Educational Interest:* A school official has a legitimate educational interest if the official is:

1. Performing a task that is specified in his or her position description or by a contract agreement.
2. Performing a task related to a student's education in accordance with the school official's position.
3. Performing a task related to the discipline of a student in accordance with the school official's position.
4. Providing a service or benefit relating to the student or student's family, such as healthcare, counseling, job placement or financial aid.
5. Maintaining the safety and security of the campus.
6. Under the direct supervision of a staff member and, with authorization from the district, assisting a staff member in performing his or her job.

## **Education Records**

### **A. General**

1. Education records shall be retained according to the guidelines set forth in the retention schedules developed by the Office of the Missouri Secretary of State. The district will not destroy an education record if there is an outstanding request by a parent or eligible student to inspect and review the record.
2. Parents and/or students may refuse to disclose a student's Social Security number to the district unless required by law.
3. Pursuant to state law, the permanent record of a student reading below the fifth-grade reading

level at the end of his or her sixth-grade year shall carry a notation advising that such student has not met minimal reading standards. The notation shall stay on the student's record until such time as the district determines that the student has met minimal reading standards.

4. It is the responsibility of the principal and the professional staff of the school to see that such records are kept secure and confidential and are utilized in accordance with the law.

#### B. Review of Education Records by Parents or Eligible Students

1. Education records shall be open for inspection by parents and eligible students. Both parents have access to their child's school records until and unless a court orders otherwise. Therefore, a copy of any applicable court order that restricts any parent's access to the student's education records must be filed with the school principal in order to certify to the district that a parent's access rights are limited or denied pursuant to the court's directions. If a school employee has good reason to believe, based on personal knowledge or information from a reliable source, that a parent's access rights have been limited by a court order that is not on file with the district, the employee may delay access for a reasonable amount of time, but no longer than three business days, to afford the student's parent or the eligible student an opportunity to provide the school with the current applicable order.
2. The parents or the eligible student should submit to the school principal a written request that identifies as precisely as possible the record or records they wish to inspect. The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access must be given as soon as possible, but within three business days. However, the period for document production may exceed three days for reasonable cause.
3. If a parent or eligible student requests an education record that contains information on more than one identifiable student, the district will not disclose the record unless the district is able to effectively redact information pertaining to the other student(s), all parents or eligible students consent to the disclosure in writing, or the law otherwise allows for the disclosure.
4. If a parent or eligible student believes the education records related to the student contain information that is inaccurate, misleading or in violation of the student's privacy, he or she may ask the district to amend the record by following the appeals procedures outlined in this procedure.

#### C. Transfer of Education Records

1. The district will respond to a request for records from another school district enrolling a student within five business days of receiving the request. However, if the student's record has been marked pursuant to notification by the Missouri State Highway Patrol that the student has been classified as a missing child, the record shall not be forwarded to the requesting district, and the district will notify the missing persons unit of the Missouri State Highway Patrol of the record request.
2. Upon notification that a student has transferred to any other school district, the district will forward to the superintendent of the new district any written notification the Park Hill School District has received from a juvenile officer, sheriff, chief of police or other appropriate law enforcement authority that a petition has been filed in juvenile court alleging that the student has committed an offense listed in Section 167.115.1, RSMo., and the notification of disposition of such case.

#### D. Annual Notification of Rights to Parents and Students

1. The district shall annually notify eligible students currently in attendance and parents of students currently in attendance of their rights under the Family Educational Rights and Privacy Act (FERPA) and FERPA regulation by publication in the student handbook(s) or by distributing notification to the parents and eligible students at the beginning of the school year.
2. The district shall annually notify eligible students currently in attendance and parents of students currently in attendance of the directory information the district will release without written permission.
3. The district may notify parents of secondary school students that it is required to release the student's name, address and telephone listing to military recruiters and institutions of higher education upon request. Parents or eligible students may request that the district not release this information, and the district will comply with the request.
4. The district will notify parents at least annually of its policy on the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for a marketing purpose, including arrangements to protect student privacy that are provided by the district in the event of such collection, disclosure or use. Parents will be directly notified annually at the beginning of the school year of the specific or approximate dates during the school year when such collection, disclosure or use of personal information is scheduled or expected to be scheduled. The district will also offer an opportunity for the parent or eligible student to opt the student out of participation in any such activity.

#### E. Annual Notification of Directory Information

1. The district shall annually notify parents and eligible students of the directory information the district will release without written consent. Parents or eligible students will have ten school days after the annual public notice to provide notice in writing to the school district that they choose to not have this information released. Unless notified to the contrary in writing within the ten-school-day period, the school district may disclose any of those items designated as directory information without the parent's or eligible student's prior written consent, including in print and electronic publications of the school district.
2. Even if a parent or eligible student notifies the district in writing that he or she does not want directory information disclosed, the district may still disclose the information if required or allowed to do so by law. For example, the district may require students to disclose their names, identifiers or district e-mail addresses in classes in which they are enrolled, or students may be required to wear, publicly display or disclose a student identification card or badge that exhibits information that is designated as directory information.
3. Directory information is considered a "public record" that must be released by the district to any person who requests it under the Missouri Sunshine Law.

#### F. Release of Education Records

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

1. To school officials who have a legitimate educational interest in the records.
2. To officials of another school in which a student is enrolled or seeks or intends to enroll as long as the disclosure is for purposes related to the enrollment or transfer.
3. Directory information. If the district annually notifies parents and eligible students that directory information may be released without prior written consent and gives parents and eligible students the opportunity to notify the district in writing that they do not want the information released, the district may release directory information without prior consent.
4. To military recruiters or institutions of higher education that have requested the names, addresses and telephone listings of secondary school students. However, the district will honor a request from a secondary school student or his or her parent not to release the information.
5. To organizations conducting studies for or on behalf of the district or other educational agencies or institutions to develop, validate or administer predictive tests, administer student aid programs or improve instruction if the legal requirements for disclosure are met.
6. To state and local authorities, when allowed by state statute, if the disclosure concerns law enforcement's or juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed may be required to certify in writing that the information will not be disclosed to any other party except as allowed by law or with the written consent of the parent.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1986.
9. To parents of a student who is not an eligible student or to the student.
10. To comply with a judicial order or a lawfully issued subpoena. Unless otherwise ordered, the district will make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or student may seek protective action.
11. In connection with a student's request for or receipt of financial aid to determine the eligibility, amount, or conditions of the financial aid or to enforce the terms and conditions of the aid.
12. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the United States Department of Education or state and local education authorities in connection with an audit or evaluation of federally or state-supported education programs or for the enforcement of or compliance with federal legal requirements relating to these programs.
13. To appropriate parties when there is an articulable and significant threat to the health or safety of a student or other persons. The nature of the threat and the persons to whom the information was disclosed must be recorded.
14. To other persons authorized to receive education records pursuant to FERPA and 34 C.F.R., Part 99, or other applicable laws.

## **USE OF DISTRICT TECHNOLOGY RESOURCES**

(Board Policy EHB)

The Park Hill School District's technology exists for the purpose of enhancing the educational opportunities and achievement of district students. Research shows that students who have access to technology improve achievement. In addition, technology assists with the professional enrichment of the staff and Board and increases engagement of students' families and other patrons of the district, all of which positively impact student achievement. The district will periodically conduct a technology

census to ensure that instructional resources and equipment that support and extend the curriculum are readily available to teachers and students.

The purpose of this policy is to facilitate access to district technology and to create a safe environment in which to use that technology. Because technology changes rapidly and employees and students need immediate guidance, the superintendent or designee is directed to create procedures to implement this policy and to regularly review those procedures to ensure they are current.

### **Definitions**

For the purposes of this policy and related procedures and forms, the following terms are defined:

*Technology Resources.* Technologies, devices and services used to access, process, store or communicate information. This definition includes, but is not limited to: mobile phones, computers, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, Internet, electronic mail, electronic communications devices and services, including wireless access, multi-media resources, hardware and software. Technology resources may include technologies, devices and services provided to the district by a third party.

*User.* Any person who is permitted by the district to utilize any portion of the district's technology resources including, but not limited to, students, employees, School Board members and agents of the school district.

*User Identification (ID).* Any identifier that would allow a user access to the district's technology resources or to any program including, but not limited to, e-mail and Internet access.

*Password.* A unique word, phrase or combination of alphabetic, numeric and non-alphanumeric characters used to authenticate a user ID as belonging to a user.

### **Authorized Users**

The district's technology resources may be used by authorized students, employees, School Board members and other persons approved by the Superintendent or designee, such as consultants, legal counsel and independent contractors. All users must agree to follow the district's policies and procedures and sign or electronically consent to the District's User Agreement or another document, into which the terms of EHB and EHB-R are incorporated prior to accessing or using District technology resources, unless excused by the Superintendent or designee.

Use of the district's technology resources is a privilege, not a right. No potential user will be given an ID, password or other access to district technology if he or she is considered a security risk by the Superintendent or designee.

### **User Privacy**

A user does not have a legal expectation of privacy in the user's electronic communications or other activities involving the district's technology resources, including, but not limited to, voicemail, telecommunications, e-mail and access to the Internet or network drives. By using the district's network and technology resources, all users are consenting to having their electronic communications and all other use monitored by the district. A user ID with e-mail access will only be provided to authorized

users on condition that the user consents to interception of or access to all communications accessed, sent, received or stored using district technology.

Electronic communications, downloaded material and all data stored on the district's technology resources, including files deleted from a user's account, may be intercepted, accessed, monitored or searched by district administrators or their designees at any time in the regular course of business. Such access may include, but is not limited to, verifying that users are complying with district policies and rules and investigation potential misconduct. Any such search, access or interception shall comply with all applicable laws. Users are required to return district technology resources to the district upon demand including, but not limited to, mobile phones, laptops and tablets.

### **Technology Administration**

The Board directs the Superintendent or designee to assign trained personnel to maintain the district's technology in a manner that will protect the district from liability and will protect confidential student and employee information retained on or accessible through district technology resources.

Administrators of district technology resources may suspend access to and/or availability of the district's technology resources to diagnose and investigate network problems or potential violations of the law or district policies and procedures. All district technology resources are considered district property. The district may remove, change or exchange hardware or other technology between buildings, classrooms or users at any time without prior notice. Authorized district personnel may install or remove programs or information, install equipment, upgrade any system or enter any system to at any time.

### **Content Filtering and Monitoring**

The district will monitor the online activities of users and operate a technology protection measure (content filter) on the network and all district technology with Internet access, as required by law. In accordance with law, the content filter will be used to protect against access to visual depictions that are obscene or harmful to minors or are child pornography. Content filters are not foolproof, and the district cannot guarantee that users will never be able to access offensive materials using district equipment. Evading or disabling, or attempting to evade or disable a content filter installed by the district is prohibited.

The Superintendent, designee or the district's technology administrator may fully or partially disable the district's content filter to enable access for an adult for bona fide research or for other lawful purposes. In making decisions to fully or partially disable the district's content filter, the administrator shall consider whether the use will serve a legitimate educational purpose or otherwise benefit the district.

### **Online Safety, Security and Confidentiality**

In addition to the use of a content filter, the district will take measures to prevent minors from using district technology to access inappropriate matter or materials harmful to minors on the Internet. Such measures shall include, but are not limited to, supervising and monitoring student technology use, careful planning when using technology in the curriculum, and instruction on appropriate materials. The Superintendent, designee and/or the district's technology administrator will develop procedures to provide users guidance on which materials and uses are inappropriate, including network etiquette guidelines.

All minor students will be instructed on safety and security issues, including instruction on the dangers of sharing personal information about themselves or others when using e-mail, social media, chat rooms or other forms of direct electronic communication. Instruction will also address cyber bullying awareness and response and appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms.

The instruction will occur in the district's computer courses, courses in which students are introduced to the computer and the Internet, or courses that use the Internet in instruction. Students are required to follow all district rules when using district technology resources and are prohibited from sharing personal information online unless authorized by the district.

All district employees must abide by state and federal law and Board policies and procedures when using district technology resources to communicate information about personally identifiable students to prevent unlawful disclosure of student information or records.

All users are prohibited from using district technology to gain unauthorized access to a technology system or information; connect to other systems in evasion of the physical limitations of the remote system; copy district files without authorization; interfere with the ability of others to utilize technology; secure higher level of privilege without authorization; introduce computer viruses, hacking tools, or other disruptive/destructive programs onto district technology; or evade or disable a content filter.

### **Closed Forum**

The district's technology resources are not a public forum for expression of any kind and are to be considered a closed forum to the extent allowed by law. The district's webpage will provide information about the school district, but will not be used as an open forum.

All expressive activities involving district technology resources that students, parents/guardians and members of the public might reasonably perceive to bear the imprimatur of the district and that are designed to impart particular knowledge or skills to student participants and audiences are considered curricular publications. All curricular publications are subject to reasonable prior restraint, editing and deletion on behalf of the school district for legitimate pedagogical reasons. All other expressive activities involving the district's technology are subject to reasonable prior restraint and subject matter restrictions as allowed by law and Board policies.

### **Records Retention**

Trained personnel shall establish a retention schedule for the regular archiving or deletion of data stored on district technology resources. The retention schedule must comply with the Public School District Records Retention Manual as well as the General Records Retention Manual published by the Missouri Secretary of State.

In the case of pending or threatened litigation, the district's attorney may issue a litigation hold directive to the Superintendent or designee. The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal or destruction of relevant documents until the hold has been lifted by the district's attorney. E-mail and other technology accounts of separated employees that have been placed on a litigation hold will be maintained by the district's information technology department until the hold is released. No employee who has been so notified of a litigation hold may alter or delete any electronic record that falls within the scope of the hold. Violation of the hold may subject the individual to disciplinary actions, up to and including termination

of employment, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

### **Violations of Technology Usage Policies and Procedures**

A consistently high level of personal responsibility is expected of all users granted access to the district's technology resources. Use of the district's technology resources in a disruptive, manifestly inappropriate or illegal manner shall not be tolerated.

Any violation of district policies or procedures regarding technology usage may result in temporary, long-term or permanent suspension of user privileges and/or other discipline. User privileges may be suspended pending investigation into the use of the district's technology resources.

Employees may be disciplined or terminated, and students suspended or expelled, for violating the district's technology policies and procedures. Any attempted violation of the district's technology policies or procedures, regardless of the success or failure of the attempt, may result in the same discipline or suspension of privileges as that of an actual violation. The district will cooperate with law enforcement in investigating any unlawful use of district's technology resources.

### **Damages**

All damages incurred by the district due to a user's intentional or negligent misuse of the district's technology resources, including loss of property and staff time, may be charged to the user. The Superintendent and designee have the authority to contact legal authorities in regard to damage to district technology.

### **No Warranty/No Endorsement**

The district makes no warranties of any kind, whether expressed or implied, for the services, products or access it provides. The district's technology resources are available on an "as is, as available" basis.

The district is not responsible for loss of data, delays, nondeliveries, misdeliveries or service interruptions. The district does not endorse the content nor guarantee the accuracy or quality of information obtained using the district's technology resources.

## **STAFF CONDUCT**

(Board Policy GBCB)

The Park Hill Board of Education expects that each professional and support staff member shall put forth every effort to promote a quality instructional program in the school district. In building a quality program, employees must meet certain expectations that include, but are not limited to, the following:

1. Become familiar with, enforce and follow all Board policies, regulations, administrative procedures, other directions given by district administrators and state and federal laws as they affect the performance of job duties.
2. Maintain courteous and professional relationships with pupils, parents/guardians, other employees of the district and all patrons of the district.
3. Keep current on developments affecting the employee's area of expertise or position.

4. Transact all official business with the appropriate designated authority in the district in a timely manner.
5. Transmit constructive criticism of other staff members or of any department of the school district to the particular school administrator who has the administrative responsibility for improving the situation.
6. Care for, properly use and protect school property.
7. Attend all required staff meetings called by district administration, unless excused.
8. Keep all student records, medical information and other sensitive information confidential as directed by law, Board policy, district procedures and the employee's supervisor.
9. Immediately report all dangerous building conditions or situations to the building supervisor and take action to rectify the situation and protect the safety of students and others if necessary.
10. Properly supervise all students. The Board expects all students to be under assigned adult supervision at all times during school and during any school activity. Except in an emergency, no employee will leave an assigned group unsupervised.
11. Obey all safety rules, including rules protecting the safety and welfare of students.
12. Submit all required reports or paperwork at the time requested. Employees will not falsify records maintained by the school district.
13. Refrain from using profanity.
14. Dress professionally and in a manner that will not interfere with the educational environment.
15. Come to work and leave work at the time specified by the employee handbook or by the employee's supervisor. Employees who are late to work, stop working before the scheduled time or non-exempt employees who work beyond the scheduled time without permission may be subject to discipline, including termination.
16. School employees, other than commissioned law enforcement officers, shall not strip search students, as defined in state law, except in situations where an employee reasonably believes that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others and a commissioned law enforcement officer is not immediately available.
17. School employees shall not direct a student to remove an emblem, insignia or garment, including a religious emblem, insignia or garment, as long as such emblem, insignia or garment is worn in a manner that does not promote disruptive behavior.
18. State law prohibits teachers from participating in the management of a campaign for the election or defeat of a member of the Board of Education that employs such teacher.
19. Employees will not use district funds or resources to advocate, support or oppose any ballot measure or candidate for public office.
20. Employees will not use any time during the working day for campaigning purposes, unless allowed by law.

## **STAFF/STUDENT RELATIONS**

(Board Policy GBH)

### **Definitions**

*Educational Purpose:* A reason associated with the staff member's duties in the district including, but not limited to: counseling, the treatment of a student's physical injury, or coordination of an extracurricular activity, depending on the staff member's job description.

*Staff Member:* For the purposes of this policy, a staff member is any individual employed by the district, including part-time and substitute employees and student teachers.

*Student:* Individuals currently enrolled in the Park Hill School District.

## **General**

Staff members are expected to maintain courteous and professional relationships with students. All staff members have a responsibility to provide an atmosphere conducive to learning through consistently and fairly applied discipline and the maintenance of physical and emotional boundaries with students. These boundaries must be maintained regardless of the student's age, the location of the activity, whether the student allegedly consents to the relationship or whether the staff member directly supervises the student. Maintaining these boundaries is an essential requirement for employment in the district.

Although this policy applies to the relationships between staff members and district students, staff members who inappropriately interact with any child may be disciplined or terminated when the district determines such action is necessary to protect students.

## **Absolute Prohibitions**

There are some interactions between staff members and students that are never acceptable and are absolutely prohibited including, but not limited to:

1. Touching, caressing, fondling or kissing students in a sexual or sexually intimate manner.
2. Dating a student or discussing or planning a future romantic or sexual relationship with a student. The district may use as evidence, in considering whether a violation of this provision has occurred, if a staff member begins a dating or sexual relationship with a student immediately after graduation or immediately after a student has left the district.
3. Making sexual advances toward a student or engaging in a sexual relationship with a student.
4. Engaging in any conduct that constitutes illegal harassment or discrimination as defined in policy AC or that could constitute a violation of that policy if pervasive.
5. Engaging in any conduct that violates Board policies, regulations or procedures or constitutes criminal behavior.

## **Exceptions to this Policy**

The goal of this policy is to protect students from harm and staff members from allegations of misconduct by requiring staff members to maintain professional boundaries with students. The district does not intend to interfere with or impede appropriate interactions between staff members and students.

An emergency situation or an educational purpose might justify deviation from some of the professional boundaries set out in this policy. Likewise, staff members might be related to students or have contact with students outside the school environment through friends, neighborhood or community activities, or participation in civic, religious or other organizations. These contacts might justify deviation from some of the standards set in this policy, but under no circumstance will an educational or other purpose justify deviating from the "Absolute Prohibitions" section of this policy.

The staff member must be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that he or she has maintained an appropriate relationship with the

student. To avoid confusion, the district encourages staff members to consult with their supervisors prior to engaging in behaviors or activities that might violate professional boundaries as defined in this policy.

### **Failure to Maintain Boundaries**

This policy includes a list of staff conducts which are absolutely prohibited. In addition to those specific conducts, the Board wants to ensure that its students and staff are protected from situations in which an appearance of impropriety may arise, even if no absolutely prohibited conduct occurs. For instance, the following is a nonexclusive list of potential situations in which a staff member may fail to maintain professional physical and emotional boundaries, if no exception applies or no educational purpose exists.

- Being alone with a student in a room with a closed or locked door or with the lights off. Note that counselors or others who need to work with students confidentially may need to meet with a student with a closed office door, but such practice should be discussed with their supervisors to ensure it is the appropriate manner of meeting with students.
- Associating with students in any setting where students are provided, are consuming or are encouraged to use or consume alcohol, tobacco, drugs or any other product or service prohibited to minors.
- Communicating with students about sexual topics verbally or by any form of written, pictorial or electronic communication.
- Discussing the staff member's personal problems with or in the presence of students.
- Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
- Being present when students are fully or partially nude.
- Sending students on personal errands.
- Allowing a student to drive the staff member's vehicle.
- Providing a student (other than the staff member's children, stepchildren or other children living in the staff member's home) transportation in the staff member's personal vehicle without a supervisor's approval, unless another staff member or the student's parent/guardian is also present in the vehicle.
- Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
- Giving gifts to individual students (as opposed to giving gifts of nominal value to all members of a class, for example).
- Frequently pulling a student from another class or activity to be with the staff member.

## Electronic Communication

Staff members are encouraged to communicate with students and parents/guardians for educational purposes using a variety of effective methods, including electronic communication. As with other forms of communication, staff members must maintain professional boundaries with students while using electronic communication regardless of whether the communication methods are provided by the district or the staff member uses his or her own personal electronic communication devices, accounts, webpages or other forms of electronic communication.

The district's policies, regulations, procedures and expectations regarding in-person communications at school and during the school day also apply to electronic communications for educational purposes, regardless of when those communications occur. Staff communications must be professional, and student communications must be appropriate. Staff members may only communicate with students electronically for educational purposes between the hours of 6:00 a.m. and 10:00 p.m. Staff members may use electronic communication with students only as frequently as necessary to accomplish the educational purpose.

1. When communicating electronically with students for educational purposes, staff members must use district-sponsored, accounts and forms of communication (such as computers, phones, telephone numbers, e-mail addresses and district-sponsored webpages or social networking sites), when available. If district-sponsored, accounts and forms of communication are unavailable, staff members communicating electronically with students must do so in accordance with number two below. Staff members may communicate with students using district-sponsored forms of communication without first obtaining supervisor approval. These communications may be monitored. With district permission, staff members may establish websites or other accounts on behalf of the district that enable communications between staff members and students or parents/guardians. Any such website or account is considered district sponsored and must be professional and conform to all district policies, regulations and procedures.
2. A staff member's supervisor may authorize a staff member to communicate with students using the staff member's personal telephone numbers, addresses, webpages or accounts (including, but not limited to, accounts used for texting) to organize or facilitate a district-sponsored class or activity if the communication is determined necessary or beneficial, if a district-sponsored form of communication is not available, and if the communication is related to the class or activity. The district will provide notification to the parents/guardians of students participating in classes or activities for which personal electronic communications have been approved. Staff members may be required to send the communications simultaneously to the supervisor if directed to do so. Staff members are required to provide their supervisors with all education-related communications with district students upon request.
3. The district discourages staff members from communicating with students electronically for reasons other than educational purposes. When an electronic communication is not for educational purposes, the section of this policy titled "Exceptions to This Policy" applies, and if concerns are raised, the staff member must be prepared to demonstrate that the communications are appropriate. This policy does not limit staff members from communicating with their children, stepchildren or other persons living within the staff member's home who happen to be students of the district.

## **Consequences**

Staff members who violate this policy will be disciplined, up to and including termination of employment. Depending on the circumstances, the district may report staff members to law enforcement and the Children's Division (CD) of the Department of Social Services for further investigation, and the district may seek revocation of a staff member's license(s) with the Department of Elementary and Secondary Education (DESE).

## **Reporting**

Any person, including a student, who has concerns about or is uncomfortable with a relationship or activities between a staff member and a student should bring this concern immediately to the attention of the principal, counselor or staff member's supervisor. If illegal discrimination or harassment is suspected, the process in policy AC will be followed.

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy. Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports. The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

## **Training**

The district will provide training to district staff that includes current and reliable information on identifying signs of sexual abuse in children and potentially abusive relationships between children and adults. The training will emphasize legal reporting requirements and cover how to establish an atmosphere where students feel comfortable discussing matters related to abuse.

# **STAFF USE OF COMMUNICATION DEVICES**

(Board Policy GBCC)

The Park Hill School District encourages district employees to use technology, including communication devices, to improve efficiency and safety. The district expects all employees to use communication devices in a responsible manner that does not interfere with the employee's job duties. Employees who violate district policies and procedures governing the use of communication devices may be disciplined, up to and including termination, and may be prohibited from possessing or using communication devices while at work. Communication devices may not be used in any manner that would violate the district's policy on student-staff relations.

## **Definitions**

*Communication Device:* Any mobile telephone, personal digital assistant, pager, tablet, laptop or other portable device that sends, receives or retrieves calls, text messages, e-mail, other electronic communications or data, or provides access to the Internet.

*Use/Using:* Dialing, answering or talking on the phone; sending, reading or responding to a text, e-mail or other communication; opening and viewing pictures or digital recordings; opening and listening to music or audio communications; continuously checking a communication device; or any activity with a communication device that interferes with the employee's job duties or appropriate supervision of students. An employee is considered to be using a device even when the use is hands-free.

### **General Use**

The district prohibits employees from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee's supervisor. This prohibition applies regardless of whether the communication device used is owned by the employee or provided by the district.

Employees are responsible for keeping communication devices secure and, if possible, password protected.

Supervision of students is a priority in the district, and employees who are responsible for supervising students must concentrate on that task at all times. Employees shall not use communication devices when they are responsible for supervising students unless any of the following conditions occur:

1. The device is being used to instruct the students being supervised at the time.
2. The use is necessary to the performance of an employment-related duty.
3. The use is consistent with a supervisor's guidelines for limited, personal use of communication devices.
4. There is an emergency.

Even when these conditions exist, the employee is responsible for obtaining assistance in adequately supervising students during the approved use so that students are supervised at all times.

### **Use in Vehicles**

Regardless of other provisions of this policy and in accordance with law, employees shall not use communication devices when:

1. Driving district-provided vehicles, regardless of whether the vehicle is owned, leased or otherwise obtained for district use in a district activity.
2. Operating any vehicle in which a student is being transported when the transportation is provided as part of the employee's job.
3. Supervising students who are entering or exiting a vehicle, crossing thoroughfares or otherwise safely reaching their destinations when such supervision is part of the employee's job.

The district will make an exception to the rules in this section when the communication device is used to:

1. Report illegal activity.
2. Summon medical or other emergency help.
3. Prevent injury to a person or property.
4. Relay necessary, time-sensitive information to a dispatcher with a device permanently affixed to the vehicle, in the manner allowed by law.

5. Play music, as long as the employee operating the vehicle does not turn on, select or otherwise manipulate the device while operating the vehicle or supervising students as described above.
6. Obtain directions from a global positioning or navigational system, as long as the system is being used in association with the employee's job and adequate safety precautions are taken.

Even in these situations, employees should first take all possible safety precautions before using communication devices.

### **Use of District-Provided Communication Devices**

The district may provide communication devices and service to some employees to assist them in carrying out their employment-related duties on and off district property. Use of a district-provided communication device is a privilege. The superintendent or designee has sole discretion as to which employees will be provided communication devices and may recall any previously issued communication device. Employees do not have any expectation of privacy in district-provided communication devices or any information stored on them, and such devices may be confiscated and searched at any time.

Employees are expected to exercise reasonable care to protect district-provided communication devices from damage or theft and must report any such incidents immediately. The district may require employees to reimburse the district for any damage or theft that was the result of the employee's gross negligence. Users of district-provided communication devices must abide by any use limitations included in the district's service contract.

### **Personal Use of District-Provided Communication Devices**

Personal use of district-provided communication devices is permissible as long as the use does not exceed the limits of the applicable plan. An employee whose use exceeds plan limitations will be required to reimburse the district for all expenses beyond those covered by the plan and may have privileges suspended or revoked unless the employee can show that all use was for employment-related duties and the device was not used for personal reasons. The amount of personal use of a communication device or service paid for under E-Rate can be no greater than the cost allocation submitted in the request for the E-Rate discount.

## **REPORTING AND INVESTIGATING CHILD ABUSE/NEGLECT**

(Board Policy JHG)

The Park Hill School District and its employees will take action to protect students and other children from harm including, but not limited to, abuse and neglect, and will respond immediately when discovering evidence of harm to a child. Employees must cooperate fully with investigations of child abuse and neglect. The district prohibits discrimination, negative job action or retaliation against any district employee who, in good faith, reports alleged child abuse or neglect, including alleged misconduct by another district employee.

Employees failing to follow the directives of this policy or state or federal law will be subject to discipline including, but not limited to, termination, and may be subject to criminal prosecution.

## **Definitions**

*Abuse* – Any physical injury, sexual abuse or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody and control or by any other person, except that discipline including spanking, administered in a reasonable manner, shall not be construed as abuse. Physical injury, sexual abuse and emotional abuse are defined by the Children's Division (CD) of the Department of Social Services in 13 C.S.R. 35-31.010.

*Child* – Any person under 18 years of age.

*Neglect* – The failure to provide, by those responsible for the care, custody and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical or any other care necessary for the child's well-being.

*Those Responsible for the Care, Custody and Control of the Child* – Includes, but is not limited to, any person exercising supervision over a child for any part of a 24-hour day as well as any adult who has access to the child.

## **Public School District Liaison**

The superintendent shall designate a specific person or persons to serve as the public school district liaison(s) and forward that information to the local division office of the CD. The liaison(s) shall develop protocols in conjunction with the chief investigator of the local division office to ensure information regarding the status of a child abuse or neglect investigation is shared with appropriate school personnel.

The liaison(s) will also serve on multidisciplinary teams used in providing protective or preventive social services along with law enforcement, the juvenile officer, the juvenile court and other agencies, both public and private.

## **Training**

The superintendent or designee shall implement annual training necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Such training shall:

1. Provide current and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults.
2. Emphasize how to establish an atmosphere of trust so that students feel that their school has concerned adults with whom they feel comfortable discussing matters related to abuse.
3. Emphasize that all mandatory reporters shall, upon finding reasonable cause, directly and immediately report suspected child abuse or neglect. These reports must be made even if the person suspected of abusing the child is another mandated reporter, such as another school employee.
4. Emphasize that no supervisor or administrator may impede or inhibit any reporting under state law.
5. Emphasize that no person making a report in accordance with law shall be subject to any sanction, including any adverse employment action, for making such a report.

## **Reporting Child Abuse/Neglect**

The Board of Education requires its staff members to comply with the state child abuse and neglect laws and the mandatory reporting of suspected neglect and/or abuse. Any school official or employee acting in his or her official capacity who knows or has reasonable cause to suspect that a child has been subjected to abuse or neglect, or who observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, shall directly and immediately make a report to the CD, including any report of excessive absences that may indicate educational neglect. No internal investigation shall be initiated until such a report has been made, and even then the investigation may be limited if the report involves sexual misconduct by a school employee. Employees who make such reports to the CD must notify the school principal or designee that a report has been made. The principal or designee will notify the superintendent or designee and the district liaison(s) about the report.

The school principal or designee may also notify law enforcement or the juvenile office when appropriate. If an employee has reason to believe that a victim of such abuse or neglect is a resident of another state or was injured as a result of an act that occurred in another state, then, in addition to notifying the Missouri CD pursuant to this policy, he or she may also make a report to the child protection agency with the authority to receive such reports, pursuant to law, in the other state.

The reporting requirements are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. No employee making a report in accordance with law shall be subject to any sanction, including any adverse employment action, for making such a report. Further, the superintendent and other district administrators shall ensure that any employee mandated by law to make a report shall have immediate and unrestricted access to the communication technology necessary to make an immediate report. Employees shall also be temporarily relieved of other work duties for such time as is required to make any mandated report.

## **Reporting Allegations of Sexual Misconduct by a School Employee**

The district takes all allegations of sexual misconduct seriously, regardless of the source. However, an allegation of sexual misconduct by a school employee is particularly serious. In accordance with law, if a student reports alleged sexual misconduct on the part of a school district employee to an employee of this district, the employee who receives the report and the superintendent shall immediately report the allegation to the CD as set forth in law, regardless of whether the employee or superintendent has reasonable cause to suspect abuse. For the purposes of this policy, the term "sexual misconduct" is defined as engaging in any conduct with a student, on or off district property, that constitutes 1) the crime of sexual misconduct; 2) illegal sexual harassment as defined in policy AC, as determined by the district; or 3) child abuse involving sexual behavior, as determined by the CD.

The CD will investigate all allegations of sexual misconduct involving district employees. The district may investigate the allegations for the purpose of making employment decisions.

## **Investigating Child Abuse/Neglect**

In general, the CD investigates reports of child abuse and neglect. However, state statute requires the district to initially investigate allegations of child abuse by district employees in situations other than sexual misconduct to ensure that the allegations are not made for the purpose of harassing district staff.

When the CD receives a child abuse report alleging that an employee of the district has abused a

student in situations other than those involving sexual misconduct, the report shall be immediately referred to the superintendent (or the president of the School Board in situations concerning the superintendent), who will conduct an initial investigation. If the initial investigation determines that the report relates to a spanking by a certificated district employee or the use of reasonable physical force against a student for the protection of persons or property by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the report will be investigated as detailed below in accordance with law. All other reports of any nature will be immediately returned to the CD for investigation.

#### **Harassment, Spanking or Protection of Persons or Property by District Staff**

If a report to the CD relates to a spanking by a district employee or the use of reasonable physical force against a student for the protection of persons or property by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the superintendent, Board president or a designee of either will notify law enforcement of the county in which the alleged incident occurred. The district will jointly investigate the matter with the law enforcement officer. The superintendent, Board president and their designees are authorized to contact and utilize the district's attorney to assist in the investigation.

Once the investigation is concluded, the law enforcement officer and the investigating district personnel will issue separate reports of their findings, no later than seven days after the district receives notice of the allegation from the CD. The reports must contain a statement of conclusion as to whether the preponderance of evidence supports a finding that the alleged incident of child abuse is substantiated or unsubstantiated. The Board will consider the separate reports and will issue its findings and conclusions, if any, within seven days after receiving the last of the two reports. The findings and conclusions will be made as required by state law and will be sent to the CD.

#### **Referral to the Office of Child Advocate for Children's Protection and Services**

If the CD determines that a report of child abuse or neglect is unsubstantiated, the district or a district employee may request that the report be referred to the Office of Child Advocate for Children's Protection and Services for additional review.

#### **Information from the Children's Division**

In accordance with law, as mandated reporters district employees reporting child abuse and neglect are entitled upon request to information on the general disposition of a report of child abuse or neglect and may receive findings and information concerning the case at the discretion of the CD. The CD will also notify the district when a student is under judicial custody or when a case is active regarding a student.

Any information received from the CD will be kept strictly confidential in accordance with law and will only be shared with district employees who need to know the information to appropriately supervise the student or for intervention and counseling purposes. All written information received by any public school district liaison or the district shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). Information received from the CD will not be included in the student's permanent record.

#### **Immunity**

In accordance with law, any person who in good faith reports child abuse or neglect; cooperates with the CD or any law enforcement agency, juvenile office, court, or child-protective service agency of this

or any other state in reporting or investigating child abuse or neglect; or participates in any judicial proceeding resulting from the report will be immune from civil or criminal liability.

Any person who is not an employee of the district and who in good faith reports to a district employee a case of alleged child abuse by any district employee will be immune from civil or criminal liability for making such a report or for participating in any judicial proceedings resulting from the report.

## **BULLYING**

(Board Policy JFCF)

### **General**

In order to promote a safe learning environment for all students, the Park Hill School District prohibits all forms of bullying. The district also prohibits reprisal or retaliation against any person who reports an act of bullying among or against students.

### **Definitions**

*Bullying* – In accordance with state law, bullying is defined as intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying typically involves a real or perceived imbalance of power and may consist of, but is not limited to: intentional physical actions, including violence, gestures, theft, or property damage; oral, written, or electronic communication, including name-calling, put-downs, extortion, or threats; or threats of reprisal or retaliation for reporting such acts.

*Cyberbullying* – A form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. The district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when cyberbullying does not involve district property, activities or technology resources, the district may impose consequences or discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

*School Day* – A day on the school calendar when students are required to attend school.

### **Designated Officials**

The principal of each building is hereby designated as the individual to receive and investigate reports of bullying. Each building principal shall designate at least two teachers or administrators in the building who are authorized to receive and investigate reports of bullying in the principal's absence or at the principal's discretion.

The Director of Student Services will serve as the districtwide antibullying coordinator. The antibullying

coordinator will receive all completed investigative reports from all buildings and analyze the reports to identify any information that would inform the district's antidiscrimination and/or antibullying education and training programs. In addition, the antibullying coordinator will assist in making any relevant reports to the extent required by applicable law.

### **Reporting Bullying**

School employees, substitutes or volunteers are expected to intervene to prevent student bullying, take appropriate action to address the offender's behavior, assist the victim and report the incident to the building principal or designee for further investigation and action. Any school employee, substitute or volunteer who witnesses or has firsthand knowledge of bullying of a student must report the incident to the building principal or designee as soon as possible, but no later than two school days after the incident.

Students who have been subjected to bullying, or who have witnessed or have knowledge of bullying, are encouraged to promptly report such incidents to a school employee. Any school employee receiving such a report shall promptly notify the building principal or designee.

If the bullying incident involves students from more than one district building, the report should be made to the principal or designee of the building in which the incident took place or, if more appropriate, to the principal or designee of the building attended by the majority of the participants in the incident.

### **Investigation**

Within two school days of receiving a report of bullying, the principal or designee will initiate an investigation of the incident. Reports that involve students from multiple buildings will be investigated cooperatively by the principals of each building involved, or those principals may request that the district's antibullying coordinator conduct the investigation. If at any time during the investigation the principal or designee determines that the bullying involves illegal discrimination, harassment or retaliation as described in policy AC, the principal or designee will report the incident to the compliance officer designated in that policy, who may assist in the investigation. If the alleged bullying involves a special education student or a student with disabilities, the principal or designee will also notify the special education director. The investigation shall be completed within ten school days of the date the report of bullying was received unless good cause exists to extend the investigation. Upon completion of the investigation, the principal or designee will decide whether bullying or harassment occurred and, if so, whether additional discipline is warranted in accordance with the district's student discipline guidelines. The principal or designee will complete a written report regarding the investigation and outcome and send a copy of the completed report to the district's antibullying coordinator. The principal or designee will document the report in the appropriate school file(s). All reports will be kept confidential in accordance with applicable law.

If the incident involved allegations of illegal discrimination or harassment, the principal's decision may be appealed in accordance with policy AC. Student discipline may be appealed when allowed by law in accordance with Board policy.

The principal or other appropriate district staff will work with victims and their families to access resources and services to help them deal with any negative effects that resulted from the incident.

## **Consequences**

Students who participate in bullying or who retaliate against anyone who reports bullying will be disciplined in accordance with the district's discipline guidelines. Such discipline may include detention, in-school suspension, out-of-school suspension, expulsion, removal from participation in activities, exclusion from honors and awards, and other consequences deemed appropriate by the principal or superintendent. The district will also contact law enforcement when required by law and may notify social media companies of inappropriate online activity if appropriate.

Even in situations where the district does not have jurisdiction to discipline a student for bullying, such as when the acts take place off campus and there is an insufficient nexus to the district, the principal or designee will take appropriate actions to assist student victims. Such actions may include, but are not limited to, contacting the parents/guardians of the victim and the alleged perpetrators, communicating that this behavior is not allowed on district grounds or at district activities, notifying the appropriate district staff to assist the victim, and taking additional action when appropriate, such as notifying law enforcement or social media companies of inappropriate online activity.

District employees and substitutes who violate this policy may be disciplined or terminated. Discipline may include suspension with or without pay, a negative evaluation, prohibition from being on district property or at district activities, mandated training or other appropriate remedial action. Volunteers who violate this policy will no longer be permitted to volunteer.

## **Policy Publication**

The district shall annually notify students, parents/guardians, district employees, substitutes and volunteers about this policy and the district's prohibition against bullying. A copy of this policy shall be included in student handbooks and posted on the district's website.

## **Training and Education**

The district's antibullying coordinator will provide information and appropriate training designed to assist employees, substitutes and volunteers who have significant contact with students in identifying, preventing and responding to incidents of bullying.

The district will provide education and information about bullying and this policy to students every year. The principal of each school, in consultation with school counselors and other appropriate school employees, will determine the best methods for facilitating the discussion. Methods may include, but are not limited to: assemblies; homeroom presentations; class meetings; team or club meetings; special presentations by counselors, social workers or mental health professionals; and open-house events. When practical, parents/guardians will be invited to attend.

In addition to educating students about the content of this policy, the district will inform students of:

1. The procedure for reporting bullying.
2. The harmful effects of bullying.
3. Any initiatives the school or district has created to address bullying, including student peer-to-peer initiatives.
4. The consequences for those who participate in bullying or engage in reprisal or retaliation against those who report bullying.

School counselors, social workers, mental health professionals, school psychologists or other appropriate district staff will educate students who are victims of bullying about how to overcome the negative effects of bullying including, but not limited to:

1. Cultivating the student's self-worth and self-esteem.
2. Teaching the student to defend him- or herself assertively and effectively without violence.
3. Helping the student develop social skills.
4. Encouraging the student to develop an internal locus of control.

#### **Additional School Programs and Resources**

The Board directs the superintendent or designee to implement programs and other initiatives to address bullying, respond to such conduct in a manner that does not stigmatize the victim, and make resources or referrals available to victims of bullying. Such initiatives may include educating parents/guardians and families on bullying prevention and resources.

## **REFERENCES FOR CURRENT & FORMER DISTRICT EMPLOYEES**

(Board Policy GBLB)

### **Definitions**

*Employee:* Any staff member or student teacher of the Park Hill School District.

*Former Employee:* An employee who was terminated or resigned or whose contract was non-renewed; an employee who has been notified that his or her contract with the district will not be renewed or that the district is pursuing termination, even if the process has not been completed.

*Potential Employer:* Another school district, business or person seeking to hire a current or former employee or screening the current or former employee for a volunteer position, internship or other activity.

*Reference:* Information regarding the employment of, or services provided by, a current or former employee including, but not limited to, specific information regarding dates of employment or service, salary, job duties, performance or character.

*Sexual Misconduct:* Engaging in any conduct with a student, on or off district property, that constitutes the crime of sexual misconduct; illegal sexual harassment as defined in policy AC, as determined by the district; or child abuse involving sexual behavior, as determined by the Children's Division (CD) of the Department of Social Services.

### **General**

The district will maintain information regarding current and former employees as confidential within the limits of the law. Only the Superintendent or a person or persons specifically designated by the Superintendent may respond on behalf of the district to a reference request for a current or former employee. District employees must direct reference requests to the Superintendent or designee. Upon request, employees will assist the Superintendent or designee with the preparation of accurate reference information. Employees other than the Superintendent or designee may provide personal

references, but by doing so, they are acting in their individual capacities and not as employees of the district. Employees providing personal references may not use district letterhead or otherwise indicate that the reference is sponsored by the district, but may identify the working relationship they have or had with the current or former employee. The district will not endorse any reference provided outside the directives of this policy and is not responsible for providing legal advice or protection for unauthorized employees who provide references.

### **Content**

In accordance with law, the following information about employees will be provided to any member of the public upon request:

1. Names
2. Positions
3. Salaries
4. Lengths of service

Unless otherwise required under this policy or by law, before providing a reference for a current or former employee, the Superintendent or designee will verify that the employee consents to the release of further information. The district may obtain a blanket consent from the employee when the employee leaves the district, contact the employee when a request is made or rely on written consent provided through the application process.

Even with consent, unless otherwise authorized by the Board or the district's attorney, the Superintendent or designee may only provide the following factual information when requested, without offering opinions or commentary on job performance:

1. A description of the employee's job duties when employed.
2. Additional district-sponsored committees, activities or duties the employee volunteered for or was designated to perform.
3. Honors and awards received by the employee.
4. Factual information on work performance.
5. Whether the employee resigned or was non-renewed or terminated. Based on documentation in the personnel file, potential employers will be notified if the employment was ended due to the financial condition of the district, a decrease in enrollment or reorganization of the department, school or district.
6. When requested, a "yes" or "no" answer to a question about whether the district would re-employ the current or former employee if an appropriate position existed or whether the Superintendent would recommend re-employment.
7. Allegations of sexual misconduct with a student as required below.

### **Disclosing Allegations of Sexual Misconduct to Other Public Schools**

If a potential public or charter school employer requests a reference regarding a former employee whose job involved contact with children, the district will, in accordance with state law, notify the potential public or charter school employer if the employee was terminated, non-renewed or allowed to resign in lieu of termination as a result of allegations of sexual misconduct with a student or as a result of such allegations being substantiated by the CD's child abuse and neglect review board.

If a potential public or charter school employer contacts the district for a reference for any former

employee about whom the CD has investigated allegations of sexual misconduct with a student and reached a finding of substantiated, the district will provide the results of the CD investigation to the potential public or charter school employer, regardless of whether the employee's job involved contact with children.

The district must provide these notifications regardless of whether the former employee has authorized the release of information. The district will provide due process as required by law prior to releasing information in accordance with this section, if feasible. The Superintendent or designee is authorized to contact the district's attorney for advice on implementing this policy in accordance with law.

### **Recordkeeping**

When the district is contacted for a reference for a current or former employee, the Superintendent or designee will document the date, the name of the person and entity requesting the information, the person responding to the request, the method of disclosure, the information provided and, when applicable, the consent received.

In accordance with law, if the district responds to any requests in writing, the district will forward a copy of the written reference to the current or former employee at the employee's last known address.

### **Notice**

The district will notify all current employees of this policy. The Superintendent or designee will provide notification of the existence of this policy to all potential employers who contact the district for a reference. The notification must also include a statement that the district's responses are limited to the scope of this policy. The district will also provide copies of the policy to former employees upon request.

### **Immunity**

Any district employee who is permitted under this policy to respond to requests for references regarding former employees and who communicates only the information authorized by this policy in good faith and without malice is entitled to immunity against any civil action for damages brought by the former employee arising out of the communication of such information, in accordance with law. District employees responding to requests for references in accordance with this policy may request the attorney general to defend them if sued.

## **TOBACCO USE ON DISTRICT PROPERTY**

(Board Policy AH)

To promote the health and safety of all students and staff and to promote the cleanliness of district property, the district prohibits all employees, students and patrons from smoking or using tobacco products, electronic cigarettes or imitation tobacco or cigarette products in all district facilities, on district transportation and on all district grounds, including but not limited to outdoor smoking by adults on the parking lots surrounding the buildings in the district. This prohibition extends to all facilities the district owns, contracts for or leases to provide educational services, before and after school care, transportation services or early childhood development services to children. This prohibition may also extend to private residences during the period of time during which homebound instruction or other educational services are provided to a Park Hill student.

Students who possess or use tobacco products on district grounds, district transportation or at district activities will be disciplined in accordance with Board policy.

## **FINGERPRINTS – BACKGROUND CHECK**

All individuals, 18 years of age or older, hired or contracted by the Park Hill School District must (1) submit fingerprints to the Missouri Highway Patrol to be used as part of a criminal history background check, and (2) submit to a background check through the Child Abuse/Neglect registry.

The offer of employment is specifically and explicitly conditioned upon the receipt of satisfactory report(s) resulting from all criminal background checks and other inquiries of fitness for employment in the District.

The District reserves the right to require any employee to submit at any time, a criminal record background check and/or a random background check through the Child Abuse/Neglect Registry. The District reserves the right to suspend or terminate employment as a result of criminal charges or convictions of current employees.

## **ATTENDANCE**

(Board Policy GBCBC)

Consistent contact with students and coworkers is necessary for an optimal learning environment and an effective working environment. Therefore, consistent attendance is an essential duty of any employee's position. While some absences are unavoidable, when an employee is routinely tardy, frequently absent or is absent for an extended period of time, the learning environment and district operations are negatively impacted.

Employees may be disciplined or terminated for excessive absences or tardiness, which includes situations where employees come to work late, leave early or abandon their duties without permission from a supervisor. Unless authorized by the Board or the Superintendent or otherwise authorized by law, an employee's absence or tardiness will be considered excessive or unreasonable in any of the following circumstances:

1. The absence is for a reason not granted as paid or protected leave under Board policy or law.
2. The absence results in the employee exceeding the amount of leave granted by the Board.
3. The employee fails to appropriately notify the district of an absence as soon as possible after the employee knows he or she will be absent (commonly called No-Call, No-Show).
4. The employee does not provide the district complete and accurate information about the absence, does not respond to requests for information, or does not provide documentation related to the absence as requested or required.
5. The employee does not first obtain permission to be absent from the appropriate supervisor when required to do so.
6. The absence is for any reason other than the one given for the absence.

Even if the absence or tardiness is authorized by the Board or the Superintendent, if the absence or

tardiness occurs for a reason not granted as paid leave under Board policy or if it exceeds the number of days the employee has been granted under a designated leave, the employee's salary will be docked. Violation of this policy constitutes misconduct and may result in the loss of unemployment benefits if a claim is filed.

Employees will not be disciplined or terminated for absences qualifying for protection under the Family and Medical Leave Act (FMLA), the Uniformed Services Employment and Reemployment Rights Act (USERRA) or other applicable law.

### **Failure to Contact the District**

If an employee without an employment contract is absent from work, does not contact his or her supervisor, and does not respond to attempts by the district to contact the employee and the employee's emergency contact, the district will assume the employee has resigned his or her employment with the district and will consider the position vacant.

If an employee with an employment contract is absent from work, does not contact his or her supervisor, and does not respond to attempts by the district to contact the employee and the employee's emergency contact, the district will send a letter and any other appropriate communication to the employee stating that if the employee does not contact the district, the district will assume that the employee has voluntarily resigned from his or her position with the district. If the employee still does not contact the district, the district will assume that the employee has resigned and will consider the position vacant.

The district may share with potential employers seeking information about a former employee the fact that the employee failed to contact the district or resign.

## **UNPLANNED ABSENTEEISM AND TARDINESS NOTIFICATION**

When it becomes necessary for you to miss work, arrive late, or leave early, it is your responsibility to provide your supervisor with as much advance notification as possible (at least a minimum of four (4) hours before the start of your shift if you are going to be absent, and no later than fifteen (15) minutes before the start of your shift if you are going to be late). You must speak directly with your immediate supervisor and you must provide an explanation of why you need to be absent, be late, or leave early.

If your absence extends beyond one day, you must keep your supervisor informed on a daily basis or as instructed. If you are going to be late for work, you must give your supervisor the approximate time you expect to arrive, and you must report to work at that time. If you need to leave work early, you must have your supervisor's permission; leaving work without such permission will be considered walking off the job and insubordination. Please note that proper and timely notification of an absence, tardy or leaving early does not excuse it.

Regardless of whether your supervisor knows of the absence, tardy or leaving early, and regardless of whether the supervisor appears to have consented to it, you may still be disciplined for unacceptable attendance if warranted under the circumstances. Medical documentation may be required if absences are excessive or extend beyond three (3) consecutive days.

For example, Employee X submits multiple requests for paid sick leave through Kronos, the District's automated time and attendance system. The supervisor for Employee X approves the employee's timecard in Kronos so that payroll can be processed. Even though the employee's timecard has been

approved for payroll purposes, the employee may be disciplined for unacceptable attendance (e.g. if multiple unplanned absences compromise the district's ability to meet the needs of students and/or departments).

## WORK HOURS

Each employee is assigned work hours according to the needs of the District and the key customers we serve. Key customer groups may include any of the following:

- A. Students
- B. Parents
- C. Employees
- D. Taxpayers
- E. Vendors

Salaried employees are in positions that are not eligible to be paid for overtime hours. The salary is expected to cover those occasions when additional work beyond a traditional work week is required in order to meet the professional obligations of a salaried position. Salaried employees should work with their supervisor to discuss upcoming work projects and coverage in order to avoid both a lapse in coverage or excessive work hours that are not conducive to a good work environment.

Hourly-paid employees need to record all work time on Kronos, the automated time and attendance system. There should be no "donated time" or "working off the clock" for hourly-paid employees. The Fair Labor Standards Act requires that all work time for hourly-paid employees be recorded and compensated. The District expects all employees and supervisors to adhere to this standard.

### Work Schedules

Supervisors establish work schedules for their employees that best support the mission of the District and meet the needs of key customers. Hourly-paid employees have a position that is budgeted according to the established work schedule and should not exceed that number unless given specific approval by their direct supervisor.

Work schedules may need to be modified on an occasional basis. Advance notice should be given where possible. There are three scenarios that may cause or require an employee to deviate from his/her regular work schedule:

#### 1. Customer Initiated action

- a. Definition: Work that is required outside of the regular work day caused by providing services to a key customer
- b. Examples include
  - Customer call
  - Customer walk-in
  - Student or safety issue
- c. Will result in (hourly-paid staff only)
  - Overtime or
  - Additional straight time

## **2. Supervisor Initiated action**

- a. Definition: Work that is required outside of the regular work day and requested by a supervisor
- b. Examples include
  - Emergencies (Call-backs, Payroll processing)
  - Special events (Work required for: Athletics, PTA, Conferences, Enrollment, Family Fun Nights)
  - Critical need times depending on department deadlines (Beginning/End of Year, Enrollment, Brochure, Special Projects)
  - Coverage of absenteeism within department
- c. Will result in
  - Supervisor changing the scheduled work day but still equal the same total hours per day or
  - Overtime (hourly-paid staff only) or
  - Additional straight time (hourly-paid staff only)

## **3. Employee Initiated action**

- a. Definition: Unplanned changes initiated by the employee that takes the employee away from their scheduled work day and responsibilities
- b. Examples include
  - Employee arrives after scheduled start time
  - Employee leaves earlier than scheduled start time
  - Employee needs to attend a personal appointment or event during the scheduled work day (in addition to lunch period)
- c. Will result in
  - Hourly-paid employees will use the appropriate amount of available leave in 15-minute increments as approved by the supervisor. Limited flex time is available as defined below.
  - Salaried employees will communicate with their supervisor and use the appropriate amount of leave in 15-minute increments as approved by the supervisor.

## **Additional Work Time**

Additional work time for hourly-paid employees is beyond what is budgeted, and requires a supervisor's approval for the additional budgetary commitment on behalf of the District. Employees are directed to communicate with their supervisor about such instances, and supervisors will contact Human Resources as necessary.

- a. Examples include
  - Hourly-paid employee arrives to work more than 15 minutes before scheduled start time and begins work
  - Hourly-paid employee returns from a meal period early and begins work
  - Hourly-paid employee stays at work more than seven (7) minutes after scheduled end time
- b. Will result in
  - Supervisor review of work load and documentation in Kronos timecard
  - Supervisor realign or reassign work tasks to ensure completion of priority work tasks without incurring additional work time
  - Supervisor contact Human Resources regarding staffing concerns

- c. Parameters of additional work time:
- Additional work time for hourly-paid employees is additional paid time.
  - Hourly-paid employees are expected to communicate with their supervisor before working additional time, so that appropriate decisions can be made regarding work tasks.
  - If supervisors authorize additional paid time, there is no expectation that a reduced work day will follow to offset the additional time.
  - Additional work time is given to support specific projects or events, and is not expected to occur on a regular basis.
  - Supervisors should enter a short note in the Kronos system to document the reason for the additional hours.
  - If work hours exceed 40 hours per week, time and a half will be paid.
  - Additional work time cannot be used as “comp time” to offset a future or past absence.

### **Meal and Break Periods**

Employees that work 30 hours or more per week should be scheduled for either a 30-minute or one-hour meal period, to be determined by the supervisor. Meal periods will be scheduled in order to best meet the needs of the District’s key customers. Meal periods cannot be taken at the beginning or end of a work shift to allow an employee to arrive late or leave early.

A meal period should be free from work for hourly-paid employees. Every effort should be made by both the supervisor and the employee to adhere to the meal break routine on a regular basis, although it may be occasionally necessary to alter lunch periods due to unforeseen work situations.

There is no requirement that employees take scheduled breaks during the work day, and no guarantee that breaks will be given. However, it is recognized that employees occasionally need to take a short break and are encouraged to do so when appropriate opportunities arise during the work day.

Meal and break periods will be determined by the supervisor to ensure the best arrangement for maintaining appropriate student supervision or office coverage.

### **Flex Time**

Flex time is an option that can be used to cover limited, occasional circumstances in lieu of paid leave.

- a. Definition: Working a reduced meal period or extending the work day to cover a late arrival or a late return from a meal period.
- b. Examples include
  - Late arrival to work due to a traffic delay
  - Late return from a meal period due to a personal errand
- c. Parameters of using flex time are as follows:
  - Flex time is not to be used on a regular basis but may be used to cover an unusual occurrence due to extenuating or unforeseen circumstances.
  - Flex time must be used in the same day as the absence from work.
  - Flex time cannot accumulate or be used to cover past or future absences that occur on other days.

- Flex time may not be used to arrive earlier than the normal work schedule to accommodate personal appointments, errands, or personal events.
- If flex time is not enough to cover the full absence from work, employees are to use paid leave as available in 15-minute increments to arrive at the normal total hours expected for the day.
- The total number of hours for the day should not exceed the budgeted amount for the position.

Hourly-paid employees with a one-hour meal period:

- May reduce their meal period by up to 30 minutes to make up for a late arrival with supervisor approval.
- May work up to 30 additional minutes at the end of a work day to make up for a late arrival or late return from a meal period.

Hourly-paid employees with a 30-minute meal period:

- May work up to 30 additional minutes at the end of a work day to make up for a late arrival or late return from a meal period.

Hourly-paid employees with no meal period:

- May work up to 30 additional minutes at the end of a work day to make up for a late arrival.

### **Use of Paid Leave**

Multiple paid leave options are made available to employees that work in leave-eligible positions.

- a. Definition: Using appropriate sick leave, personal business, or other paid leave options to cover an employee absence from work.
- b. Examples include
  - Using one hour of personal business to attend a child's sporting event
  - Using one hour of sick leave to leave early and go to the dentist
  - Using a week of vacation for a planned trip or personal time off
- c. The parameters around using paid leave are as follows:
  - Paid leave that is short in duration should be requested as soon as the reason for the absence is known. Advance notice provides for appropriate planning and coverage.
  - Paid leave for an extended period of time (non-emergency) should be requested at least 72 hours in advance and supervisor approval is necessary. Employees planning vacations involving the purchase of tickets or down payments should request time off prior to making plans. Approval will be determined by the supervisor and based on the needs of the District, department coverage, and other requests for time off submitted by other employees.
  - If paid leave is available, employees are required to use it in 15-minute increments so the total number of hours for the day is equal to a normal day.
  - Employees cannot decline the use of paid leave if it is available.

- While the use of paid leave to cover a tardy arrival at work is permitted, it should not be construed as an excuse for tardiness. Being at work on time on a regular basis is an expectation of all employees.

### **Use of Unpaid Leave**

As a general rule, unpaid leave is approved through Human Resources. Employees are expected to use paid leave options or flex time when available to cover absences or tardies. Employees that are given paid leave options are expected to manage their time away from work so they have enough to cover their needs. If extenuating circumstances apply that exhaust all paid leave options, notify Human Resources as well as your supervisor.

- a. Definition: Time away from work that is not covered by any paid leave option.
- b. Examples include:
  - Part-time employee that has no sick leave calls in sick
  - Full-time employee that has used all available Personal Business days would like to have additional time away from work
- c. The parameters around using unpaid leave are as follows:
  - Employees will notify supervisors of the need for unpaid leave as soon as the need is known
  - Approval for unpaid leave for personal reasons will be routed to Human Resources by the supervisor for approval
  - Approval, if given, will be based on the needs of the District's key customers and available coverage.

## **SUMMARY OF BENEFITS**

The District recognizes that pay and benefits are a very important part of your job. Therefore, the District makes every effort to ensure that its overall compensation and benefits programs are equitable. Below is a brief listing of benefits provided to employees that work a minimum of 30 hours per week if their position works less than year-round, or work at minimum of 20 hours per week if their position works year-round. Please refer to the Support Staff Agreement for more complete information.

**Health, life, vision, and dental insurance:** The Board of Education currently provides insurance benefits to employees that work a minimum of 30 hours per week. Insurance begins the first day of the month after the date of hire.

**Cafeteria 125/Flexible Spending Acct:** Employees may participate in a Cafeteria 125/Flexible Spending Account plan to shelter pay for non-reimbursed medical and daycare expenses.

**403 B:** Employees may invest through a variety of board approved investment companies. This can reduce an employee's tax liability while building additional retirement funds.

**Sick Days:** Certain support employees earn one sick day per month that they work. Sick leave days may accumulate to 150 days. All days past maximum accumulation are either forfeited or bought back yearly as defined in the appropriate work agreement. Specific information related to sick leave is provided in the Support Staff Agreement.

**Personal Business Days:** Certain support staff employees are eligible for paid personal business leave. The amount of personal business leave varies by position and is outlined in the Support Staff Agreement. Personal business leave should be approved by a supervisor at least 48 hours in advance. Supervisors have discretion to make decisions on personal business leave based on the District's needs.

**Vacation Leave:** Employees who work year-round, at least 20 hours per week, earn vacation as defined in the Support Agreement. Leave is accumulated on a monthly basis. Vacation leave should be approved by a supervisor at least 48 hours in advance. Supervisors have discretion to make decisions on vacation leave based on the District's needs.

**Family Medical Leave:** Family Medical Leave provides up to 12 weeks of unpaid leave for the birth of a child, illness of self or family member (employee's spouse, child or parent) who has a serious health condition, the adoption of a child, or placement of a foster child. Employees may also be entitled to Family Medical Leave for certain military exigencies. If you have any questions regarding Family Medical Leave, please contact Human Resources. Individuals must have worked for the District for 12 months and 1,250 hours during the 12 months directly preceding the leave date. Requirements for this leave are more fully set forth in Policy GCDBA which is available for your review on the District's web site, [www.parkhill.k12.mo.us](http://www.parkhill.k12.mo.us).

**Other Leave:** Other Leave as provided by the District may be found in the Support Staff Agreement.

## EMPLOYEE ASSISTANCE PROGRAM

All employees are eligible to receive counseling services through the Park Hill Employee Assistance Program (EAP). The focus of the program is to help the employee through circumstances for which he/she may be seeking direction. Four free counseling visits are available to all employees, full or part-time, through St. Luke's EAP for:

- Relationships, marital or family concerns
- Stress, anxiety, depression, grief, loss, or other similar concerns
- Alcohol or drug problems
- Work-related problems

Employee Assistance Information may be obtained from the Human Resource Department or by calling St. Luke's E.A.P. at (816) 931-3073. All contacts and visits are confidential. If additional counseling is needed, employees will be referred to an appropriate specialist.

## **PAY DATES**

Employees are normally issued their paycheck through direct deposit, which can be viewed online through the Employee Portal.

Dependent upon the position, pay dates are monthly or semi-monthly. Time and attendance for support staff is tracked through Kronos, an automated time and attendance system. Support staff are expected to time in and out according to the following:

Hourly paid staff: Time in upon arrival, time out/in for meal breaks, time out at the end of the work shift. Record all leave requests and leave taken in Kronos. Leave requests are subject to supervisor review and approval.

Salaried support staff: Record all leave requests and leave taken in Kronos. Leave requests are subject to supervisor review and approval.

Pay dates for hourly paid support staff are on the 15<sup>th</sup> and end of the month, two weeks in arrears. The schedule for semi-monthly checks can be found on the employee intranet. Salaried support staff are paid monthly on the 25<sup>th</sup> of the month.

## **BUILDING - STARTING AND ENDING TIMES**

High Schools	7:30 AM – 2:38 PM
Middle Schools	7:35 AM – 2:30 PM
Plaza 6 <sup>th</sup> Grade Middle School	7:45 AM – 2:40 PM
Elementary Schools	8:40 AM – 3:30 PM
Early Childhood Special Education	8:40 AM – 3:40 PM
Gifted/District Office	8:45 AM – 3:30 PM
Day School	7:30 AM – 2:00 PM
Central Office	8:00 AM – 5:00 PM
Underground	7:30 AM – 4:30 PM

## **PERSONAL APPEARANCE**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the District presents to customers and visitors. Employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions and the guidelines established in this Handbook. Any employee who does not comply with this policy may be sent home to change. Time away from work to change will be unpaid.

## **PERSONAL CELL PHONES AND TELEPHONE CALLS**

The use of personal cell phones at work, including texting, can be a distraction that inhibits work performance and/or prevent appropriate supervision of students. Personal cell phones should either be turned off or put on vibrate mode during the work day and should be used only during approved breaks. Employees should inform family members and other necessary acquaintances that emergency calls during the work shift should be directed to an office or supervisor if you need to be immediately notified.

## **IDENTIFICATION BADGES**

Identification badges at Park Hill School District serve multiple purposes. They are needed in order to time in and out through the Kronos terminals, they serve as keys to doors through our automated key pads, are used for functions such as copy/scan/fax, and they provide security for our students and staff. Each employee is expected to wear and appropriately display their I.D. badge when on duty or in a school. Report any adult or visitor not wearing an I.D. badge to the office or building security.

Badges should be worn so that both the name and the photo can be easily seen by others. They should not be hidden under clothing or have other items attached. Upon leaving Park Hill School District, the badge will be returned to Human Resources. In the event that the I.D. badge is lost or stolen, employees are expected to immediately report the incident to Technology Services at 359-5000 so that appropriate security measures can be taken. Employees will be required to pay a nominal replacement fee for lost or stolen I.D. badges.

## **WORK ASSIGNMENT / TRANSFER**

The district recognizes that assigning qualified staff members to positions throughout the district is essential to providing an excellent educational program for all students. Every effort will be made to assign district staff to areas of the greatest need for the benefit of the students. The district will accept requests for transfer from employees, but will only honor those requests when it is in the best interest of the district and the educational program to do so.

### **Definitions**

*Assignment* -- Placement in a particular position or building by the district.

*Transfer* -- Reassignment by the district at the request of the employee.

### **Assignments**

The Board directs the superintendent to assess the staffing needs of the district annually and to assign support staff as necessary to meet those needs. Although the superintendent will take the employee's expressed preference into consideration, the ultimate decision must be based on the district's needs. The superintendent may reassign support staff members to different positions or buildings at any time, including in the middle of the school year.

## **Transfers**

Support staff may request a transfer to a different position or building by submitting the appropriate form to the superintendent or designee.

Transfers in the middle of the year are discouraged and will be considered only in extraordinary circumstances. Support staff requesting a transfer in the middle of the year must submit the appropriate form and discuss the request with both the employee's immediate supervisor and the superintendent or designee. Although the superintendent will take the employee's expressed preference into consideration, the ultimate decision must be based on the district's needs.

## **WORK DAY/WEEK**

Supervisors establish work schedules for their employees that best support the mission of the District and meet the needs of key customers. Hourly-paid employees should not exceed that number unless given specific approval by their direct supervisor. Hourly paid employees need to record all work time on Kronos, the automated time and attendance system. There should be no "donated time" or "working off the clock" for hourly employees.

## **VOLUNTARY TRANSFER**

Employees wishing consideration for an open position should complete a transfer request online at the District website. Specific step-by-step instructions for requesting a transfer are available on the website.

## **COMPENSATION**

(Board Policy GDBA)

The Park Hill School District needs highly qualified employees to accomplish its education mission and must offer competitive compensation to attract and maintain experienced staff. The Board directs the superintendent or designee to research regional and statewide trends in employee compensation and consult with district employees to prepare competitive salary schedules and salary recommendations for the Board to consider, within the constraints of the district's finances.

An employee of the district will be compensated in accordance with a Board-approved salary schedule or will receive the amount of compensation approved by the Board for that position or that particular employee. Only the Board has the authority to increase the compensation of an employee or grant that employee an extra-duty position or stipend.

### **Compensation Considerations**

Unless an employee is paid in accordance with a salary schedule, as discussed later in this policy, the compensation of support staff will be made by the Board after consideration of recommendations made by the superintendent or designee. When making compensation recommendations, the superintendent or designee will consider all legal, relevant factors including, but not limited to, the expertise necessary

to meet student needs, required training or licenses, experience in the position, current compensation trends for the position in the state or region, the number and quality of applicants available for the position, the district's financial circumstances, and the individual's performance evaluations.

### **Salary Schedules**

The Board may adopt salary schedules for various categories of support staff personnel. When creating a salary schedule, the Board may recognize characteristics beneficial to the district, such as training, licenses and employment in high-need areas, in addition to traditional factors such as years of experience.

If the Board adopts a salary schedule for support staff, the following will apply:

1. Salary schedules and other compensation will be determined along with the district budget by June 30. Any salary schedule adopted by the Board will remain in effect and continue to operate until Board action is taken to change or eliminate the salary schedule.
2. The Board may freeze the operation of the salary schedule when warranted by the financial condition of the district or for other relevant reasons, as determined by the Board. Once a salary schedule is frozen, employees will not advance on the salary schedule until a vote is taken by the Board authorizing movement on the salary schedule.
3. An employee may not advance more than one step vertically and one column horizontally per year on the salary schedule unless such movement is allowed by the rules approved by the Board and is uniformly applicable to that particular salary schedule or is otherwise approved by the Board.
4. Additional training or licenses obtained after the employee has begun work with the district may not be used to advance on a salary schedule unless the employee had prior administrative approval to participate in the training or obtain the license and count it for advancement on the salary schedule.
5. The district may recognize similar, previous experience of an employee when placing that employee on the salary schedule. The Board delegates to the superintendent or designee the authority to set guidelines on which previous experiences qualify. In addition, the district may recognize military service or work experience that the district considers beneficial to the position. It is the employee's responsibility to fully apprise the district of his or her relevant background when first being employed in the position. Once the employee is initially placed on the salary schedule, the district is under no obligation to review the placement.

### **Compensation for Extra Duties**

Additional duties, such as supervising activities, may be assigned to support staff without additional compensation. In some situations, and with Board approval, an employee may be provided extra-duty compensation or a stipend to compensate the employee for performing additional duties. In those situations, the amount of compensation will be determined by the Board and may be set by adopting an extra-duty salary schedule or approving a specific amount for the position.

### **Employee Responsibility**

Employees are responsible for verifying that their salary schedule placement, compensation rate and paychecks are accurate. Employees are required to notify the district within 30 days of receiving an

inaccurate payment, and failure to do so could lead to discipline, forfeiture of amounts owed, deductions for excess pay received, or other corrective action.

## **DISCIPLINE**

While the majority of our employees consistently do a good job, there are times when some employees will perform at an unsatisfactory level, violate a District policy or work rule, or commit an act that is inappropriate for work. To effectively address and resolve such problems and to protect the interests of all employees, District management has discretion to impose discipline ranging from oral counseling to immediate dismissal, depending on the seriousness of the offense, prior disciplinary action and performance, and other pertinent factors.

In some cases, the District may choose to provide the employee with an opportunity to correct a problem by using forms of discipline that are less severe than termination. Examples of such less severe forms of discipline might include oral counseling or warning, written counseling or warning, probation, suspension, demotion or transfer, a combination of these forms or other corrective measures. Although one or more of these forms may be taken, no formal order or system is necessary, and the District reserves the right to administer such discipline as it, in its sole discretion, believes is appropriate. The District also reserves the right to terminate the employment relationship at any time, without following any particular system or series/steps of progressive discipline whenever it determines, in its sole discretion that such action should occur.

## **WORK RULES**

Although it would be impossible to make a comprehensive list of all work rules that could result in disciplinary action of any kind, the following rules are examples of some of the activities that could result in immediate discharge or disciplinary action if an employee violates any one of them:

The list provided below is not all-inclusive. Other types of conduct that the District considers to be detrimental to security, safety, employee welfare, business or the District's best interests may also result in disciplinary action, up to and including immediate discharge. The list below of prohibited conduct does not alter the District's policy of "at will" employment. Both the employee and the District remain free to terminate the employment relationship at any time, with or without reason or advance notice.

Subject to applicable law(s), violation of the following rules may result in disciplinary action, including immediate discharge:

1. Discrimination, harassment, or retaliation. Violation of the District's "Prohibition against Discrimination, Harassment, or Retaliation" policy.
2. Drugs/Alcohol. Possession, use, distribution or working under the influence of alcohol or illegal drugs while on District time, property or vehicles; or refusing or failing to take or in any way interfering with or attempting to distort or tamper with the results of any drug or alcohol test required by the District.
3. Ethics and Conflicts of Interest. Violation of the District's "Staff Conduct" policy or other policies related to ethics or conflicts of interest.
4. Technology. Violation of the District's "Technology Use" policy.

5. Violence in the Workplace. Harassment, threats, attacks, fighting, disorderly conduct, horseplay, intimidation, throwing objects, violence, or any other act which might endanger the safety or well-being of others.
6. Weapons/Dangerous Substances. Possession or use of any weapons while on duty, on District property, or in District vehicles, including any dangerous objects or substances not necessary to performing duties, used inappropriately or used for a purpose other than the object's intended purpose.
7. Damage, Destruction or Theft. Negligent or intentional destruction, damaging, defacing, sabotaging, unauthorized removal, theft, misuse or misappropriation of any District property or the property of others (including, but not limited to, product, records, tools, equipment, vehicles, and structures).
8. Safety. Failure to observe safety rules or creating, contributing to or engaging in any unsafe act or condition.
9. Inappropriate Communications and Conduct. Use of abusive, insolent, belligerent, vulgar, profane, objectionable or inappropriate language or conduct toward a student, an employee, customer, vendor, owner or any other person conducting business with the District.
10. Dishonesty. Alteration, falsification, misrepresentation (including inaccuracy or omission), manipulation, or dishonesty or any kind, orally or in writing, of any facts or information related to the employee's duties or requested or required by or submitted to the District (including, but not limited to, employment application or interview, travel and business reports, any employee's work/payroll or time records, financial or operations reports, application for or receipt/use of employee benefits, requests for time off or leaves of absence, personnel records and investigations).
11. Failure to Report Rule Violations and to Cooperate. Failure to report violations of District policies and rules or to fully cooperate in any District investigation.
12. Insubordination. Insubordination, failure or refusal to perform work or duties, or failure or refusal to comply with directions/instructions received from a supervisor.
13. Criminal/Illegal Activities. Engaging in criminal or illegal activity on or off District property or on or off District time, that is inconsistent with the individual's duties/roles/responsibilities as a school district employee. For example, certain motor vehicle infractions occurring off District time may result in disciplinary action if the District considers driving to be a material part of the employee's job.
14. Attendance. Excessive or unacceptable absenteeism, tardiness or leaving early, including, but not limited to, abuse or misuse of sick days or leave of absence; failure to return to work upon expiration of vacation, upon expiration of any leave of absence or when recalled from layoff; failure to report to work for three (3) or more work days without permission; or failure to notify one's immediate supervisor each day of absence a minimum of four (4) hours prior to scheduled starting time (and no later than fifteen (15) minutes before the start of your shift if you are going to be late), or without explanation satisfactory to the District.
15. Performance, Productivity or Disregard of Duties. Failure or refusal to perform work up to the standards expected by the District or at a level acceptable to the District or engaging in any conduct which, in the opinion of the District, constitutes a disregard of duties or of the employment relationship (including, but not limited to, leaving the premises or assigned work area during working hours without permission, walking off the job, wasting time or loafing, sleeping on the job, non-work related internet usage during work hours, online shopping for non-work purposes, intentional restriction of productivity, abuse of scheduled work time, working off the clock, working unauthorized overtime, working without proper authorization, interfering with any other employee's performance, working elsewhere while on approved leave of absence from the District, working on or off the job in violation of any medical restrictions imposed by a health care provider).
16. Disparagement and Defamation. Communicating any false, disparaging, vicious or malicious statements concerning any employee, customer, vendor, owner or student in the District.

17. Unauthorized Use of District Property. Unauthorized or inappropriate use of District time, materials, product, facilities, computers, telephones, equipment, vehicles, records or other District property for purposes not related to District business (including, but not limited to, seeking other employment, job prospecting or having any contact with prospective employers on District time or premises or by using District property).
18. Failure to Report Work-Related Accidents and Safety Incidents. Failure to immediately report any work-related accident, injury, illness, damage or threat to any property or person.
19. Tobacco Usage. Violation of the District's "Tobacco-Free District" policy. The District prohibits smoking in all District facilities, on District transportation, on all District grounds, and in parking lots surrounding the District. Employees make smoke in their personal vehicles only.
20. Miscellaneous. Any other conduct deemed to not be in the best interests of the District, including but not limited to, conduct which, in the opinion of the District, reflects adversely on the employee or students in the District, is unprofessional or unbecoming to the employee, results in a loss of confidence or trust in the employee or in the employee's ability to perform at a level acceptable to the District, indicates an incompatibility of any kind between the District and the employee, damages or hurts the District's reputation, adversely affects relations with customers, vendors, students or parents or is inconsistent with reasonable rules of conduct necessary to the welfare of the District, its business, or its employees, customers, vendors or students or parents.

## **PERFORMANCE APPRAISALS**

(Board Policy GDN)

As a general rule, employees will receive at least one progress review during and/or at the conclusion of the Probationary Period. There are generally no wage increases associated with these reviews. Thereafter, supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, periodic basis.

Formal performance appraisals are generally given on an annual basis after the probationary period has been concluded. Performance appraisals provide both supervisors and employees the opportunity to discuss job duties, strengths, developmental and improvement opportunities, and goals.

The District recognizes the relationship between professional development and student or District achievement and therefore, offers professional development to all support staff. Professional development and individual goals are based on the current Comprehensive School Improvement Plan (CSIP).

## **SEPARATION OF EMPLOYMENT**

Separation or termination of employment can occur in a number of ways. The most common forms of separation are: (1) voluntary terminations initiated by the employee (such as resignation, retirement, and job abandonment); and (2) involuntary terminations initiated by the District (such as job elimination, layoff, and discharge).

Most of these types of termination are self-explanatory. However, two of them may require further explanation. A job abandonment occurs when an employee fails to report to work as required (such as after completion of a leave of absence, after being recalled from layoff, or for three consecutive work

days without calling in each day). A layoff is a temporary separation of employment due to lack of work and used only when the District believes at the time of layoff that it is likely that the employee will be recalled to work at some point during the layoff period. If the District is unable to do so, the layoff will be converted to a job elimination.

If you decide to resign your employment with the District, we ask that you give us at least two (2) weeks' written resignation notice. This two-week notice period is an important transition period, as we will begin the process of making arrangements to transfer your work to others. Therefore, we normally will require that you continue working during this period and maintain an acceptable level of performance, behavior, and attendance. In some cases, we may elect to accelerate your last day of work for various reasons. If your last day of work is accelerated, you generally will not be eligible to receive pay for any days during the notice period that are not actually worked. Any exceptions to the provisions in this paragraph must be approved in writing by the Superintendent or Assistant Superintendent of Human Resource Services.

Departing employees will receive an Exit Survey. If desired by the District or employee, an exit interview will be scheduled with the Human Resource Services Department before departure from employment. The exit interview gives us an opportunity to provide information to the employee about the effect that separation of employment has on benefits, to collect any District property that needs to be returned (such as uniforms, keys and identification badges where applicable), and to discuss other matters. It also gives the departing employee the opportunity to share his/her perspectives and suggestions about working for the District.

In the event that our working relationship comes to end, we hope that it can be as amicable as possible under the circumstances. Regardless of the circumstances, the District wishes each of its former employees the best in whatever endeavors, career options, or personal interests he/she chooses to pursue.

## **UNEMPLOYMENT BENEFITS FOR SCHOOL EMPLOYEES**

Chapter 288 of the revised statutes of Missouri provides limitations on school district employees' eligibility for unemployment benefits during scheduled breaks. Pursuant to the statute:

- Unemployment benefits shall not be paid between two successive academic years or terms if an individual performs services in the first academic year or term and there is a reasonable assurance that the same individual will perform services in the second academic year or term;
- Benefits shall not be paid during an established and customary vacation period or holiday recess if the individual performed such services in the period immediately before such vacation period or holiday recess, and there is reasonable assurance that such individual will perform such services immediately following such vacation period or holiday recess.

# ASBESTOS ISSUE UPDATE

August 1, 2017

Dear Parents, Teachers, and Employee Organizations:

Asbestos is an issue we have been dealing with for many years. The Asbestos Hazard Emergency Response Act of 1986 (referred to as AHERA) was enacted by Congress to determine the extent of and develop solutions for any problems schools may have with asbestos.

To give you some background, asbestos has been used as a building material for many years. It is a naturally occurring mineral that is mined primarily in Canada and South Africa. Asbestos properties made it an ideal building material for insulation, sound absorption, decorative plasters, fireproofing, and a variety of miscellaneous uses.

Park Hill School District contracted with E.T. Archer Corporation to develop an asbestos management plan for our facilities in 1988. That plan has called for this notification letter and a set of plans and procedures designed to minimize the disturbance of asbestos-containing materials. The plan also calls for semi-annual surveillance of the asbestos-containing materials.

At least once every three years after a management plan is in effect, each local education agency is to conduct a re-inspection of all friable and non-friable known or assumed asbestos-containing building material (ACBM) in each school building that is leased, owned or otherwise used as a school building. Our district had our buildings re-inspected in the summer, 2016. Copies of the asbestos management plan and the re-inspection report are available in our school administrative offices during regular office hours. The asbestos program manager for Park Hill is the Director of Operations. All inquiries regarding the plan should be directed to him.

We are intent on not only complying with, but exceeding federal, state, and local regulations. We will take whatever steps necessary to insure that your children and our employees have a healthy, safe environment in which to learn and work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul V. Kelly', with a large, stylized flourish at the end.

Paul V. Kelly

Assistant Superintendent for Business & Technology