

**SECTION A: FOUNDATIONS AND BASIC COMMITMENTS**

- AA** School District Legal Status
- AC** Prohibition Against Illegal Discrimination and Harassment
- AD** School District Mission - Comprehensive School Improvement Plan
- ADF** District Wellness Program
- AF** Accountability/Commitment to Accomplishment
- AH** Tobacco-Free District

**TOBACCO-FREE DISTRICT**

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 in all district facilities, on district transportation and on all district grounds at all times. This prohibition extends to all facilities the district owns, contracts for or leases to provide educational services, routine health care, daycare or early childhood development services to children. This prohibition does not apply to any private residence or any portion of a facility that is used for inpatient hospital treatment of individuals dependent on, or addicted to, drugs or alcohol in which the district provides services.

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

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGAEA, Teaching About Drugs, Alcohol and Tobacco  
JG, Student Discipline

KG, Community Use of School Facilities

Legal Refs: §§ 191.765 - .777, 290.145, RSMo.  
Pro-Children Act of 2001, 20 U.S.C. §§ 7182 - 7184

Avilla R-XIII School District, Avilla, Missouri

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## SCHOOL DISTRICT LEGAL STATUS

The State of Missouri must establish and maintain free public schools in accordance with the Missouri Constitution and state law. The State has delegated certain responsibilities to local school districts. This school district is governed by a seven-director School Board. Directors are elected or appointed in accordance with law.

The official name of the school district shall be Avilla R-XIII. In accordance with state law, the Board of Education shall keep a common seal with which to attest its official acts relative to district operations.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BBA, School Board Powers and Duties  
BBB, School Board Elections  
BBBA, Board Member Qualifications  
BBE, Unexpired Term Fulfillment/Vacancies

Legal Refs: §§ 162.261, .311, .459, RSMo.  
Mo. Const., Art. IX, § 1 (a)

Avilla R-XIII School District, Avilla, Missouri

## ACCOUNTABILITY/COMMITMENT TO ACCOMPLISHMENT

The Board accepts ultimate responsibility for all facets of the operations of the school district. Because it is accountable to the patrons of the district, the Board will maintain a program of accountability that will help to accomplish the following objectives:

- < Clearly state expectations and purposes as these relate to district operations, programs, departments and positions.
- < Provide necessary resources and support to enable the professional and support staff to achieve stated expectations and purposes subject to the financial resources of the district.
- < Evaluate district operations, programs, services, and instructional activities to determine how well expectations and purposes are being met.
- < Evaluate the efforts of the employees of the Board and of the Board itself in accordance with stated objectives. The first purpose of personnel evaluation will be to help each individual make a maximum contribution to the goals and objectives of the school district.

The superintendent shall implement procedures to ensure continued progress and improvement of the district operations through a program of meaningful evaluations and assessments, including compliance with annual districtwide reporting requirements set forth by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: § 160.522, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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**SCHOOL DISTRICT MISSION**  
***(Comprehensive School Improvement Plan)***

The mission of the Avilla R-XIII School District is: [fill in mission statement].

The district has a Board-approved Comprehensive School Improvement Plan (CSIP) guided by the mission statement and based on the district's fundamental beliefs about teaching and learning. This plan serves as the district's foundation for allocating resources, developing policies and procedures, and selecting and implementing instructional programs designed to raise student achievement.

The CSIP was developed through the combined efforts of Board members, staff, administrators, students, parents/guardians and community members and is ongoing. Goals, outcomes or objectives are provided in sufficient detail to direct the improvement efforts of the district for at least a five-year period. The CSIP is evaluated and updated as necessary.

A copy of the district's CSIP is available in the superintendent's office.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GBB, Staff Involvement in Decision Making  
IA, Instructional Goals/Priority Objectives  
IF, Curriculum Development  
IGA, Basic Instructional Program  
KC, Community Involvement in Decision Making

Avilla R-XIII School District, Avilla, Missouri

## **DISTRICT WELLNESS PROGRAM**

The Board recognizes the relationship between student well-being and student achievement as well as the importance of a comprehensive district wellness program. Therefore, the district will provide developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based.

### **Wellness Committee**

The district will establish a wellness committee that consists of at least one (1): parent, student, nurse, school food service representative, Board member, school administrator, member of the public, and other community members as appropriate. If available, a qualified, credentialed nutrition professional will be a member of the wellness committee. The Board designates the following individual(s) as wellness program coordinator(s): \_\_\_\_\_ (title). Only employees of the district who are members of the wellness committee may serve as wellness program coordinators. Wellness coordinators, in consultation with the wellness committee, will be in charge of implementation and evaluation of this policy. Meetings, records and votes of the wellness committee will adhere to the requirements of the Missouri Sunshine Law.

### **Nutrition Guidelines**

It is the policy of the Avilla R-XIII School District that all foods and beverages made available on campus during the school day are consistent with the Missouri Eat Smart nutrition guidelines. Guidelines for reimbursable school meals will not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law. The district will create procedures that address all foods available to students throughout the school day in the following areas:

- < National School Lunch Program and School Breakfast Program meals
- < ≙ la carte offerings in the food service program
- < Vending machines and school stores
- < Classroom parties, celebrations, fundraisers, rewards and school events
- < Snacks served in after-school programs

### **Nutrition and Physical Education**

The district will provide nutrition and physical education aligned with the Show-Me Standards and Missouri's Frameworks for Curriculum Development in Health/Physical Education in all grades. The wellness program coordinators, in

consultation with the wellness committee, will develop procedures that address nutrition and physical education.

### **Other School-Based Activities**

The wellness program coordinators, in consultation with the wellness committee, are charged with developing procedures addressing other school-based activities to promote wellness.

### **Evaluation**

The wellness committee will assess all education curricula and materials pertaining to wellness for accuracy, completeness, balance and consistency with the state and district's educational goals and standards. Wellness program coordinators shall be responsible for devising a plan for implementation and evaluation of the district wellness policy and are charged with operational responsibility for ensuring that schools meet the goals of the district wellness policy. Wellness program coordinators will report to the Board annually.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DJF, Purchasing  
EF, Food Services Management  
EFB, Free and Reduced-Cost Food Services  
IGAEA, Teaching about Drugs, Alcohol and Tobacco  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
IGDF, Student Fundraising  
KI, Public Solicitations/Advertising in District Facilities

Legal Refs: §§ 610.010 - .028, RSMo.  
The Child Nutrition and WIC Reauthorization Act of 2004, Section 204, P.L. 108 – 265  
The Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1769h  
The Child Nutrition Act of 1966, 42 U.S.C. §§ 1771 – 1789



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## **PROHIBITION AGAINST ILLEGAL DISCRIMINATION AND HARASSMENT**

### **General Rule**

The Avilla R-XIII School District Board of Education is committed to maintaining a workplace and educational environment that is free from illegal discrimination or harassment in admission or access to, or treatment or employment in, its programs, activities and facilities. Discrimination or harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law is strictly prohibited in accordance with law. The Avilla R-XIII School District is an equal opportunity employer. Students, employees and others will not be disciplined for speech in circumstances where it is protected by law. The Board also prohibits:

1. Retaliatory actions based on making complaints of prohibited discrimination or harassment or based on participation in an investigation, formal proceeding or informal resolution concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing discrimination or harassment.
3. Discrimination or harassment against any person because of such person=s association with a person protected from discrimination or harassment due to one (1) or more of the above-stated characteristics.

All employees, students and visitors must immediately report to the district for investigation any incident or behavior that could constitute illegal discrimination or harassment.

### **Additional Prohibited Behavior**

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

### **Consequences**

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.

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.

## **Definitions**

*Discrimination* B Conferring, refusing or denying benefits 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 or any other characteristic protected by law, or based on a belief that such a characteristic exists.

*Harassment* B A form of discrimination, 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 or any other characteristic protected by law or a belief that such a characteristic exists: graffiti; display of written material or pictures; name calling; slurs; jokes; gestures; threatening, intimidating or hostile acts; theft; or damage to property.

*Sexual Harassment* B 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.

*Grievance B* A verbal or written report (also known as a complaint) of discrimination or harassment made to the compliance officer.

### **Compliance Officer**

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

(Title)  
(Address)  
(Phone)

The compliance officer will:

1. Coordinate district compliance with this policy and the law.
2. Receive all grievances regarding discrimination and harassment in the Avilla R-XIII 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; and recommend consequences.
5. Seek legal advice when necessary to enforce this policy.
6. Report to the superintendent and the Board aggregate information regarding the number and frequency of grievances and compliance with this policy.
7. Make recommendations regarding the implementation of this policy.

8. 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 and harassment.
9. Perform other duties as assigned by the superintendent.

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:

(Title)  
(Address)  
(Phone)

### **Public Notice**

The superintendent or designee will continuously publicize the district=s policy prohibiting illegal discrimination and harassment and disseminate information on how to report discrimination and harassment. 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 Avilla R-XIII School District does not discriminate in its programs, activities, facilities or with regard to employment. The district will provide information in alternative formats when necessary to accommodate persons with disabilities.

### **Reporting**

All persons must report incidents that might constitute illegal discrimination or harassment directly to the compliance officer or acting compliance officer. All district employees will direct all persons seeking to make a grievance directly to the compliance officer. Even if the potential victim of discrimination or harassment does not file a grievance, district employees are required to report to the compliance officer any observations, rumors or other information regarding discrimination or harassment 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.

Students, employees and others may address concerns directly with the person alleged to have caused harassment or discrimination in an attempt to resolve the issue, but are not expected or required to do so.

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

Building-level administrators are in a unique position to identify and address discrimination and harassment 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 any behavior that otherwise would lead to disciplinary action in accordance with the district's discipline policy. The administrator will report all incidents of harassment and discrimination 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 filed, 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 or harassment, 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 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 next highest step in the grievance process will be used.
2. Investigation and reporting deadlines are not mandatory upon the district when more time might be necessary to adequately conduct an investigation and to render a decision. When extended, the person filing the complaint will be notified. 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 filing 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 filing 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 take immediate action if necessary to prevent further potential discrimination or harassment during the pending investigation.

### **Grievance Process**

1. Level I B A grievance is filed with the district's compliance officer. The compliance officer may, at his or her discretion, assign a school principal or other appropriate supervisor to conduct the investigation when appropriate.

Regardless of who investigates the grievance, an investigation will commence immediately, but no later than ten (10) working days after the compliance officer receives the grievance. The compliance officer will complete a written report within 30 working days of receiving the grievance that 1) summarizes the facts; 2) makes conclusions on whether the facts constitute a violation of this policy; and 3) if a violation of this policy is found, recommends corrective action to the superintendent. 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 filed the grievance will be notified in writing, in accordance with law and district policy, regarding whether the policy has been violated.

2. Level II B Within five (5) working days after receiving the Level I decision, the person filing the grievance 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 (10) 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 filed the grievance will be notified in writing, in accordance with law and district policy, regarding whether the policy has been violated.

3. Level III B Within five (5) working days after receiving the Level II decision, the person filing the grievance may appeal the superintendent=s decision to the Board by notifying the Board secretary in writing. The person filing the grievance 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=s decision and any actions taken are final. The Board secretary will give the compliance officer or acting compliance officer a copy of the appeal and decision. The person who filed the grievance will be notified in writing, in accordance with law and district policy, regarding whether the policy has been violated.

### 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 filing 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.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EHB, Technology Usage  
GBCB, Staff Conduct  
GBH, Staff/Student Relations



GBL, Personnel Records  
GCD, Professional Staff Recruiting and Hiring  
GDC, Support Staff Recruiting and Hiring  
IGBA, Programs for Students with Disabilities  
IGBCB, Programs for Migrant Students  
IGBH, Programs for English Language Learners  
IGD, District-Sponsored Extracurricular Activities and Organizations  
IICC, School Volunteers  
JFCF, Hazing and Bullying  
JG, Student Discipline  
KK, Visitors to District Property/Events

Legal Refs:           Individuals with Disabilities Education Act, 20 U.S.C. " 1400 - 1487  
Title IX of the Education Amendments of 1972, 20 U.S.C. ' 1681  
Equal Pay Act, 29 U.S.C. ' 206(d)  
Age Discrimination in Employment Act, 29 U.S.C. " 621 - 634  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. ' 794  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. " 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. " 2000e - 2000e-17  
Age Discrimination Act of 1975, 42 U.S.C. " 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. " 12101 - 12213  
Missouri Human Rights Act, " 213.010 - 213.137, RSMo.  
Female Employees' Wages, " 290.400 - .450, RSMo.  
*Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629 (1999)  
*Faragher v. City of Boca Raton*, 524 U.S. 775 (1998)  
*Burlington Industries v. Ellerth*, 524 U.S. 742 (1998)  
*Gebser v. Lago Vista Ind. Sch. Dist.*, 524 U.S. 274 (1998)  
*Oncala v. Sundowner Offshore Services*, 523 U.S. 75 (1998)  
*Harris v. Forklift Systems, Inc.*, 510 U.S. 17 (1993)

Avilla R-XIII School District, Avilla, Missouri

**SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATIONS**

<b>BBA</b>	School Board Powers and Duties
<b>BBB</b>	School Board Elections
<b>BBBA</b>	Board Member Qualifications
<b>BBBB</b>	School Board Ballot Issues
<b>BBC</b>	Board Member Resignation
<b>BBD</b>	Board Member Removal from Office
<b>BBE</b>	Unexpired Term Fulfillment/Vacancies
<b>BBF</b>	School Board Member Ethics
<b>BBFA</b>	Board Member Conflict of Interest and Financial Disclosure
<b>BCA</b>	Board Organizational Meeting
<b>BCB</b>	Board Officers
<b>BCC</b>	Appointed Board Officials
<b>BCCA</b>	MSBA Delegate and Alternate
<b>BCE</b>	Board Committees/Advisory Committees to the Board
<b>BCG</b>	School Attorney/Legal Services
<b>BDA</b>	Board Meetings
<b>BDC</b>	Closed Meetings, Records and Votes
<b>BDDA</b>	Notification of Board Meetings
<b>BDDB</b>	Agendas

<b>BDDF</b>	Voting Method
<b>BDDG</b>	Minutes
<b>BDDG-R</b>	Board Meeting Minutes
<b>BDDH</b>	Public Participation at Board Meetings
<b>BDDL</b>	Release of Information
<b>BF</b>	School Board Policy Process
<b>BHA</b>	New Board Member Orientation
<b>BHD</b>	Board Member Compensation and Expenses
<b>BHE</b>	Board Member Liability/Insurance
<b>BI</b>	School Board Legislative Program
<b>BJ</b>	School Board Memberships

### **SCHOOL BOARD MEMBERSHIPS**

It may be the policy of the Board to maintain membership in the Missouri School Boards' Association. Through this membership in the state association, the School Board maintains indirect membership in the National School Boards' Association. The Board shall seek to participate as fully as possible in the activities of these organizations.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: § 162.011, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## SCHOOL BOARD LEGISLATIVE PROGRAM

The Board, as an agent of the state, must operate within the bounds of state and federal law affecting public education. If the Board is to meet its inherent responsibility to the residents and students of the community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause. To this end, the Board will act accordingly as follows:

- < Seek both direct and indirect representation of its position on pending legislation with appropriate state and federal legislators and legislative committees.
- < Be knowledgeable of the annual legislative program of the Missouri and National School Boards' Associations.
- < Work for the achievement of legislative objectives through the Missouri and National School Boards' Associations and with other concerned groups.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri

## BOARD MEMBER LIABILITY/INSURANCE

Because they are members of an agency of government whose powers and duties can only be exercised by a decision of the majority of the Board when the Board is officially in session, the members of the Board and its employees act as agents of the Board. None of these individuals should be placed in a position of personal liability for the performance of the responsibilities vested in them by the voters of the district.

Therefore, in order to protect the individual members of the Board, its agents, and the educational interests of the district, the Board may purchase, in the absence of governmental immunity or in addition to sovereign or governmental tort immunity, with public school funds, adequate errors and omissions liability insurance and/or other types of insurance necessary to indemnify Board members and agents of the Board for their official actions in the service of the district's schools.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EI, Insurance Management  
EIA, Property and Liability Insurance

Legal Refs: §§ 537.600 - .650, RSMo.

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## **BOARD MEMBER COMPENSATION AND EXPENSES**

As provided in state statutes, compensation is not provided for members of the Board of Education. However, the Board recognizes the benefits derived by the school district through Board member attendance at regional, state and national conferences and conventions and similar efforts on behalf of the school district. As the school district as a whole is benefitted, the Board will reimburse Board members for normal expenses for motel, food, registration, and transportation costs incurred while attending authorized conferences and meetings.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: § 162.391, RSMo.

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### **NEW BOARD MEMBER ORIENTATION**

Each new Board member shall be given an orientation program under the direction of the superintendent. Included shall be an updated copy of the *Policies and Procedures of the Avilla R-XIII School District*, the budget, the latest annual report, and such other documents as the superintendent deems essential to the operation of the district. The superintendent shall set aside such time as is necessary to answer any questions arising from the study of these documents, and shall cooperate fully in assisting the new member to become an informed and active Board member.

Within one year of their election or appointment, new Board members will complete at least 16 hours of orientation and training in a program presented by the Missouri School Boards' Association or approved by the State Board of Education.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §162.203, RSMo.

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### **SCHOOL BOARD POLICY PROCESS**

The Board of Education shall determine the policies to serve as a basis for the administration of the school district. The formulation, development, adoption and revision of written policies, rules and procedures shall constitute the basic method by which the Board of Education shall exercise its leadership in the operation of the school district.

The Board may direct the district's administrative staff members to promulgate, implement and maintain administrative procedures which are consistent with the Board's policies. While the Board may wish to periodically review these procedures, the administration has the authority to make adjustments to these procedures without Board approval, unless otherwise instructed by the Board. The policies, rules and procedures of the Board of Education shall be consistent with the philosophy, goals and objectives of the district, and shall be readily available to school district patrons.

The superintendent shall ensure that pertinent policies, rules and procedures shall be made available to the entire school staff annually.

It shall be the duty of the members of the professional and support staff to become familiar with the policies, rules and procedures so that each may clearly recognize his or her duties and relationships within the school policies.

Proposals for new policies or revisions of current policies may be initiated by anyone interested in or connected with the district, and must be presented in writing to the superintendent. The superintendent and administration will review the proposal and recommend appropriate disposition of the proposal. Upon its decision, the Board will inform the interested parties of the status of the proposal and the Board's reasons for acceptance or rejection of the proposal. Except for the alternative procedures described in this policy, the adoption of policies by the Board will follow the sequence outlined for policy adoption. In the event of a discrepancy between written materials in the district, Board policy will take precedence.

### **Policy Adoption**

Policies may be adopted and/or amended only upon a majority vote of the members of the Board present at a legally constituted meeting in which the proposed policy or amendment has been included on the agenda and described in writing.

To permit time for study of new policies or amendments to policies, and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as agenda items to the Board.

The formal adoption or revision of policies will be recorded in the minutes of the Board meeting. Only those written statements so adopted or revised and so recorded will be regarded as official policies of the Board. Policies may become effective immediately upon adoption, or at a specific effective date established by the Board and provided in the motion to adopt.

## **Suspension of Policies**

Policies of the Board may only be suspended at an official meeting of the Board by one of the following procedures:

1. A majority vote of all the members of the Board, if the proposed suspension has been described in writing.
2. A unanimous vote of all the members of the Board when the proposed suspension has not been described in writing.

## **Administration in Policy Absence**

The superintendent shall have the power to implement action within the school district if an emergency situation should develop for which the Board has provided no policy guidelines. However, the superintendent's decision shall be subject to review by the Board at its next regular meeting. It is the superintendent's duty to inform the Board of any such action and of the need for an official policy statement.

## **Policy Review**

The superintendent shall be responsible for the administration of the policies adopted by the Board of Education. In an effort to ensure that policies are updated to comply with the most recent federal and state regulations, statutes and court decisions, the Board will review its policies on a continuing basis. The superintendent is responsible for calling the Board's attention to all policies that are out of date or that appear to need revision. The superintendent may designate a specific staff person who will be responsible for entering policy update material into the manual and presenting any update material received to the superintendent.

The Board directs the superintendent to recall all policy manuals periodically for purposes of administrative updating and Board review. The superintendent and administrative staff shall make every effort to ascertain that each copy of the policy manual or any excerpt therefrom is identical. However, only that copy which is designated "official copy" and which is kept at all times in the office of the superintendent of schools shall be recognized as authoritative.

## **Alternative Procedures**

The following procedure may be used to formally adopt or delete policies or amend any part of an existing policy as recommended by an updating service such as that provided through the Missouri School Boards' Association. Following review of the recommended changes, the Board may vote to accept the recommendations of the policy service. The



recommended changes will then be considered immediately adopted and will be regarded as official Board policy.

In addition, the Board may determine that an emergency exists, and in such cases may immediately adopt, repeal or amend a policy. The fact that such policy change is adopted as an emergency measure shall be stated in the minutes.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: CH, Policy Implementation and Dissemination  
KC, Community Involvement in Decision Making

Legal Refs: § 171.011, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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### RELEASE OF INFORMATION

The Avilla R-XIII School District believes that local control of public education is best served when the patrons of the district and other members of the public have access to the meetings, records and votes of the Board of Education. In limited situations, important considerations of public policy require meetings of the Board, including any record or vote, to be closed to the public. Meetings, records and votes shall be closed to the public to the extent allowed by law.

The following provisions shall govern the release of information concerning the meetings, records and votes of the Board:

1. The custodian of records is responsible for responding to requests for district records. Requests for records will be directed to the custodian, whose identity will be made available on request and will be advertised as appropriate. The Board appoints the following person as custodian of records:

(title)  
(building)  
(contact information)

In addition, the district will train at least one (1) additional employee to serve as custodian of records in the absence of the official custodian.

2. The custodian of records shall:

- ◁ Respond to each request for inspection or copying as soon as possible but no later than the end of the third business day following the date the request is received by the custodian. The three-day requirement may be exceeded for reasonable cause.
- ◁ Give a detailed explanation of the cause for delay and the place and earliest time and date the record will be available if access is not granted immediately.
- ◁ If access is denied, upon request provide a written statement of specific statutory grounds for such denial no later than the third business day following the date that the request for the record is received.

3. Except as otherwise provided by law, the custodian of records shall provide access to, and upon request furnish copies of, public records subject to the following:

- ◁ If records are requested in a certain format, the custodian of records will provide the records in the requested format if such format is available.
- ◁ The district may charge fees for copying, duplicating time and research time. Copying fees shall not exceed ten (10) cents per page for a paper copy not larger than nine (9) by 14 inches. The hourly fee for duplicating time will not exceed the average hourly rate of pay for clerical staff of the district. Research time required for fulfilling records requests may be charged at the actual cost of the research time. The district will produce the copies using the employees that result in the lowest amount of charges for search, research and duplication time.
- ◁ Fees for providing access to computer records, recorded tapes, disks, videotapes, films, pictures, maps, slide graphics, illustrations or similar audio or visual items shall include only the cost of copies, staff time and the cost of the disk, tape or other medium used for the duplication. Charges for staff time will not exceed the average hourly rate of pay for staff of the district required for making copies and programming, if necessary. Fees may include the actual costs of programming if programming is required beyond the customary and usual level to comply with a request for records or information.

- < Payment of copy fees may be requested prior to copying. The person requesting the records may request an estimate of the cost prior to copying.
  - < Copies may be furnished free or at a reduced rate if the Board determines that it is in the public interest because it is likely to contribute to public understanding of the operations or activities of the district and is not primarily based on commercial interests.
  - < The custodian of records shall inform the district staff of the mandated retention schedules from the Secretary of State's office and will work closely with district technology staff on the retention of computer records.
  - < Once the district has been served with a summons, petition, complaint, counterclaim or cross-claim in a civil action to enforce the Sunshine Law, the custodian of records shall not transfer custody, alter, destroy or otherwise dispose of the public record sought to be inspected and examined until the court directs otherwise, regardless of the applicability of an exemption or the assertion that the requested record is not a public record.
4. If a Board member or a member of a district committee subject to the Missouri Sunshine Law transmits any message to enough members that, when counting the sender, a majority of the Board or committee members receive the message, the message shall also be concurrently transmitted to the custodian of records or the member's district office computer, if applicable, in the same format. The message shall be considered an open record unless it is a closed record in accordance with law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: CH, Policy Implementation and Dissemination  
KB, Public Information Program  
KBA, Public's Right to Know  
KKB, Audio and Visual Recording

Legal Refs: §§ 610.023, .025 - .028, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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**PUBLIC PARTICIPATION AT BOARD MEETINGS**  
***(Districts Not Allowing a Public Comment Period)***

To provide for full and open communication between the public and the Board of Education, the Board authorizes the following avenues for the exchange of information, ideas and opinions.

**Grievance through Established Policy and Procedure**

Students, employees and members of the public are encouraged to utilize established policies and procedures for offering suggestions or addressing concerns and complaints prior to bringing the issue before the Board. The Board believes that many issues can be resolved by communication with teachers, administrators and other staff and may refuse to address an issue if the individual presenting it has not first attempted to resolve the matter through established procedures and policies.

**Written Correspondence**

Written correspondence may be directed to the Board, through the superintendent, for consideration at a meeting. Copies of all correspondence directed to the Board will be made available to all Board members. Statements of two (2) pages or less are encouraged.

**Agenda Items**

Any member of the public who wishes to have an item placed on the agenda will present the request in writing to the superintendent or designee. The request must be submitted pursuant to Board policy and received five (5) business days prior to the scheduled meeting. The item will be appropriately placed on the agenda. The Board reserves the right to impose reasonable restrictions on the number of items to be considered, the number of spokespersons and the speaking time of spokespersons appearing before the Board. If the meeting agenda is full, the Board reserves the right to reschedule an item to the next regular meeting. The Board may refuse to address an issue that has not gone through the appropriate grievance procedure. The Board reserves the right to waive formalities in emergency situations, within the limitations of the law.

## Public Hearings

From time to time, the Board will schedule a public hearing to receive input on matters of concern to the community, such as setting the district's tax rate. The public will be provided notice of such hearings as required by law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: KBA, Public's Right to Know  
KC, Community Involvement in Decision Making  
KK, Visitors to District Property/Events  
KL, Public Complaints  
KLB, Public Questions, Comments or Concerns Regarding District  
Instructional/ Media/Library Materials

Legal Refs: §§ 610.010 - .035, RSMo.

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### **PUBLIC PARTICIPATION AT BOARD MEETINGS (Districts Designating a Public Comment Period)**

To provide for full and open communication between the public and the Board of Education, the Board authorizes the following avenues for the exchange of information, ideas and opinions.

#### **Grievance through Established Policy and Procedure**

Students, employees and any members of the public are encouraged to utilize established policies and procedures for offering suggestions or addressing concerns and complaints prior to bringing the issue before the Board. The Board believes that many issues can be resolved by communication with teachers, administrators and other staff and may refuse to

address an issue if the individual presenting it has not first attempted to resolve the matter through established procedures and policies.

### **Written Correspondence**

Written correspondence may be directed to the Board, through the superintendent, for consideration at a meeting. Copies of all correspondence directed to the Board will be made available to all Board members. Statements of two (2) pages or less are encouraged.

### **Agenda Items**

Any member of the public who wishes to have an item placed on the agenda will present the request in writing to the superintendent or designee. The request must be submitted pursuant to Board policy and received five (5) business days prior to the scheduled meeting. The item will then be appropriately placed on the agenda. The Board reserves the right to impose reasonable restrictions on the number of items to be considered, the number of spokespersons and the speaking time of spokespersons appearing before the Board. If the meeting agenda is full, the Board reserves the right to reschedule an item for the next regular meeting. The Board may refuse to address an issue that has not gone through the appropriate grievance procedure. The Board reserves the right to waive formalities in emergency situations, within the limitations of the law.

### **Public Hearings**

From time to time, the Board will schedule a public hearing to receive input on matters of concern to the community, such as setting the district's tax rate. The public will be provided notice of such hearings as required by law.

### **Public Comment**

A specifically designated time will be set aside for public comments at regular meetings of the Board of Education. The following rules will be applied to the public comment portion of the meeting:

- < The Board will establish a time limit for the public comment period.
- < No individual will be permitted to speak more than once during this period.
- < The Board will establish a uniform time limit for each speaker.
- < Only items from the posted agenda may be discussed.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: KC, Community Involvement in Decision Making  
KK, Visitors to District Property/Events  
KL, Public Complaints  
KLB, Public Questions, Comments or Concerns Regarding District  
Instructional/ Media/Library Materials

Legal Refs: §§ 610.010 - .035, RSMo.

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## BOARD MEETING MINUTES

Since the official minutes of the Board are the only basic legal record, it is important that they be recorded with extreme care and completeness. The Board secretary shall adhere to the following guidelines in recording Board minutes:

- < The minutes should be typewritten and pages numbered.
- < All minutes should be signed by the proper officers of the Board.
- < An accurate copy of all contracts approved, policies adopted and the content of consent agendas voted on shall be attached to the typewritten minutes or kept with a direct reference to the minutes addressing that item.
- < Once the minutes are approved, all handwritten notes can be destroyed. Any magnetic tapes must be retained for one (1) year after being recorded in the official minutes. Tapes not recorded in the official minutes must be retained permanently.
- < The original minutes book and supplemental information should be secured in a fireproof safe, vault or file in the central administration office.

- ◁ A duplicate set of minutes should be kept in a designated place in the central administration office or be otherwise readily available for inspection following approval by the Board.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 109.180 - .195, 610.010 - .035, RSMo.  
*Public School District Retention Manual*

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## MINUTES

Whereas it is recognized that the Board of Education speaks through its minutes, the Board shall direct the secretary of the Board to take, or cause to be taken, the minutes of each Board meeting. The minutes of all Board meetings shall be accurate, complete and meet all legal requirements. The superintendent shall be responsible for their safe keeping. The minutes of meetings of the Board of Education will include but are not limited to the following:

1. The nature of the meeting (regular, special, open, closed, etc.), the time, the date, the place of the meeting and the Board members present and absent.
2. A record of all motions made, together with the names of the members making and seconding the motions, and a numerical record of the members voting "yea" and "nay," unless each member's vote is recorded due to a roll call vote or required by law. If a role call vote is taken, the vote shall be attributed to the name of the member. Special notation should be made of abstaining members, and their vote should be recorded as an abstention.

The minutes will be signed by the president and attested by the secretary of the Board following their approval by the Board.



The closing of executive session votes and records shall be determined by a majority vote of the quorum of the Board in a public session. Minutes and portions thereof shall be kept in a separate minute book used solely for the purpose of executive sessions. Executive session minutes shall be confidential material, and shall not be available to the public except as provided by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: KBA, Public's Right to Know

Legal Refs: §§ 109.180 - .190, 610.010 - .028, RSMo.

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### **VOTING METHOD (Urban Districts)**

All motions will be recorded in the minutes, including the name of the person seconding any motion and the record of the vote. Minimally, the number of "yea" and "nay" votes on any question shall be recorded in the minutes unless a roll call vote is required by law. When a member abstains from voting, such abstention shall not be counted as a vote either for or against the proposal, but shall be entered in the minutes as an abstention. The president shall have a vote on all questions.

Any member upon request may have a brief explanation of his or her vote recorded on any question. Any member may also change his or her vote if such request is made prior to consideration of the next order of business.

Motions pass with an affirmative vote from the majority of the quorum present at the meeting, unless otherwise prescribed by law. A majority of the Board must vote to enter

into a contract, employ a teacher, approve a bill or issue a warrant. The Board does not need to vote to re-employ a teacher.

### **Voting in Open Session**

Voting in open session must be conducted in a manner that allows the public attending the meeting to observe how each person voted and in a manner that allows the Board secretary to accurately discern and record the number of persons voting for or against the motion as well as the persons abstaining from the motion.

The Board may decide to vote by roll call in open session. When an open public vote is not to be taken by roll call, any member may request that the Board be polled on any issue requiring a vote. When voting to adjourn to closed session, the specific reason for closing the meeting must be announced publicly by reference to a specific section of the law, and the vote must be taken by roll call.

In the event a motion is made to close a meeting, record or vote and a Board member believes that the motion, if passed, would violate the Missouri Sunshine law, the Board member may state his or her objection to the motion before or at the time the vote is taken. The Board secretary will enter the objection in the minutes. Once the objection has been made the Board member shall be allowed to fully participate in the meeting, record or vote even if it is closed over the member's objection. If the Board member voted against the motion to close the meeting, record or vote, the recorded objection and the vote is an absolute defense to any claim filed against the Board member pursuant to the Missouri Sunshine Law.

### **Voting in Closed Session**

All votes taken in closed session shall be taken by roll call, including the vote to adjourn.

### **Voting Electronically**

The Board may allow members to participate in meetings by telephone or other electronic means. Board members may not simply vote electronically, but must be connected with the meeting throughout the discussion of business. If a Board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened.

Board members participating electronically cannot cast roll call votes unless a district emergency exists and a quorum of the Board is physically present at the meeting. If such an emergency exists, the nature of the district emergency shall be stated in the minutes. Board members participating electronically may cast votes other than roll call votes.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 162.303, .511, 610.010(7), .015, .020, .022, RSMo.

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## **VOTING METHOD**

All motions will be recorded in the minutes, including the name of the person seconding any motion and the record of the vote. Minimally, the number of “yea” and “nay” votes on any question shall be recorded in the minutes unless a roll call vote is required by law. When a member abstains from voting, such abstention shall not be counted as a vote either for or against the proposal, but shall be entered in the minutes as an abstention. The president shall have a vote on all questions.

Any member upon request may have a brief explanation of his or her vote recorded on any question. Any member may also change his or her vote if such request is made prior to consideration of the next order of business.

Motions pass with an affirmative vote from the majority of the quorum present at the meeting, unless otherwise prescribed by law. A majority of the Board must vote to enter into a contract, employ a person, approve a bill or issue a warrant.

### **Voting in Open Session**

Voting in open session must be conducted in a manner that allows the public attending the meeting to observe how each person voted and in a manner that allows the Board secretary to accurately discern and record the number of persons voting for or against the motion as well as the persons abstaining from the motion.

The Board may decide to vote by roll call in open session. When an open public vote is not to be taken by roll call, any member may request that the Board be polled on any issue requiring a vote. When voting to adjourn to closed session, the specific reason for closing the meeting must be announced publicly by reference to a specific section of the law, and the vote must be taken by roll call.

In the event a motion is made to close a meeting, record or vote and a Board member believes that the motion, if passed, would violate the Missouri Sunshine Law, the Board member may state his or her objection to the motion before or at the time the vote is taken. The Board secretary will enter the objection in the minutes. Once the objection has been made the Board member shall be allowed to fully participate in the meeting, record or vote even if it is closed over the member's objection. If the Board member voted against the motion to close the meeting, record or vote, the recorded objection and the vote is an absolute defense to any claim filed against the Board member pursuant to the Missouri Sunshine Law.

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All votes taken in closed session shall be taken by roll call, including the vote to adjourn.

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Board members participating electronically cannot cast roll call votes unless a district emergency exists and a quorum of the Board is physically present at the meeting. If such an emergency exists, the nature of the district emergency shall be stated in the minutes. Board members participating electronically may cast votes other than roll call votes.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 162.301, .303, 610.010(7), .015, .020, .022, RSMo.

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## **AGENDAS**

A tentative agenda for each meeting of the Board shall be prepared by the superintendent, in consultation with the Board president, and shall be included in the public notice of such meetings. The tentative agenda must reasonably inform the public of matters to be considered. Any member of the Board may request items to be placed on the agenda. The tentative agenda, related materials and minutes of the previous meeting shall be mailed to each member at least four (4) days prior to the stated meeting.

The agenda for each meeting of the Board shall be adopted or modified by motion of a majority of those Board members present. Once the agenda is approved, it shall require a vote of a majority of the Board members present to make additional modifications.

Any patron or group of patrons desiring to be included on the agenda for the purpose of addressing the Board shall make a request to the superintendent five (5) days prior to the regular Board meeting. The request shall be submitted in writing, and shall provide sufficient detail to explain fully the issue(s) to be discussed. The Board reserves the right to limit the number of and speaking time of spokespersons appearing before the Board. Unless unusual circumstances dictate otherwise, the Board will not make a decision on an issue(s) presented by an individual or group during that particular meeting. The Board reserves the right to waive formalities in emergency situations, within the limitations of state statutes.

The superintendent shall cause a sufficient number of copies of the tentative agenda to be prepared and distributed to persons in attendance at the Board meeting.

### **Consent Agenda**

In order to use time within the Board meetings more efficiently, the School Board also utilizes a consent agenda whenever appropriate. Items placed on the consent agenda are routine in nature or are among the many decisions that the Board has already determined are in the domain of the administration.

When the consent agenda is presented to the Board for action, the Board president will provide the opportunity for any member of the Board to request a discussion or removal of any item on the agenda. Any item requested to be removed from the consent agenda by a Board member will be placed on the regular agenda or removed from the agenda entirely, depending upon the request of the member and the Board's agreement. Remaining items on the consent agenda are then voted on and passed or denied by a single motion. The minutes of the Board meeting shall include the outcome of the vote and a list of all the items which appeared on the consent agenda.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 610.010 - .028, RSMo.

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## AGENDAS

A tentative agenda for each meeting of the Board shall be prepared by the superintendent, in consultation with the Board president, and shall be included in the public notice of such meetings. The tentative agenda must reasonably inform the public of matters to be considered. Any member of the Board may request items to be placed on the agenda. The tentative agenda, related materials and minutes of the previous meeting shall be mailed to each member at least four (4) days prior to the stated meeting.

The agenda for each meeting of the Board shall be adopted or modified by motion of a majority of those Board members present. Once the agenda is approved, it shall require a vote of a majority of the Board members present to make additional modifications.

Any patron or group of patrons desiring to be included on the agenda for the purpose of addressing the Board shall make a request to the superintendent five (5) days prior to the regular Board meeting. The request shall be submitted in writing, and shall provide sufficient detail to explain fully the issue(s) to be discussed. The Board reserves the right to limit the number of and speaking time of spokespersons appearing before the Board. Unless unusual circumstances dictate otherwise, the Board will not make a decision on an issue(s) presented by an individual or group during that particular meeting. The Board reserves the right to waive formalities in emergency situations, within the limitations of state statutes.

The superintendent shall cause a sufficient number of copies of the tentative agenda to be prepared and distributed to persons in attendance at the Board meeting.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 610.010 - .028, RSMo.

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## **NOTIFICATION OF BOARD MEETINGS**

It is the policy of the Avilla R-XIII School District to inform the public of School Board meetings in accordance with law.

The Board secretary has the responsibility to post notice of Board meetings, subject to direction by the superintendent. Each individual Board member has the responsibility to notify the Board secretary of items to be included on the agenda so that the item may be included in the legal posting.

### **All Meetings**

In addition to the criteria listed below, notice of all Board meetings shall be given at least 24 hours in advance of the meeting, exclusive of weekends and holidays when school is closed, unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. The nature of the good cause must be stated in the minutes.

The notice shall be posted on a bulletin board or other easily accessible public place clearly designated for that purpose at the principal office of the Board or, if no such office exists, at the building where the meeting will be held.

All interested news media organizations will be notified concurrently with members of the Board, upon request, of all meetings of the Board of Education. To be notified of these

meetings, a news media organization should make a request to the secretary of the Board of Education.

### **Open Meetings**

Public notice of an open meeting will include the time, date, place and a tentative agenda advising the public of the matters to be considered.

### **Closed Meetings**

Public notice of a closed meeting will include the time, date and place of the meeting and the specific statutory exemption under which the meeting will be closed.

In addition, a majority of a quorum of the Board shall vote to close a meeting, in accordance with law. The reason for holding the closed meeting, with reference to the specific statutory exemption relied upon for closure and the roll call vote of each member on the question of holding a closed meeting, shall be announced publicly at an open session and entered into the minutes.

### **Electronic Meetings**

If the meeting will be conducted by telephone or other electronic means, the notice of the meeting shall identify the mode by which the meeting will be conducted and the designated location where the public may observe and attend the meeting, if open. If the meeting will be conducted by Internet chat, Internet message board or other computer link, the district shall post a notice of the meeting on its website, in addition to other postings, and shall notify the public how to access that meeting, if open.

### **Committees**

A formal subcommittee of the Board may conduct a meeting without advance notice during a lawful meeting of the Board, a recess of that meeting or immediately following that meeting. The subcommittee's meeting must be announced at the Board meeting, and the subject of the meeting must reasonably coincide with the subjects discussed at the Board meeting.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***



Adopted:

Revised:

Legal Refs: §§ 610.010 - .029, RSMo.

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## **CLOSED MEETINGS, RECORDS AND VOTES**

The Board reserves the right, as provided by law, to conduct closed meetings, including any records or votes, to the extent allowed under the Missouri Sunshine Law.

### **Meeting Notice**

Public notice of closed meetings shall be given in accordance with Board policy and law. A majority of a quorum of the Board shall vote to close a meeting, in accordance with law. The reason for holding the closed meeting, with reference to the specific statutory exemption relied upon for closure and the roll call vote of each member on the question of holding a closed meeting, shall be announced publicly at an open session and entered into the minutes. Only business directly related to the specific exemptions may be discussed or voted upon at a closed meeting.

### **Objection**

In the event a motion is made to close a meeting, record or vote and a Board member believes that the motion would violate the Missouri Sunshine Law if passed, the Board member may state his or her objection to the motion before or at the time the vote is taken. The Board secretary will enter the objection in the minutes. Once the objection has been made the Board member shall be allowed to fully participate in the meeting, record or vote even if it is closed over the member's objection. If the Board member voted against the motion to close the meeting, record or vote, the recorded objection and the vote is an absolute defense to any claim filed against the Board member pursuant to the Missouri Sunshine Law.

### **Meeting Location**

The Board shall only close that portion of the meeting facility needed to house the Board in closed session. Members of the public must be allowed to remain in the meeting facility so that they may attend any open meeting that follows the closed meeting.

## **Confidentiality**

The Board members, employees and others in attendance are honor bound not to disclose the details or discussions of the closed meetings, records or votes. District employees who fail to keep closed information or closed meetings confidential may be disciplined or terminated. The Board may publicly admonish Board members who fail to keep closed records and meetings confidential in violation of this policy.

## **Closed Topics**

The following are some of the reasons a meeting, record or vote may be closed:

1. Legal actions, causes of action or litigation involving the district and any confidential or privileged communication between the district or its representatives and its attorneys. Any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving the district or an agent or entity representing the district, including any insurance company acting on the district's behalf, shall become available to the public upon final disposition of the matter voted upon or upon the signing of a settlement agreement by the parties. A settlement agreement may be ordered closed by a court. However, the amount of any monies paid by or on behalf of the school district, pursuant to the settlement agreement, must be available to the public. When the district makes a decision involving the exercise of eminent domain, the vote shall become public immediately following the meeting in which the vote was taken to authorize institution of such legal matter. Legal work product is considered a closed record.
2. The lease, purchase or sale of real estate by the district where public knowledge of the transaction might adversely affect the amount to be received or spent by the district. Any minutes, vote or public record approving such a contract shall become available to the public upon execution of the lease, purchase or sale of the real estate.
3. Hiring, firing, disciplining or promoting of particular employees by the district when personal information about the employee is discussed or recorded. Any vote on a final decision to hire, fire, promote or discipline an employee must be made available, with a record of how each member voted, to the public within 72 hours of the close of the meeting where the action occurred. However, the district will attempt to notify the affected employee during the 72-hour period before the decision is made available to the public. The term "personal information" means information relating to the performance or merit of individual employees.
4. Proceedings involving the mental or physical health of an identifiable individual.
5. Scholastic probation, expulsion or graduation of identifiable persons, including records of individual tests or examination scores. However, personally identifiable

student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of 18 and by the parents, guardian or other custodian and the student if the student is over 18.

6. Testing and examination materials until the test or examination is given for the final time.
7. Welfare cases of identifiable individuals.
8. Preparations on behalf of the district or its representatives for negotiations with employee groups, including any discussion or work product.
9. Software codes for electronic data processing and documentation thereof.
10. Competitive bidding specifications until officially approved or published.
11. Sealed bids and related documents until the bids are opened; sealed proposals and related documents until all proposals are rejected; or any documents related to a negotiated contract until a contract is executed.
12. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment. However, the names, positions, salaries and lengths of service of district officers and employees shall be available to the public.
13. Records protected from disclosure by law.
14. Scientific and technological innovations in which the owner has a proprietary interest.
15. Records relating to municipal hotlines established for reporting abuse and wrongdoing.
16. Confidential or privileged communications between the Board and its auditor, including all auditor work product. However, all final audit reports issued by the auditor are to be considered open records.
17. Operational guidelines and policies developed, adopted or maintained by the district for use in responding to or preventing any critical incident that is or appears to be terrorist in nature and that has the potential to endanger individuals or public health or safety. When seeking to close information pursuant to this exception the Board shall state in writing that disclosure would impair its ability to protect the health or safety of persons and that the public interest in nondisclosure outweighs

the public interest in disclosure of the records. Information regarding expenditures or contracts made in implementing these policies shall be open records.

18. Existing or proposed security systems and structural plans of real property owned or leased by the district where public disclosure would threaten public safety. Procurement records or expenditures relating to security systems purchased with public funds shall be open. When the district is seeking to close this information, it must affirmatively state in writing that disclosure would impair the district's ability to protect the security or safety of persons or real property and that the public interest in nondisclosure outweighs the public interest in disclosure of the records.
19. Records that identify and would allow unauthorized access to or unlawful disruption of the configuration of components or the operation of a computer, computer system, computer network or telecommunications network of the district if released. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures for such computer, computer system, computer network or telecommunications network shall be open.
20. Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between the district and a person or entity doing business with the district. However, the record of a person or entity using a district credit card or any record of a transaction that is reimbursed by the district will be open.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ECA, Building and Grounds Security  
KBA, Public's Right to Know  
KDA, Custodial and Noncustodial Parents  
KKB, Audio and Visual Recording

Legal Refs: §§ 610.010 - .029, RSMo.

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## **BOARD MEETINGS**

### **General**

A quorum must be present, whether physically or electronically, in order to conduct an official meeting. A quorum shall consist of four (4) members of the Board of Education.

Meetings may be held in person or by means of communication equipment including, but not limited to, conference calls, video conferences, Internet chats or Internet message boards.

Meetings of the Board of Education shall be open to the public and the press unless closed as authorized by law.

All Board meetings shall be held at a place of sufficient size to accommodate the anticipated members of the public and at a time that is reasonably convenient. In addition, reasonable efforts shall be made to make the meeting accessible to individuals with disabilities. If any of these statutory requirements are not met, the nature of the cause for noncompliance for the meeting should also be stated in the Board minutes.

Recording open meetings by audiotape, videotape or other electronic means is allowed by law. However, the Board may establish guidelines regarding the manner in which such recordings are conducted to minimize disruption to the meeting. Recording a closed meeting is prohibited unless permission has been granted by the Board by resolution. By passing this policy the Board grants permission to the Board secretary to record closed meetings as necessary to fulfill his or her duties.

### **Meeting Notice**

Public notice of all meetings shall be given in accordance with Board policy and law.

### **Regular Board Meetings**

The Board of Education shall hold regular meetings throughout the year to transact such business as deemed necessary for the smooth operation of the school district.

The Board will hold its regular meeting on the \_\_\_\_\_ of each month at \_\_\_\_\_ (time) at \_\_\_\_\_ (location) unless otherwise specified in the publicized notice of the meeting.

### **Special Board Meetings**

Special Board meetings may be held from time to time as circumstances may demand. Special meetings of the Board may be held at a time fixed by the Board or on the call of the president. A special meeting may also be called by at least four (4) members of the Board. Each member shall be notified of the time, place and purpose of the meeting a reasonable amount of time in advance of the meeting.

### **Electronic Participation**

The Board may allow members to participate in meetings by telephone or other electronic means. Board members may not simply vote electronically, but must be connected with the meeting throughout the discussion of business. If a Board member electronically joins the meeting after an item of business has been opened, the remotely located member shall not participate until the next item of business is opened.

If the Board allows a member to participate electronically, the member will be considered present and will have his or her actual physical presence excused. The member shall be counted present for purposes of convening a quorum. The Board secretary will document it in the minutes when members participate in the meeting electronically.

Board members participating electronically cannot cast roll call votes unless a district emergency exists and a quorum of the Board is physically present. If such an emergency exists, the nature of the district emergency shall be stated in the minutes. Board members participating electronically may cast votes other than roll call votes.

Any Board member wishing to participate in a meeting electronically will notify the Board president and superintendent as early as possible. The superintendent will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting electronically may interact and the public may observe or hear the comments made. The superintendent will take measures to verify the identity of any remotely located participants.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: KKB, Audio and Visual Recording

Legal Refs: §§ 162.301, .303, .511, 610.010 - .028, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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### SCHOOL ATTORNEY/LEGAL SERVICES

The Board recognizes that the increasing complexity of school district operations frequently requires procurement of professional legal services. Consequently, the Board may select an attorney and/or law firm for purposes of systematically providing such services. The Board shall prescribe the duties, compensation and term of service for the attorney and/or law firm. It shall be the duty of the counsel to advise the Board and to make recommendations concerning specific legal problems submitted. Districts including one (1) or more cities or towns having a total population of at least 30,000 may retain an attorney on an annual basis.

A decision to seek legal counsel or advice on behalf of the school district shall normally be made by the superintendent or by persons specifically authorized by the superintendent. It may also take place as a consequence of formal Board direction.

Many types of legal assistance to the district may be considered routine and may not require specific Board approval or prior notice. However, when the administration concludes that unusual types or amounts of professional legal service may be required, the Board directs the administration to so advise it, and to expeditiously seek either initial or continuing authorization for such service.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: § 162.411, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## BOARD COMMITTEES/ADVISORY COMMITTEES TO THE BOARD

The Board shall act as a committee-of-the-whole on all matters pertaining to the business and educational policies of the district. The Board may appoint standing committees; however, no individual member or group comprised of less than the full membership of the Board shall exercise the powers of the full Board unless otherwise authorized by law and Board policy.

With the approval or at the direction of the Board, the president of the Board may appoint temporary ad hoc and/or special lay committees to assist the Board.

Committees must follow the instructions given to them by the Board and may be terminated at any time by a majority vote of the membership of the Board. If the committee is required by state or federal law, its composition and appointment shall meet all guidelines established for that purpose. Committees shall be advised of the:

1. Purpose to be served.
2. Length of time each member is being asked to serve.
3. Resources the Board will provide.
4. Date a report should be made to the Board or superintendent.

Final authority in the decision-making process will reside with the Board.

Any committee appointed by or at the direction of the Board and that is authorized to report to the Board or any advisory committee appointed by or at the direction of the Board for the specific purpose of recommending directly to the Board or the superintendent any policies, policy revisions or expenditure of public funds, will follow the Missouri Open Meetings and Records Act. The custodian of records will maintain a list of all such committees.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DA, Fiscal Responsibility  
KC, Community Involvement in Decision Making



Legal Refs: " 167.171, 610.010 - .028, RSMo.  
*Jackson v. Board of Directors*, 9 S.W.3d 68 (Mo. Ct. App. 2000)

Avilla R-XIII School District, Avilla, Missouri

### **APPOINTED BOARD OFFICIALS** ***(Urban Districts)***

The Board shall elect a school district secretary, treasurer and other Board officials deemed necessary and advisable. The Board will set the terms of service and compensation. If either the secretary or treasurer is a member of the Board, compensation for services may not be received. If not a member of the Board, reasonable compensation for services may be received. No compensation shall be paid to either the secretary or treasurer while they are in default in the making, filing or publishing of their reports and settlements as the law directs. The Board will fill vacancies in Board officer positions.

#### **Duties of the Board Secretary**

The secretary of the Board of Education shall perform or cause to be performed the following duties:

1. Be present at all regular and special meetings of the Board, and special Board committee meetings as requested by the committee chairman, in order to keep an accurate record of the proceedings.
2. Keep accurate record of Board member attendance at Board meetings.
3. Keep a complete and accurate record of all regular and special meetings of the Board of Education, transcribe and type the official copy in the minutes book, and make copies of the minutes for the superintendent and for each member of the Board.
4. Safely keep all bonds or other papers entrusted to his/her care.
5. Keep a record of all warrants drawn upon the treasurer, showing the date and amount of each, in whose favor and upon what account it was drawn.

6. Keep a register of the bonded indebtedness of the school district.
7. Keep all records of the Board of Education in a fireproof vault or safe in the office of the superintendent.
8. Notify all members of regular, executive or special meetings of the Board.
9. Post all notices required by law or when duly ordered by the Board.
10. Issue and/or sign all reports, orders and official documents when such are required by law or duly ordered by the Board of Education.
11. Make and securely keep copies of election notices, contracts with teachers, certificates and all other papers relating to the business of the district.
12. File a copy of all reports with the records of the district as required by law or by the Board of Education.
13. Secure the election results of all propositions submitted to voters and duly enter such results in the district records. This shall include votes on tax levies, bond issues and other issues placed before the voters. Issue certificates of election to newly elected Board members.
14. Forward a complete copy of the annual report to Missouri Department of Elementary and Secondary Education (DESE) at Jefferson City, at the designated time.
15. Publish advertisements, requests for bids, etc., as ordered by the Board.
16. Make all reports required by law to DESE, the United States Department of Education and other federal/state agencies.
17. Destroy canceled bonds and interest coupons in the presence of at least two (2) Board members and two (2) other witnesses, and record in the books of the district a description of the bonds so destroyed by noting the date issued and due date, the number and amount of each bond, and the names of Board members and witnesses who were present at the burning of the bonds.
18. Maintain a correct plat of the district and notify DESE and the county clerk of any boundary changes.
19. Certify copies of redistricting resolutions and plans.
20. Make attendance reports of any boundary changes to DESE, and to the county clerk.

21. In the absence of both the president and vice president of the Board, the secretary shall call a Board meeting to order and a president pro tempore shall be chosen.
22. Perform such additional functions as may be required by law or authorized by the Board of Education, either directly or through the superintendent.

### **Duties of the Board Treasurer**

The treasurer of the Board of Education shall perform or cause to be performed the following duties:

1. Execute before entering the treasurer's duties a bond of security which shall be approved by the Board and payable to the Board, conditioned upon the faithful discharge of the official duties of treasurer and in accordance with state law.
2. Receive and deposit promptly all moneys belonging to the district and pay out the same upon order of the Board of Education.
3. Pay out money from district funds only by order of the Board upon checks signed by the president and treasurer. The Board provides authorization for signatures to be affixed in facsimile.
4. Draw checks upon the order of the Board of Education in favor of any party to whom the district has become legally indebted. The checks are to be paid out of any moneys in the appropriate funds in the hands of the treasurer and belonging to the district.
5. Serve as legal custodian of all bonds, moneys and other securities belonging to the school district.
6. Keep or cause to be kept complete, accurate and legal records of all moneys collected and expended on Missouri uniform accounting forms.
7. Deliver to the Board of Education canceled bonds to be destroyed in compliance with the state law.
8. Annually, not later than the first day of August, settle with the Board of Education and account to the Board for all school moneys or funds received, from whom they were received and on what account and the amount paid out for school purposes.
9. Present the settlement to the clerk of the county commission after its approval by the Board.
10. Submit a monthly report to the Board reflecting the current balance in district funds and receipts for the preceding month.

11. Make other such reports as may be required by the Board.
12. Keep records available for inspection by the Board at all times.
13. Deliver to successor in office all district books and papers with all district moneys or other property in the treasurer's possession.
14. Sign all legal documents as required by law.
15. Perform other duties required by law and/or assigned by the Board.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted:

Revised:

Legal Refs: §§ 105.273 - .276, 162.301, .371, .391, .401, .441, .501, .531, .821, 163.081, 164.221, .181, 165.021, .061, .091, .101, .111, 291, RSMo.

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### **APPOINTED BOARD OFFICIALS (Seven Director)**

On or before July 15 of each year, the Board shall elect a school district secretary, treasurer and other Board officials deemed necessary and advisable. The Board will set the terms of service and compensation. If either the secretary or treasurer is a member of the Board, compensation for services may not be received. If not a member of the Board, reasonable compensation for services may be received. Vacancies in Board officer positions shall be filled by Board election of replacements.

### **Duties of the Board Secretary**

The secretary of the Board of Education shall perform or cause to be performed the following duties:

1. Be present at all regular and special meetings of the Board, and special Board committee meetings as requested by the committee chairman, in order to keep an accurate record of the proceedings.
2. Keep accurate record of Board member attendance at Board meetings.
3. Keep a complete and accurate record of all regular and special meetings of the Board of Education, transcribe and type the official copy in the minutes book, and make copies of the minutes for the superintendent and for each member of the Board.
4. Keep all records of the Board of Education in a fireproof vault or safe in the office of the superintendent.
5. Notify all members of regular, executive or special meetings of the Board.
6. Post all notices required by law or when duly ordered by the Board.
7. Issue and/or sign all reports, orders and official documents when such are required by law or duly ordered by the Board of Education.
8. Make and securely keep copies of election notices, contracts with teachers, certificates and all other papers relating to the business of the district.
9. File a copy of all reports with the records of the district as required by law or by the Board of Education.
10. Secure the election results of all propositions submitted to voters and duly enter such results in the district records. This shall include votes on tax levies, bond issues and other issues placed before the voters. Issue certificates of election to newly elected Board members.
11. Forward a complete copy of the annual report to the Missouri Department of Elementary and Secondary Education (DESE) at Jefferson City at the designated time.
12. Publish advertisements, requests for bids, etc., as ordered by the Board.
13. Make all reports required by law to DESE, the United States Department of Education and other federal/state agencies.
14. Destroy canceled bonds and interest coupons in the presence of at least two (2) Board members and two (2) other witnesses, and record in the books of the district a description of the bonds so destroyed by noting the date issued and due date, the

number and amount of each bond, and the names of Board members and witnesses who were present at the burning of the bonds.

15. Maintain a correct plat of the district and notify DESE and the county clerk of any boundary changes.
16. Certify copies of redistricting resolutions and plans.
17. Make attendance reports of any boundary changes to DESE and to the county clerk.
18. In the absence of both the president and vice president of the Board, the secretary shall call a Board meeting to order and a president pro tempore shall be chosen.
19. Perform such additional functions as may be required by law or authorized by the Board of Education, either directly or through the superintendent.

#### **Duties of the Board Treasurer**

The treasurer of the Board of Education shall perform or cause to be performed the following duties:

1. Become the custodian of all school moneys derived from taxation for school purposes in the district until paid out on the order of the Board.
2. Execute before entering the treasurer's duties a bond of security with two (2) or more sureties, which shall be approved by the Board and payable to the Board, conditioned upon the faithful discharge of the official duties of treasurer and in accordance with state law.
3. Receive and deposit promptly all moneys belonging to the district and pay out the same upon order of the Board of Education.
4. Pay out money from district funds only by order of the Board upon checks signed by the president and treasurer. The Board provides authorization for signatures to be affixed in facsimile.
5. Draw checks upon the order of the Board of Education in favor of any party to whom the district has become legally indebted. The checks are to be paid out of any moneys in the appropriate funds in the hands of the treasurer and belonging to the district.
6. Serve as legal custodian of all bonds, moneys and other securities belonging to the school district.

7. Keep or cause to be kept complete, accurate and legal records of all moneys collected and expended on Missouri uniform accounting forms.
8. Deliver to the Board of Education canceled bonds to be destroyed in compliance with the state law.
9. Annually, not later than the first day of August, settle with the Board of Education and account to the Board for all school moneys or funds received, from whom and on what account they were received and the amount paid out for school purposes.
10. Present the annual settlement to the clerk of the county commission after its approval by the Board.
11. Submit a monthly report to the Board reflecting the current balance in district funds and receipts for the preceding month.
12. Make other such reports as may be required by the Board.
13. Keep records available for inspection by the Board at all times.
14. Deliver to successor in office all district books and papers with all district moneys or other property in the treasurer's possession.
15. Sign all legal documents as required by law.
16. Perform other duties required by law and/or assigned by the Board.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DH, Bonded Employees and Officers

Legal Refs: §§ 105.273 - .276, 162.301, .303, .371, .391, .401, .441, .821,  
163.081, 164.221, .181, 165.021, .061, .091, .101, .111, 291, RSMo.

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## MSBA DELEGATE AND ALTERNATE

At its annual organizational meeting, the Board of Education shall elect a Missouri School Boards' Association (MSBA) delegate and alternate.

### Duties of the MSBA Delegate

The MSBA delegate shall have the following duties:

- < Serve as the liaison between MSBA and the Board of Education.
- < Report monthly to the Board on important issues identified by MSBA to include state and national issues, opportunities and concerns related to public schools, and other specific information important to boards of education and the school districts they represent.
- < Serve as a resource to the regional leadership committee in identifying persons with leadership skills to serve in regional leadership positions.
- < Actively participate in the development of the MSBA platform and resolutions.
- < Attend and participate in the Delegate Assemblies.
- < Attend and participate in MSBA spring and fall regional meetings and the annual Leadership Summit.

### Duties of the MSBA Alternate

The MSBA alternate will assume the role of delegate if the delegate is unable to serve.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

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## **BOARD OFFICERS**

The Board of Education shall elect a president and vice president at its organizational meeting. Vacancies in Board officer positions shall be filled by holding another Board election to fill the vacant positions.

### **Duties of the Board President**

The president of the Board, in addition to duties prescribed by law, will exercise such powers as properly pertain to the office according to *Robert's Rules of Order, Revised*. He or she shall have the right, as shall other members of the Board, to offer resolutions, to discuss questions and to vote thereon. The president will fulfill the responsibilities of the office as follows:

1. Preside, when present, at all meetings of the Board and be responsible for the orderly conduct of such Board meetings.
2. Sign all legal documents as required by law, which includes all checks or warrants of items ordered for payment by the Board, contracts approved by the Board, bonds and deeds of conveyance issued by and/or for the district, and the district's annual financial statement. The Board provides authorization for signatures to be affixed in facsimile.
3. Bring before the Board matters which, in his or her judgment, may require the attention of the Board.
4. Appear on behalf of the Board in all actions brought by or against it, unless individually a party, in which case this duty will be assigned by the Board.
5. Consult with the superintendent in planning agendas.
6. Confer with the superintendent on crucial matters that may occur between Board meetings.
7. Call special meetings of the Board as found necessary.
8. Appoint special committees subject to the approval of the Board.
9. Act as public spokesperson for the Board unless this responsibility is delegated to others.

10. Perform any other duty formally allocated by the Board of Education, the Missouri State Board of Education and/or the Missouri Department of Elementary and Secondary Education or by legislative enactment.

### **Duties of the Board Vice President**

It shall be the duty of the vice president of the Board to perform all the duties assigned to the president in the event of the latter's disability or absence. The vice president shall also assume other duties, which the Board of Education may assign.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 162.051, .301, 164.191, 165.021, .111, .131, 168.101, .126, 177.091,  
RSMo.

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### **BOARD ORGANIZATIONAL MEETING (Urban Districts)**

According to state law, the annual organizational meeting of the Board of Education shall be held within ten (10) days after the Board election. The newly elected members shall qualify by taking the oath of office as prescribed in Article VII, Section 11 of the Constitution of Missouri. The Board secretary shall administer the oath to the new members.

The Board shall organize by the election of a president, vice president, secretary and treasurer. The secretary and treasurer may or may not be members of the Board. The superintendent, who will serve as temporary chairperson, shall conduct the election of the president and vice president.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: Mo. Const. Art. VII, § 11  
§§ 162.521, 610.010 - .028, RSMo.

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### **BOARD ORGANIZATIONAL MEETING**

According to state law, the annual organizational meeting of the Board of Education shall be held within 14 days after the annual Board election. The newly elected members shall qualify by taking the oath of office as prescribed in Article VII, Section 11 of the Constitution of Missouri. The Board secretary shall administer the oath to the new members.

The Board shall organize by the election of a president and vice president, and the Board shall, on or before July 15 of each year, elect a secretary and a treasurer who shall assume their respective duties on July 15. The secretary and treasurer may or may not be members of the Board. The superintendent, who will serve as temporary chairperson, shall conduct the election of the president and vice president.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: Mo. Const. Art. VII, § 11  
§§ 162.301, 610.010 - .028, RSMo.

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### **SCHOOL BOARD MEMBER ETHICS**

Members of the Avilla R-XIII School District Board of Education accept the responsibility to improve public education in the Avilla R-XIII School District. To that end, all Board members will:

1. Remember that the first and greatest concern must be the educational welfare of all students attending the public schools.
2. Obey the laws of Missouri and the United States.
3. Recognize that individual Board members have no authority to speak or act for the Board.
4. Work with other Board members to establish effective Board policies.
5. Delegate authority for the administration of the schools to the superintendent.
6. Encourage ongoing communications between Board members and stakeholders.
7. Render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups.
8. Make every effort to attend all Board meetings.
9. Become informed concerning the issues to be considered at each meeting.
10. Improve boardmanship by studying educational issues and by participating in in-service programs and training.
11. Support the employment of staff members based on qualifications and not as a result of influence.
12. Maintain a process of regular and systematic assessment of the educational system, in order to provide accountability for the school district.

13. Avoid conflicts of interest or the appearance thereof.
14. Refrain from using their Board position for the benefit of family members, business associates or themselves.
15. Express personal opinions but, once the Board has acted, accept the will of the majority.
16. Refrain from divulging confidential information presented during closed sessions, except when required by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Ref: DA, Fiscal Responsibility

Avilla R-XIII School District, Avilla, Missouri

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For Office Use Only: BBF-C.1A (9/05)

### **BOARD MEMBER CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE (Districts Including No Portion of a First-Class County)**

All directors of the Avilla R-XIII School District Board of Education shall adhere to the laws regarding conflict of interest and take steps to avoid situations where their decisions or actions in their capacity as Board members conflict with the mission of the district.

#### **Sale, Rental or Lease of Personal Property**

Board members and businesses they own may sell, rent or lease personal property to the district. However, if the compensation payable to the Board member or business exceeds \$500 per transaction or \$5,000 per year, the property may only be sold, rented or leased after the district has given public notice and competitively bid the property, and the offer from the Board member or Board member's business is the lowest received.

#### **Sale, Rental or Lease of Real Property (Real Estate)**

Board members and businesses they own may sell, rent or lease real estate to the district. Public notice of the transaction must be given prior to execution if the payment to the Board member or business exceeds \$500 per transaction or \$5,000 per year.

### **Employment**

The district shall not employ Board members for compensation even on a substitute or part-time basis. While a Board member remains on the School Board, the district will not accept an application of employment from a Board member, consider a Board member for employment or decide to employ a Board member. Board members may provide services on a volunteer basis.

### **Independent Contractor**

Board members may provide services to the district as independent contractors through businesses they own. If payment for the service exceeds \$500 per transaction or \$5,000 per year, the district must give public notice and competitively bid the service, and the bid or offer of the Board member's business must be the lowest received. Businesses owned by Board members may provide services on a volunteer basis.

### **Businesses That Employ Board Members**

Board members may participate in discussions and vote on motions for the district to do business with entities that employ the Board member as long as the business is not owned by the Board member and the Board member will not receive any financial benefit from the transaction. The Board member may need to submit a statement of interest as described below.

### **Statement of Interest**

If a Board member has a substantial personal or private interest in a decision before the Board, before voting the Board member shall provide a written report of the nature of the interest to the Board secretary. The written statement will be recorded in the minutes. A Board member will have complied with this requirement if the Board member has disclosed the interest in a personal financial disclosure statement that was filed or amended prior to the vote.

A "substantial interest" exists when the Board member, his or her spouse or dependent children, either singularly or collectively, directly or indirectly:

1. Own(s) ten (10) percent or more of any business entity; or

2. Own(s) an interest having a value of \$10,000 or more in any business entity; or
3. Receive(s) a salary, gratuity or other compensation or remuneration of \$5,000 or more from any individual, partnership, organization or association within any calendar year.

### **Self-Dealing**

A Board member shall not favorably act on any matter that is specifically designed to provide a special monetary benefit to the Board member, his or her spouse or dependent children.

A "special monetary benefit" means being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected.

A Board member will not directly or indirectly influence or vote on a decision when the Board member knows the result of the decision may be the acceptance by the district of a service or the sale, rental or lease of property to the district and the Board member, his or her spouse, dependent children in his or her custody or any business with which he or she is associated will benefit financially.

"Business with which a person is associated" means:

1. A sole proprietorship owned by the Board member, his or her spouse or any dependent children in the person's custody.
2. A partnership or joint venture in which the Board member or spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the Board member is an officer or director or of which the Board member, spouse or dependent children in the Board member's custody, whether singularly or collectively, own more than ten (10) percent of the outstanding shares of any class of stock or partnership units.
3. Any trust in which the Board member is the settlor or trustee, or in which the Board member, spouse or dependent children, whether singularly or collectively, are beneficiaries or holders of a reversionary interest of ten (10) percent or more of the corpus of the trust.

### **Use of Confidential Information**

A Board member shall not use confidential information obtained in the course of his or her official capacity in any manner with the intent to result in financial gain for himself or herself, any other person or any business.

## **Nepotism**

A Board member shall not vote to employ or appoint any person who is related within the fourth degree to such Board member by consanguinity or affinity. In the event that an individual is recommended for employment or appointment and the individual is related within the fourth degree to a Board member, the related Board member shall abstain from voting and shall leave the room during consideration of the question and the vote.

"Fourth degree of consanguinity or affinity" means parents, grandparents, great-grandparents, great-great-grandparents, spouse, children, siblings, grandchildren, great-grandchildren, great-great-grandchildren, nieces or nephews, grand-nieces or grand-nephews, aunts or uncles, great-aunts or great-uncles, and first cousins by virtue of a blood relationship or marriage.

## **Personal Financial Disclosure Statements**

The Avilla R-XIII School District Board of Education hereby adopts a policy establishing and making public its own method of disclosing financial interests of Board members, candidates and specified administrators, in accordance with law. Personal financial disclosure statements as described below shall be filed with the Missouri Ethics Commission and the Avilla R-XIII School District Board of Education, on or before May 1 for the preceding calendar year, unless the person filing is a Board candidate. Candidates must file their reports within 14 days after the last day to file for office. The reports will be made available for public inspection and copying during normal business hours.

This portion of the policy dealing with the financial interest statement will be adopted in an open meeting every other year by September 15. A certified copy of this policy/resolution shall be sent to the Missouri Ethics Commission within ten (10) days of adoption.

## ***Board Member Disclosure***

All School Board members and candidates for School Board will disclose in writing the following transactions if they occurred during the calendar year:

1. Each transaction in excess of \$500 per year between the district and the individual, or any person related within the first degree by consanguinity or affinity to the individual. The statement does not need to include compensation received as an employee or payment of any tax, fee or penalty due the district. The statement shall include the dates and identities of the parties in the transaction.

"First degree of consanguinity or affinity" includes parents, spouse or children by virtue of a blood relationship or marriage.



2. Each transaction in excess of \$500 between the district and any business entity in which the individual has a substantial interest. The statement does not need to include any payment of tax, fee or penalty due the district or payment for providing utility service to the district. The statement shall include the dates and identities of the parties in the transactions.

"Substantial interest" is ownership by the individual, his or her spouse or dependent children, either singularly or collectively, directly or indirectly, of ten (10) percent or more of any business entity, or of an interest having a value of \$10,000 or more, or the receipt of a salary, gratuity or other compensation of \$5,000 or more from any individual, partnership, organization or association within any calendar year.

### ***Superintendent, Chief Purchasing Officer and General Counsel Disclosure***

The superintendent, chief purchasing officer and general counsel, if employed full time, will disclose in writing the information required in 1) and 2) above. In addition, these employees will disclose the following information for themselves, their spouses and dependent children:

1. The name and address of each employer from whom income of \$1,000 or more was received during the year covered by the statement.
2. The name and address of each sole proprietorship the individual owned.
3. The name, address and general nature of business conducted by each general partnership or joint venture in which he or she was a partner or participant.
4. The name and address of each partner or coparticipant in the partnership or joint venture unless the information is already filed with the secretary of state.
5. The name, address and general nature of business of any closely held corporation or limited partnership in which the individual owned ten (10) percent or more of any class of the outstanding stock or limited partners' units.
6. The name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the individual owned two (2) percent or more of any class of outstanding stock, limited partnership units or other equity interests.
7. The names and addresses of each corporation for which the individual served in the capacity of director, officer or receiver.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Readopted:

Cross Refs: DA, Fiscal Responsibility  
DJC, Bidding Requirements  
DJF, Purchasing  
FEF, Construction Contracts Bidding and Awards  
GBCA, Staff Conflict of Interest  
GBL, Personnel Records  
GCD, Professional Staff Recruiting and Hiring  
GDC, Support Staff Recruiting and Hiring  
JO, Student Records

Legal Refs: Mo. Const. art. VII, § 6  
§§ 105.450 - .458, .461 - .462, .466 - .467, .472, .476 - .492, 162.261,  
.391, 168.126, 171.181, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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As used in this policy, "businesses owned by Board members" includes sole proprietorships, partnerships, joint ventures or corporations where the Board member is the sole proprietor, a partner having more than a ten (10) percent partnership interest, or a coparticipant or owner of more than ten (10) percent of the outstanding shares of any class of stock.

#### **Sale, Rental, Lease or Provision of Personal Property**

Board members or businesses they own shall not sell, rent, lease or provide personal property to the district.

### **Sale, Rental or Lease of Real Property (Real Estate)**

Board members and businesses they own may sell, rent or lease real estate to the district. Public notice of the transaction must be given prior to execution if the payment to the Board member or business exceeds \$500 per transaction or \$5,000 per year.

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"Business with which a person is associated" means:

1. A sole proprietorship owned by the Board member, his or her spouse or any dependent children in the person's custody.
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1. The name and address of each employer from whom income of \$1,000 or more was received during the year covered by the statement.
2. The name and address of each sole proprietorship the individual owned.
3. The name, address and general nature of business conducted by each general partnership or joint venture in which he or she was a partner or participant.
4. The name and address of each partner or coparticipant in the partnership or joint venture unless the information is already filed with the secretary of state.
5. The name, address and general nature of business of any closely held corporation or limited partnership in which the individual owned ten (10) percent or more of any class of the outstanding stock or limited partners' units.
6. The name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the individual owned two (2) percent or more of any class of outstanding stock, limited partnership units or other equity interests.
7. The names and addresses of each corporation for which the individual served in the capacity of director, officer or receiver.

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Cross Refs: DA, Fiscal Responsibility  
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JO, Student Records

Legal Refs: Mo. Const. art. VII, § 6  
§§ 105.450 - .458, .461 - .462, .466 - .467, .472, .476 - .492, 162.261, .391,  
168.126, 171.181, RSMo.

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### **UNEXPIRED TERM FULFILLMENT/VACANCIES (Urban Districts)**

Except as provided by the Missouri Constitution and state statutes, and subject to the right of resignation, all members of the Board shall hold office for the term thereof, and until their successors are duly elected or appointed and qualified.

If a vacancy occurs on the Board of Education, the remaining members shall appoint a person as soon as is practicable to serve until the next school board election, when a director shall be elected for the unexpired term.

When it becomes necessary for the Board of Education to appoint one (1) or more members to the Board of Education, the following procedures will be used:

- < *Notification Process* -- The fact that a vacancy exists or will exist will be announced at the next Board meeting. Local newspapers will also be notified. In a case of resignation, a vacancy shall be declared to exist when the Board of Education votes to accept a member's letter of resignation. In a case of removal from office, a vacancy shall be declared to exist when the secretary of the Board certifies to the Board that a vacancy exists. Residents wishing to be appointed to the vacancy shall make their desire known by sending a letter to the secretary of the Board stating their qualifications and their reason for wishing to be on the Board. A period of two weeks from the date of the announcement will be allowed for receipt of these letters.
- < *Review/Interview Process* -- The letters received will be reviewed by the Board of Education at the next regularly scheduled Board meeting, or at a special meeting called for that purpose. The Board may select final candidates from the applicants, and these individuals will be interviewed in open session at a regular or special meeting of the Board.
- < *Selection Process* -- The appointment(s) will be made in open session at the next Board meeting held subsequent to the interview process. Appointments shall be made through a formal motion and seconded, and an affirmative vote by a majority of the Board. This vote must be held in open session.
- < *Exclusion of Resigning Board Member* -- An individual who is resigning from the Board shall not participate in choosing his/her successor.

\*\*\*\*\*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted:

Revised:

Legal Refs: § 162.261, .471, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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**UNEXPIRED TERM FULFILLMENT/VACANCIES**



Except as provided by the Missouri Constitution and state statutes, and subject to the right of resignation, all members of the Board shall hold office for the term thereof, and until their successors are duly elected or appointed and qualified.

If a vacancy occurs on the Board of Education, the remaining members shall appoint a person to serve until the next school board election, when a director shall be elected for the unexpired term. If there are more than two (2) vacancies at any one time, the county commission, upon receiving written notice of the vacancies from the Board secretary, shall fill the vacancies by appointment. The person(s) appointed shall hold office until the next school board election, when a director(s) shall be elected for the unexpired term(s).

When it becomes necessary for the Board of Education to appoint one (1) or more members to the Board of Education, the following procedures will be used:

- < *Notification Process* -- The fact that a vacancy exists or will exist will be announced at the next Board meeting. Local newspapers will also be notified. In a case of resignation, a vacancy shall be declared to exist when the Board of Education votes to accept a member's letter of resignation. In a case of removal from office, a vacancy shall be declared to exist when the secretary of the Board certifies to the Board that a vacancy exists. Residents wishing to be appointed to the vacancy shall make their desire known by sending a letter to the secretary of the Board stating their qualifications and their reason for wishing to be on the Board. A period of two weeks from the date of the announcement will be allowed for receipt of these letters.
- < *Review/Interview Process* -- The letters received will be reviewed by the Board of Education at the next regularly scheduled Board meeting, or at a special meeting called for that purpose. The Board may select final candidates from the applicants, and these individuals will be interviewed in open session at a regular or special meeting of the Board.
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- < *Exclusion of Resigning Board Member* -- An individual who is resigning from the Board shall not participate in choosing his/her successor.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AA, School District Legal Status

Legal Refs: § 162.261, RSMo.

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### **BOARD MEMBER REMOVAL FROM OFFICE**

Any member of the Board of Education failing to attend three consecutive regular meetings of the Board, unless excused by the Board for reasons satisfactory to the Board, shall be deemed to have vacated the position on the Board. The secretary of the Board shall certify to the Board that a vacancy exists. The vacancy shall then be filled in the same manner as other vacancies occurring on the Board.

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Adopted:

Revised:

Legal Refs: § 162.303, RSMo.

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### **BOARD MEMBER RESIGNATION**

The Board believes that any citizen who files for and seeks election to the Board of Education should do so with full knowledge of and appreciation for the investment of time, effort and dedication expected of all Board members, and that the citizen's intent to serve reflects his or her intention to serve a full term of office.

However, if a member decides to resign prior to the end of the term of office for reasons of health, relocation outside of the district, or any other compelling reason, the Board requests the earliest possible notification of intent to resign so that it may plan appropriately to fill the vacant seat.

A Board member who resigns shall file a letter of resignation with the Board secretary, who shall forward it to the Board for consideration. A vacancy shall be declared to exist when the Board of Education votes to accept a member's letter of resignation.

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### **SCHOOL BOARD ELECTIONS** ***(Ballot Placement by Random Drawing -- Seven-Director Districts)***

The qualified voters of the Avilla R-XIII School District shall annually elect two (2) directors for terms of three (3) years each on the municipal election day in April. An additional director shall be elected triennially. Unexpired vacant terms will be filled in accordance with law.

#### **Candidate Filing**

Before the fifteenth Tuesday preceding the election, the Board shall publish in at least one (1) newspaper of general circulation in the district the opening filing date, the offices to be filled, the place for filing, the closing date for filing and a statement that candidates filing on the first day of filing will be listed on the ballot in random order.

Qualified applicants for the Board may file a declaration of candidacy during business hours in the superintendent's office commencing at 8:00 a.m. on the fifteenth Tuesday prior to the election and ending at 5:00 p.m. on the eleventh Tuesday prior to the election. The candidate shall declare his or her intent to become a candidate in person and in writing to the secretary of the Board of Education or designee.

The names of qualified candidates shall be placed on the ballot in order of filing, except that for candidates who file a declaration of candidacy prior to 5:00 p.m. on the first day of filing, the district shall determine by random drawing the order in which such candidates' names shall appear on the ballot. Each candidate filing on the first day shall draw a number at random at the time of filing. The district shall record the number drawn with the candidate's declaration of candidacy. The names of candidates filing on the first day of filing shall be listed in ascending order of the numbers so drawn and ahead of the names of candidates filing on a later date.

The notice of election and certification of candidates must be submitted to the election authority by the tenth Tuesday prior to the election in the manner provided by law. After the tenth Tuesday prior to the election, the candidate list may only be modified pursuant to court order, in accordance with law.

Prior to the district's certification of candidates to the election authority, a candidate may withdraw from the election by presenting to the district a notarized written statement of his or her intention to withdraw. After the deadline for certification of candidates to the election authority, a candidate may only withdraw pursuant to court order, in accordance with law.

The district will provide each candidate a copy of the Notice of Candidate's Obligation to File Financial Interest Statement and a plain language summary of the applicable laws provided by the Missouri Ethics Commission as required by law. Candidates must comply with laws concerning eligibility, campaign financing and campaign disclosures.

### **Write-In Candidates**

If candidates have filed for a position, a person interested in becoming a write-in candidate must file a declaration of intent to be a write-in candidate with the proper election authority prior to 5:00 p.m. on the second Friday immediately preceding the election day in order for the votes to be counted. If no candidates have filed for the position, filing a declaration of intent to be a write-in candidate is not necessary.

### **No Election Held**

No election will be held if, after the last date of candidate filing, the number of candidates who have filed is equal to the number of positions to be filled by the election. However, if the number of candidates filing exceeds the number of positions, the election will be held even if a sufficient number of candidates withdraw so that the remaining candidates are equal to the number of positions to be filled.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AA, School District Legal Status

Legal Refs: §§ 105.470, .483 - .487, .973, 115.121 - .127, .453, 162.261, .291, .341, .371, .381, .459, 493.050, RSMo.  
Ch. 130, RSMo.  
*Jackson Election Committee v. Paluka*, 13 S.W.3d 684 (Mo.App.W.D. 2000)

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The notice of election and certification of candidates must be submitted to the election authority by the tenth Tuesday prior to the election in the manner provided by law. After the tenth Tuesday prior to the election, the candidate list may only be modified pursuant to court order, in accordance with law.

Prior to the district's certification of candidates to the election authority, a candidate may withdraw from the election by presenting to the district a notarized written statement of his or her intention to withdraw. After the deadline for certification of candidates to the election authority, a candidate may only withdraw pursuant to court order, in accordance with law.

The district will provide each candidate a copy of the Notice of Candidate's Obligation to File Financial Interest Statement and a plain language summary of the applicable laws provided by the Missouri Ethics Commission as required by law. Candidates must comply with laws concerning eligibility, campaign financing and campaign disclosures.

### **Write-In Candidates**

If candidates have filed for a position, a person interested in becoming a write-in candidate must file a declaration of intent to be a write-in candidate with the proper election authority prior to 5:00 p.m. on the second Friday immediately preceding the election day in order for the votes to be counted. If no candidates have filed for the position, filing a declaration of intent to be a write-in candidate is not necessary.

### **No Election Held**

No election will be held if, after the last date of candidate filing, the number of candidates who have filed is equal to the number of positions to be filled by the election. However, if the number of candidates filing exceeds the number of positions, the election will be held even if a sufficient number of candidates withdraw so that the remaining candidates are equal to the number of positions to be filled.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: AA, School District Legal Status

Legal Refs: §§ 105.470, .483 - .487, .973, 115.121 - .127, .453, 162.261, .291, .341, .371, .381, .459, 493.050, RSMo.  
Ch. 130, RSMo.  
*Jackson Election Committee v. Paluka*, 13 S.W.3d 684 (Mo.App.W.D. 2000)

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### **SCHOOL BOARD ELECTIONS** ***(Ballot Placement by Random Drawing -- Seven-Director Districts)***

The qualified voters of the Avilla R-XIII School District shall annually elect two (2) directors for terms of three (3) years each on the municipal election day in April. An additional director shall be elected triennially. Unexpired vacant terms will be filled in accordance with law.

#### **Candidate Filing**

Before the sixteenth Tuesday preceding the election, the Board shall publish in at least one (1) newspaper of general circulation in the district the opening filing date, the offices to be filled, the place for filing, the closing date for filing and a statement that candidates filing on the first day of filing will be listed on the ballot in random order.

Qualified applicants for the Board may file a declaration of candidacy during business hours in the superintendent's office commencing at 8:00 a.m. on the sixteenth Tuesday prior to the election and ending at 5:00 p.m. on the eleventh Tuesday prior to the election. The candidate shall declare his or her intent to become a candidate in person and in writing to the secretary of the Board of Education or designee.

The names of qualified candidates shall be placed on the ballot in order of filing, except that for candidates who file a declaration of candidacy prior to 5:00 p.m. on the first day of

filing, the district shall determine by random drawing the order in which such candidates' names shall appear on the ballot. Each candidate filing on the first day shall draw a number at random at the time of filing. The district shall record the number drawn with the candidate's declaration of candidacy. The names of candidates filing on the first day of filing shall be listed in ascending order of the numbers so drawn and ahead of the names of candidates filing on a later date.

The notice of election and certification of candidates must be submitted to the election authority by the tenth Tuesday prior to the election in the manner provided by law. After the tenth Tuesday prior to the election, the candidate list may only be modified pursuant to court order, in accordance with law.

Prior to the district's certification of candidates to the election authority, a candidate may withdraw from the election by presenting to the district a notarized written statement of his or her intention to withdraw. After the deadline for certification of candidates to the election authority, a candidate may only withdraw pursuant to court order, in accordance with law.

The district will provide each candidate a copy of the Notice of Candidate's Obligation to File Financial Interest Statement and a plain language summary of the applicable laws provided by the Missouri Ethics Commission as required by law. Candidates must comply with laws concerning eligibility, campaign financing and campaign disclosures.

### **Write-In Candidates**

If candidates have filed for a position, a person interested in becoming a write-in candidate must file a declaration of intent to be a write-in candidate with the proper election authority prior to 5:00 p.m. on the second Friday immediately preceding the election day in order for the votes to be counted. If no candidates have filed for the position, filing a declaration of intent to be a write-in candidate is not necessary.

### **No Election Held**

No election will be held if, after the last date of candidate filing, the number of candidates who have filed is equal to the number of positions to be filled by the election. However, if the number of candidates filing exceeds the number of positions, the election will be held even if a sufficient number of candidates withdraw so that the remaining candidates are equal to the number of positions to be filled.

\* \* \* \* \*



**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: AA, School District Legal Status

Legal Refs: §§ 105.470, .483 - .487, .973, 115.121 - .127, .453, 162.261, .291, .341, .371, .381, .459, 493.050, RSMo.  
Ch. 130, RSMo.  
*Jackson Election Committee v. Paluka*, 13 S.W.3d 684 (Mo.App.W.D. 2000)

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### **SCHOOL BOARD ELECTIONS** ***(Ballot Placement by Order of Filing -- Seven-Director Districts)***

The qualified voters of the Avilla R-XIII School District shall annually elect two (2) directors for terms of three (3) years each on the municipal election day in April. An additional director shall be elected triennially. Unexpired vacant terms will be filled in accordance with law.

#### **Candidate Filing**

Before the sixteenth Tuesday preceding the election, the Board shall publish in at least one (1) newspaper of general circulation in the district the opening filing date, the offices to be filled, the place for filing and the closing date for filing.

Qualified applicants for the Board may file a declaration of candidacy during business hours in the superintendent's office commencing at 8:00 a.m. on the sixteenth Tuesday prior to the election and ending at 5:00 p.m. on the eleventh Tuesday prior to the election. The candidate shall declare his or her intent to become a candidate in person and in writing to the secretary of the Board of Education or designee. The district shall clearly designate where candidates shall form a line to effectuate such filings and determine the order of such filings. The names of qualified candidates shall be placed on the ballot in order of filing.

The notice of election and certification of candidates must be submitted to the election authority by the tenth Tuesday prior to the election in the manner provided by law. After the tenth Tuesday prior to the election, the candidate list may only be modified pursuant to court order, in accordance with law.

Prior to the district's certification of candidates to the election authority, a candidate may withdraw from the election by presenting to the district a notarized written statement of his or her intention to withdraw. After the deadline for certification of candidates to the election authority, a candidate may only withdraw pursuant to court order, in accordance with law.

The district will provide each candidate a copy of the Notice of Candidate's Obligation to File Financial Interest Statement and a plain language summary of the applicable laws provided by the Missouri Ethics Commission as required by law. Candidates must comply with laws concerning eligibility, campaign financing and campaign disclosures.

### **Write-In Candidates**

If candidates have filed for a position, a person interested in becoming a write-in candidate must file a declaration of intent to be a write-in candidate with the proper election authority prior to 5:00 p.m. on the second Friday immediately preceding the election day in order for the votes to be counted. If no candidates have filed for the position, filing a declaration of intent to be a write-in candidate is not necessary.

### **No Election Held**

No election will be held if, after the last date of candidate filing, the number of candidates who have filed is equal to the number of positions to be filled by the election. However, if the number of candidates filing exceeds the number of positions, the election will be held even if a sufficient number of candidates withdraw so that the remaining candidates are equal to the number of positions to be filled.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AA, School District Legal Status

Legal Refs: §§ 105.470, .483 - .487, .973, 115.121 - .127, .453, 162.261, .291, .341, .371,  
.381, .459, 493.050, RSMo.  
Ch. 130, RSMo.  
*Jackson Election Committee v. Paluka*, 13 S.W.3d 684 (Mo.App.W.D. 2000)

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## **SCHOOL BOARD BALLOT ISSUES**

The Avilla R-XIII School District School Board may place issues on the ballot as needed or as required by law.

### **Certification of Ballot Language**

The Board will approve ballot language before any ballot issue is submitted to the election authority for inclusion on the ballot. The superintendent is authorized to have ballot language drafted or reviewed by an attorney prior to Board approval. In accordance with law, the superintendent or designee will notify the election authority of the ballot issue and provide the language for the ballot no later than 5:00 p.m. on the tenth Tuesday prior to the election. The superintendent or designee may send the required notices by facsimile transmission as long as the election authority receives the original copy of the notice within three (3) business days of the facsimile.

If there will be no additional cost for printing or reprinting the ballots, or if the Board agrees to pay any costs incurred, the Board may seek a court order to add an issue to or remove an issue from the ballot, as long as the certification occurs no later than 5:00 p.m. on the sixth Tuesday before the election.

### **Accepting Election Results**

The Board will be presented with official election results at the next regular meeting scheduled after the district receives the results. The Board will accept the results or, alternatively, decide whether to take action to challenge the results.

### **Restriction on Use of Funds**

In accordance with Board policy and law, no contribution or expenditure of public funds will be made directly by any Board member, employee or agent of the district to advocate, support or oppose any ballot measure or candidate for public office.

## **Types of Ballot Issues Submitted by the District**

### ***Bond Issues***

When the Board deems it necessary to raise capital funds, the Board may vote to submit a bond issue to the voters. All bond issues must be in furtherance of the district's facility plan and should only be submitted after careful study of the district's needs and after consultation with members of the public and the professionals necessary to accurately determine the cost and feasibility of the project. A bond issue passes with a four-sevenths vote at the general municipal election (April), primary election (August of even-numbered years) or a general election (November of even-numbered years). A two-thirds majority is required for all other elections. Following approval by the voters, the disposition of the bonded indebtedness will be in accordance with law.

### ***Levy Issues***

By law the Board may set a tax rate of \$2.75 on the hundred-dollar assessed valuation without an election. The Board may vote to submit a levy issue to the voters when the Board deems it necessary to levy taxes in excess of that amount. In addition, the Board must submit a proposition to the voters as to whether the rate of taxation shall be increased by the Board if the Board receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten (10) percent of the votes cast for the member of the School Board receiving the greatest number of votes cast at the last school election in which Board members were elected. Levy issues pass with a majority vote if the proposed levy is under \$6.00. A proposed levy in excess of \$6.00 requires a two-thirds vote to pass.

### ***Waiver of Proposition C Rollback***

By law the Board must reduce the total operating levy of the district to decrease the revenue the district would receive by an amount equal to 50 percent of the previous fiscal year's state sales tax receipts, with some exceptions. The Board may submit an issue to the voters to forgo all or part of this reduction when the Board deems it necessary to increase the revenue received by the district. This issue passes with a majority vote.

### ***Transportation of Students Living Less than One (1) Mile from School***

If the district wishes to transport students living less than one (1) mile from school and if an increase in the tax levy of the district is required to provide transportation, the Board shall submit the issue at an election. This issue passes with a two-thirds majority.

### ***Boundary Change***

The Board must submit a proposition to change the boundary of the school district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten (10) percent of the votes cast for School Board members in the last annual school election in the district. A petition meeting this criteria must be submitted to the school boards of all districts affected by the proposed boundary change. Once the Board has received a petition meeting this criteria, the question will be submitted at the next election.

The boundary will be immediately changed if a majority of the voters in all districts affected vote for the boundary change. If the voters in one (1) of the districts approve the change and another does not, either of the districts affected or a majority of the signers of the petition may appeal in writing to the State Board of Education within 15 days of the election. The State Board will appoint a board of arbitration to settle the matter.

If the potential receiving district obtained a score consistent with the criteria for classification of the district as Accredited@ on its most recent annual performance report (APR), and the potential sending district obtained a score consistent with the criteria for classification of the district as Unaccredited@ on its most recent APR, the board of arbitration will approve the proposed boundary change. Otherwise, the board of arbitration will base its decision on the following factors:

1. The presence of school-age children in the affected area.
2. The presence of actual educational harm to school-age children, either due to a significant difference in the time involved in transporting students or educational deficiencies in the district that would have its boundary adversely affected.
3. The presence of an educational necessity, not of a commercial benefit to landowners or to the district benefiting from the proposed boundary adjustment.

### ***Consolidation***

The Board, by a majority vote, may call for an election on a proposal to consolidate with one (1) or more adjacent districts. The issue will be put on the ballot if the school board(s) of the district(s) with which the Board seeks to consolidate likewise vote(s) to put the issue on the ballot.

The Board must submit a proposition to consolidate the district with one (1) or more adjacent districts if it receives a written petition signed by voters requesting the

proposition. The petition must include voter signatures numbering at least ten (10) percent of the votes cast for school board members in the last election in which board members were elected, or 100 voters, whichever is the higher number. A petition meeting this criteria must be submitted to the school boards of all districts involved in the consolidation. Once the Board has received a petition meeting this criteria, the question will be submitted at the next election.

A plat of the proposed new district will be published and posted with the notices of election. The results of the election will be certified to the state commissioner of education by the board secretary of each district or by the election authority charged with conducting the elections. If the measure passes with a majority vote in each affected district, the state commissioner will declare the new district formed as of July 1 following the submission of the question.

### ***Annexation***

The Board must submit a proposition for the district to be attached to one (1) or more adjacent districts if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten (10) percent of the votes cast for School Board members in the last election in which Board members were elected, or a majority of the voters of the district, whichever is the lesser.

Alternatively, the Board may, by a majority vote, submit a plan to the voters of the Avilla R-XIII School District to attach the Avilla R-XIII School District to one or more adjacent districts and call for an election.

A plat of the proposed new district will be published and posted with the notices of election. If a majority of the votes cast in the election favor annexation, the Board secretary will certify the fact, with a copy of the record, to the Board and to the school boards of the districts to which annexation is proposed. If a majority of all the members of the school boards of each district the Avilla R-XIII School District seeks to be attached to vote in favor of annexation, the boundary lines of the affected districts shall be changed to include the Avilla R-XIII School District.

### ***Dissolution***

The Board must submit a proposition to dissolve the district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten (10) percent of the votes cast for School Board members in the last election in which Board members were elected or 100 voters, whichever is greater. The question will be submitted at a municipal election. If a majority of voters voting favor

dissolution, the district will be dissolved and may be annexed to one (1) or more other districts by the State Board of Education, in accordance with law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DC, Taxing and Borrowing Authority/Limitations  
DCB, Political Campaigns

Legal Refs: Mo. Const. art. VI, ' 26(b); art. X, ' 11(c)  
' 115.125, .646, 162.223, .431, .441, .451, 164.031, .121, .151, 167.231, RSMo.

Avilla R-XIII School District, Avilla, Missouri

### **BOARD MEMBER QUALIFICATIONS (Urban Districts)**

Members of the Board of Education shall be citizens of the United States and voters of the Avilla R-XIII School District, who have resided in the state for one (1) year next preceding their election or appointment. All members shall be at least 24 years of age.

All Board members should have a knowledge of and an interest in the welfare and educational opportunities of students.

Board members initially elected or appointed after August 28, 1993, in addition to the other qualifications listed in this policy, are required by law to successfully complete orientation and training requirements within one (1) year of the date of the election or appointment. The orientation and training shall consist of at least 16 hours with the cost of such training to be paid by the district. All programs providing the orientation and training required under the provisions of this section shall be offered by a statewide association

organized for the benefit of members of Boards of Education or be approved by the State Board of Education.

A Board member is a "public servant" under the Missouri Criminal Code provisions regarding bribery, acceding to corruption, official misconduct and misuse of official information.

\* \* \* \* \*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted:

Revised:

Cross Refs: BBB, School Board Elections

Legal Refs: §§ 160.011(11), 162.203, .291, .471, 556.061(23), 575.100, .120, .320,  
576.010 -.050, RSMo.  
Article VII, Section 8, Missouri Constitution

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## **BOARD MEMBER QUALIFICATIONS**

Members of the Board of Education shall be citizens of the United States and resident taxpayers of the Avilla R-XIII School District. They shall also have resided in the state for one (1) year preceding their election or appointment. Members shall be at least 24 years of age.

All Board members should have a knowledge of and an interest in the welfare and educational opportunities of students.

Board members initially elected or appointed after August 28, 1993, in addition to the other qualifications listed in this policy, are required by law to successfully complete orientation and training requirements within one (1) year of the date of the election or appointment. The orientation and training shall consist of at least 16 hours with the cost of such training to be paid by the district. All programs providing the orientation and training required under the provisions of this section shall be offered by a statewide association organized for the benefit of members of Boards of Education or be approved by the State Board of Education.



A Board member is a "public servant" under the Missouri Criminal Code provisions regarding bribery, acceding to corruption, official misconduct and misuse of official information.

A "taxpayer" is an individual who has paid taxes to the state or any subdivision thereof within the immediately preceding 12-month period, or the spouse of such individual.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AA, School District Legal Status

Legal Refs: §§ 160.011(11), 162.203, .291, 556.061(23), 575.100, .120, .320, 576.010 - .050, RSMo.

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## **SCHOOL BOARD POWERS AND DUTIES**

The Board of Education is a representative body elected by the registered voters of the Avilla R-XIII School District of Jasper County. It is the purpose and the role of the Board of Education to exercise general supervision over the schools of the district, and to ensure that the schools are maintained as provided by the state statutes, the rules and procedures of the Missouri State Board of Education and/or the Missouri Department of Elementary and Secondary Education, and the policies, rules and procedures of the school district. In addition, the Board is accountable to the electorate, and shall be responsive to the educational needs and the imposed financial constraints of the district. In conducting its various functions as the legislative and policy-making authority for the district, the Board recognizes the following general responsibilities as paramount:

- < *Legislative and Policy Making* -- The Board is responsible for the development of policies, rules and procedures to serve as guidelines for the general management and administrative actions of the district. The establishment of the goals and objectives of the school district and the methods of financial support needed to reach those goals and objectives are a part of the policy-making function of the Board of Education.
- < *Executive* -- The Board shall employ a superintendent to serve as the chief executive officer of the district. The Board shall delegate, in writing to the superintendent, the executive and administrative duties and responsibilities necessary for carrying out its policies, and shall hold the superintendent accountable.
- < *Appraisal* -- The Board is responsible for evaluating the effectiveness of its policies and their implementation. The Board shall hold the superintendent responsible for furnishing complete information necessary for the Board's evaluation of the district's programs.
- < *Provision of Financial Resources* -- The Board is responsible for the adoption of the annual budget, which will provide financial basis for personnel, facilities, materials and equipment to enable the district to carry out its educational program.
- < *Staffing and Appraisal* -- The Board is responsible for employing the professional and support staff necessary for carrying out the district's instructional program. The Board is also responsible for establishing salary schedules, terms of employment, and other personnel policies districtwide, and for the regular evaluation of its staff.
- < *Public Relations* -- The Board is responsible for providing adequate and direct means for keeping the district patrons informed about the schools, and for keeping itself and the school staff informed about the needs and wishes of the public.
- < *Educational Planning and Evaluation* -- The Board is responsible for establishing educational goals which will guide both the Board and the staff in working together toward the continued improvement of the educational programs in the district. It is responsible for providing for an ongoing evaluation of the school program as measured through the goals and objectives set forth by the Avilla R-XIII School District Board of Education and by the Missouri State Board of Education.
- < *Judicial* -- The Board is responsible for acting as a court of appeals for the professional and support staff members, students, and the district patrons when issues involve Board policies and their fair implementation.

The Board of Education shall control all aspects of the operations of the district within the limits of the law. However, the Board will make its members, the district professional and

support staff, and the district patrons aware that the Board has authority to take official action only when it is acting as a whole. The Board shall be the final authority. No section of the policies, rules and procedures may be construed to limit the statutory powers of the Board to exercise its own prudent judgment.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AA, School District Legal Status

Legal Refs: § 171.011, RSMo.

Avilla R-XIII School District, Avilla, Missouri

**SECTION C: GENERAL SCHOOL ADMINISTRATION**

<b>CB</b>	School Superintendent
<b>CBB</b>	Recruitment and Appointment of the Superintendent
<b>CBC</b>	Superintendent=s Contract/Compensation and Benefits
<b>CBG</b>	Evaluation of the Superintendent
<b>CF</b>	School Building Administration
<b>CGC</b>	State and Federal Programs Administration
<b>CH</b>	Policy Implementation and Dissemination
<b>CHCA</b>	Handbooks

**POLICY IMPLEMENTATION AND DISSEMINATION**

The policies adopted by the Board and the procedures and directives developed by the superintendent to implement policies are designed to achieve an effective and efficient school system. All Board members, employees, students and patrons are required to follow the Board of Education's policies and the district's rules and procedures. The superintendent, administrators and supervisors of the district are required to implement and enforce Board policies and administrative procedures. Questions regarding the interpretation of a policy or procedure will be directed to the superintendent and, if necessary, to the Board.

An essential job responsibility of the superintendent and administrative staff is to assist the Board in timely review and revision of Board policies so that the policies support the best academic practices, address district concerns and accurately guide the district's operations. The superintendent is also responsible, with the assistance of the administrative staff, for developing and implementing administrative procedures and forms to further carry out the directives in Board policy.

Policies adopted by the Board and administrative procedures and forms approved by the superintendent will be included in an official Board policy manual and administrative procedures and forms manual that will minimally be maintained at the central office. Once adopted, the superintendent is directed to inform district staff about the Board policies and administrative procedures and forms they are expected to use and follow,

including any changes to these documents. Board policies and related documents, including current versions of district handbooks, will be posted on the district's website. Current copies of Board policies and administrative procedures will also be available from the superintendent's office upon request.

Staff, student and parent/guardian handbooks may also be used for disseminating policies and procedures to persons directly affected by them. All district handbooks, directives, guidance or other information disseminated to parents, students, staff or patrons must accurately reflect, and not contradict, the current applicable Board policies and administrative procedures.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDDL, Release of Information  
BF, School Board Policy Process  
KB, Public Information Program

Legal Refs: " 162.208, 171.011, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## HANDBOOKS

The Board of Education recognizes the importance of parent/guardian, staff and student handbooks that accurately convey the policies, procedures and rules of the district to the individuals affected by them. The Board charges the administration with the responsibility for creating, revising, maintaining and disseminating such handbooks in accordance with Board policies and administrative procedures.

The superintendent is charged with responsibility for staff handbooks, and building principals are charged with responsibility for parent/guardian and student handbooks. The superintendent will approve all handbooks before publication, and all published handbooks will be made available to the Board.

Administrators must ensure that handbooks do not conflict with the language or intent of policies, regulations or procedures. In the event of a discrepancy between handbooks and other written district materials, Board policies and administrative procedures will take precedence. All handbooks shall be reviewed annually and revised if necessary. Each handbook will be posted on the district's website in accordance with law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: ' 162.208, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## STATE AND FEDERAL PROGRAMS ADMINISTRATION

The Avilla R-XIII School District, with the approval of the Board, may operate various specially funded programs that must be administered in accordance with particular federal and/or state laws, regulations and other conditions for use of such funds. The Board of Education, through its approval of such programs and acceptance of funds, is ultimately responsible for them, even though many of the procedures governing the programs are established by other governmental agencies/departments.

The superintendent shall be the designated district official responsible for coordinating funded projects, administering programs and ensuring that the various departments operating these programs do so within the guidelines of the particular program. The Board requests that the administration keep accurate and separate records, as required by state and federal programs, to enable the district to verify program compliance and success.

In order to ensure that federal funds are used to provide services that are in addition to the regular services normally provided for children, the Board directs that the following fiscal requirements related to the expenditure of regular state and local funds be met for applicable federal programs:

Current state and local spending will be maintained in those areas receiving federal programs funding.

Services will be provided with state and local funds in areas receiving federal funding that are at least comparable to services provided in areas not receiving federal funding.

Federal funding for applicable programs will be used to supplement the funds that would be made available from state and local sources and not to take the place of those funds.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DB, Annual Budget  
DEA, Revenues from Tax Sources  
IGBC, Parent/Family Involvement in Instruction and Other Programs

IGBCB, Programs for Migrant Students  
IGBH, Programs for English Language Learners

Legal Refs: P.L. 99-272, The Consolidated Omnibus Budget Reconciliation Act

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## SCHOOL BUILDING ADMINISTRATION

The Board of Education affirms the rights and responsibilities of the building principals and directors for the administration of their various programs and buildings within the broad scope of the adopted Board policies, rules and procedures.

Acting with the approval of the superintendent, each principal or director will be the chief administrator of his or her school, and shall be responsible for and have authority over the actions of students, professional and support staff, visitors, and persons hired to perform special tasks. Staff members who work in more than one school will be responsible to the principal or director of the school during their time in that building.

The principal or director is charged with the supervision and direction of the staff and the students assigned to the building, as well as with the care of the school facility and its equipment. The principal or director will ensure that the Board policies, rules, and procedures, as well as the directives of the superintendent and the guidelines for the instructional program are observed. Within the framework of Board policies and the general rules and procedures established by the superintendent, the principal or director may implement and enforce additional procedures as deemed advisable for efficient operation of the school.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: § 168.201, RSMo.

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## SCHOOL SUPERINTENDENT

The superintendent of schools shall be the chief executive officer of the Board of Education and the administrative head of all divisions and departments of the Avilla R-XIII School District. The superintendent shall be responsible to the Board for the execution of its policies, rules and procedures. The superintendent shall be the representative of the Board and the channel through which all directives from the Board to its employees or students shall be communicated. The superintendent may also give directives, which shall be valid until disapproved by the Board, for the management of the school district to employees and students on points not covered by the adopted policies, rules and procedures.

The superintendent shall be held accountable to the Board for all aspects of administering to the school district. The execution of all decisions made by the Board concerning the internal operation of the school district shall be delegated to the superintendent. The superintendent shall then be responsible for the delegation of responsibility and authority for the operation of the various functions of the district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 168.191, .201, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## **EVALUATION OF THE SUPERINTENDENT**

The Board of Education will annually evaluate the performance of the superintendent according to written standards set by the Board in consultation with the superintendent. This formal evaluation will take place prior to any action to renew or extend the superintendent's contract.

The Board may evaluate the superintendent at any other time throughout the year, in addition to the annual formal evaluation. Additional evaluations may be formal or informal.

### **Evaluation Objectives**

The purpose of the evaluation is to improve administrative leadership as follows:

- < Clarify the superintendent's administrative leadership role.
- < Maintain a harmonious working relationship between the superintendent and the Board.
- < Establish accountability for the school system.
- < Ensure that Board policies are being administered effectively.
- < Provide direction and performance expectations for the upcoming year.

### **Formal Evaluation Preparation**

- < During July or August, the Board and superintendent will meet to establish goals for the upcoming year and re-evaluate or confirm performance expectations created after the last evaluation, if applicable.
- < At least once a year, each Board member will complete an individual rating instrument, providing input for each performance area and written comments when needed or desired.
- < The Board president will collect from each Board member his or her completed instrument, compile the results and provide a formal summative evaluation for each area.
- < The Board will meet and discuss the formal evaluation, finalize the evaluation for presentation to the superintendent and discuss preliminary expectations for the upcoming year.

- < The Board president will give the formal evaluation to the superintendent at least three (3) business days prior to the formal evaluation meeting to provide the superintendent with adequate time to review the evaluation. The superintendent may respond in writing if he or she disagrees with any portion of the evaluation.

### **Evaluation Meeting**

- < The Board and the superintendent will meet in closed session to discuss the formal evaluation.
- < Shortly after the superintendent's evaluation, the Board, in consultation with the superintendent, will cooperatively establish performance expectations for the upcoming year in line with the district's goals and the superintendent's job description and evaluation. These expectations will become a part of the Board's evaluation of the superintendent the following year.

### **Superintendent's Personnel File**

The formal evaluation and any written responses by the superintendent will be maintained in the superintendent's permanent file in accordance with the state retention manual applicable to schools.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 168.201,.410, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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**SUPERINTENDENT'S CONTRACT/COMPENSATION  
AND BENEFITS**

The Board of Education may employ a superintendent of schools for a contract not to exceed three (3) years. The superintendent shall be employed on a 12-month basis.

Employment will be secured through a written contract, which will state the terms of the appointment, compensation, vacation time, benefits and other conditions of employment. The superintendent's contract shall be reviewed annually, and may be extended at the discretion of the Board.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: 29 U.S.C. § 633a  
§§ 168.191, .201, 432.080, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## **RECRUITMENT AND APPOINTMENT OF THE SUPERINTENDENT**

The Board of Education is solely responsible for the recruitment, selection and appointment of the superintendent of schools. The Board will conduct an active search to find the individual believed most capable of putting into action the policies of the Board, while it remains cognizant of the aspirations of the community, and of the professional and support staff.

The Board may seek the advice and counsel of interested individuals or an advisory committee. A consultant may be employed to assist in the selection of a superintendent. However, after a thorough consideration of qualified applicants, final selection will rest with the Board.

A vote of the majority of the whole Board will be required for the appointment of the superintendent.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 162.301, 168.191, .201, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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**SECTION D: FISCAL MANAGEMENT**

<b>DA</b>	Fiscal Responsibility
<b>DB</b>	Annual Budget
<b>DBB</b>	Fiscal Year
<b>DC</b>	Taxing and Borrowing Authority/Limitations
<b>DCB</b>	Political Campaigns
<b>DD</b>	Grants
<b>DEA</b>	Revenues from Tax Sources
<b>DED</b>	Disposition of Unbudgeted Revenue
<b>DFA</b>	Revenues from Investments/Use of Surplus Funds
<b>DG</b>	Depository of Funds
<b>DGA</b>	Authorized Signatures
<b>DH</b>	Bonded Employees and Officers
<b>DI</b>	Fiscal Accounting and Reporting/Accounting System
<b>DIE</b>	Audits
<b>DJB</b>	Petty Cash Accounts
<b>DJC</b>	Bidding Requirements
<b>DJF</b>	Purchasing
<b>DK</b>	Payment Procedures
<b>DLB</b>	Salary Deductions

DLC Expense Reimbursements  
DN Surplus School Property

**SURPLUS SCHOOL PROPERTY**  
***(Urban and Metropolitan Districts and***  
***Districts Located Totally or Partially in St. Louis County)***

When there is within the school district any school property that is no longer required for use by the district, the Board, by an affirmative vote of not less than two-thirds (2/3) of the whole Board, may authorize and direct the sale and transfer or lease of the property in accordance with district procedures.

Real property may be sold or leased by listing the property with one (1) or more real estate brokers and paying a commission upon such sale or lease. Real property not disposed of in this way and all personal property may be sold to the highest bidder. The Board, however, reserves the right to reject all bids. Property may also be sold or leased to a community group or a city, state agency, municipal corporation or any other governmental subdivision of the state located wholly or partially within the boundaries of the district, for public uses and purposes.

The property shall be advertised as prescribed by state statute and detailed in administrative procedures.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations  
GBCA, Staff Conflict of Interest  
IIA, Instructional Material

Legal Refs: § 177.073, RSMo.

Avilla R-XIII School District, Avilla, Missouri



*For Office Use Only: DN-C.2A (8/01)*

**SURPLUS SCHOOL PROPERTY**  
***(Seven-Director Districts NOT Located Totally or Partially Within St. Louis County)***

When there is within the school district any school property that is no longer required for use by the district, the Board, by an affirmative vote of a majority of the whole Board, may authorize and direct the sale or lease of the property. However, property located outside the boundaries of the district may not be leased.

Real property may be sold or leased by listing the property with one (1) or more real estate brokers and paying a commission upon such sale or lease. Real property not disposed of in this way and all personal property may be sold or leased to the highest bidder. The Board reserves the right to reject all bids. Property may also be sold or leased to a city, state agency, municipal corporation or other governmental subdivision of the state located within the boundaries of the district for public uses and purposes.

The property shall be advertised as prescribed by state statute and detailed in administrative procedures.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations  
GBCA, Staff Conflict of Interest  
IIA, Instructional Materials

Legal Refs: § 177.091, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## EXPENSE REIMBURSEMENTS

Board members, the administrative staff and all other employees who incur expenses in carrying out their authorized duties will be reimbursed if the expense is eligible for reimbursement pursuant to district policies and procedures, if the expense was authorized and if proper documentation of the expense is provided.

Because expenses are reimbursed from public funds, all persons traveling at the district's expense are expected to use good judgment, differentiate between expenditures for business and those for personal convenience and avoid unnecessary fees and excessive charges.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri

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## **SALARY DEDUCTIONS**

All salary deductions will normally be subject to Board approval and are voluntary on the part of the individual employee, except for deductions for absences not covered by paid leave or those required by law. The employee must authorize all voluntary deductions in writing.

- Contributions to the Missouri Educational Employees' Memorial Scholarship Program shall be voluntary, but not subject to Board approval.
- Salary deductions for unauthorized or unpaid absences of salaried personnel shall be computed by dividing the contracted salary, excluding extra-duty pay, by the number of days in the contract period. Deductions for other personnel shall be based upon the hourly rate of individual employees.
- The Board may authorize voluntary payroll deductions from compensation earned by employees if ten (10) or more employees so request. These deductions may be taken for, but are not limited to, credit unions, annuities, IRA membership dues, insurance premiums or other voluntary contributions. The amount deducted will be remitted to the organization, company or association authorized by the employee. In addition to the amount authorized, the district may deduct any administrative costs of compliance. The Board shall not be responsible for any good-faith error in the administration of this service.
- If the district provides a system of payroll deduction, the district will, upon written request by ten (10) or more employees, provide employees with the option of contributing to a continuing committee through payroll deduction. A continuing committee is a committee of continuing existence that 1) is not formed, controlled or directed by a candidate; 2) is not a candidate or campaign committee; and 3) has the primary or incidental purpose of receiving contributions or making expenditures to influence or attempt to influence the action of voters. No employee will be subjected to any adverse employment action based on his or her participation or lack thereof in such a program.

### **Improper Deductions**

The Board of Education prohibits improper pay deductions. Employees who believe that improper pay deductions have been taken should immediately report the concern to the \_\_\_\_\_ (title). Employees will be reimbursed for improper deductions. If an employee's request for reimbursement is denied, the employee may appeal that decision by following the grievance procedure set forth in Board policy. Nothing in the policy shall prevent the district from properly

charging absences against sick leave, personal leave or other such leave or from making deductions from pay for unapproved or unpaid absences, as established in Board policy.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GCBDA, Professional Staff Short-Term Leaves and Absences  
GDBDA, Support Staff Leaves and Absences

Legal Refs: §§ 130.011, .028, 168.300, 173.267, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **PAYMENT PROCEDURES**

The Board will give final approval to all bills paid. Payment of bills shall be authorized by the superintendent or designee, only after verification of delivery and satisfaction by the department or staff receiving the item(s). No payment for goods or services shall be made unless both an itemized invoice showing the name of the person or firm to whom payment is due is presented, and a receiving document bearing the signature of an authorized school employee is on file. Furthermore, the invoice must have been issued in response to an approved purchase order. The superintendent or designee shall audit all claims, and shall submit the same to the Board of Education for approval and authorization for payment.

The superintendent or designee will prepare and present to the Board each month a list of bills for approval of a warrant authorizing payment from district funds. Such lists will be supported by invoices, approved purchase orders, properly submitted vouchers, or in accordance with salaries and salary schedules approved by the Board.

School district moneys shall be disbursed only upon checks drawn by the treasurer and president of the Board following final Board approval of the monthly list of bills. Each check shall show the legal identification of the district by name and address, and the depository or investment account upon which the check is drawn. It shall also specify the amount to be paid and to whom payment is made, from what funds, for what purpose, the date of payment and the number of the check.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: FEF, Construction Contracts Bidding and Awards

Legal Refs: §§ 105.273 - .276, 165.021, .091, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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**PURCHASING**  
*(Urban, Metropolitan and School Districts  
located totally or partially within St. Louis County)*

The Board recognizes the importance of a sound fiscal management program and expects district staff to maximize the resources available for the district's educational program.

The superintendent or designee will supervise district purchasing and may authorize purchases on behalf of the district that conform to the Board-adopted budget. Such transactions are not to exceed budget limitations, unless the budget is modified by the Board. No contract will be entered into or bill paid without the proper documentation and without an affirmative vote from a majority of the whole Board. By an affirmative vote of not less than two-thirds of all the members, the Board may select, authorize and direct the purchase of additional ground needed for school purposes.

The superintendent or designee shall develop procedures to implement this policy in a manner that will meet the district's needs while protecting the district's resources.

All district employees must report suspected fraud, theft or misuse to the superintendent or designee immediately. District employees may be disciplined or terminated for failing to follow this policy or district procedures and for any misuse of district resources, including district credit cards. Under no circumstances may employees use district funds to make unauthorized or personal purchases. The superintendent or designee will contact law enforcement and file a report or sign a complaint on behalf of the district in situations where fraud or theft is suspected.

**Cooperative Purchasing**

Cooperative purchasing should be utilized when it is determined to be to the financial advantage of the district.

**Lease-Purchasing**

The Board may purchase apparatus, equipment and furnishings by entering into lease-purchase agreements with vendors. Any agreement that results in school district ownership of the leased object must contain a provision that allows the district an option to terminate the agreement on at least an annual basis without penalty. All expenditures related to lease-purchase agreements shall be considered expenditures for capital outlay.

**Purchasing Preferences**

The Board and the district will give preference to all commodities manufactured, mined, produced or grown within the state and to all Missouri firms, corporations or individuals that



supply commodities when quality and price are approximately the same. The Board encourages district staff to purchase products manufactured, assembled or produced in the United States.

When purchasing food or beverages to be processed or served in a building or room owned or operated by the district, the Board will give preference to those that contain a higher level of calcium if they are equal or lower in price and of the same type and nutritional quality. This consideration is in addition to any requirements of the U.S. Department of Agriculture under the National School Lunch Program or the School Breakfast Program.

### **Credit or Procurement Cards**

The superintendent and his or her designees are authorized to use credit cards or procurement cards issued to the district to make purchases for the district or to pay for reasonable travel expenses incurred when performing job duties. All purchases made by credit card must be attributed to the appropriate budget code and must conform to the Board-adopted budget. Any employee using a district card shall sign a card usage agreement and receive training on applicable procedures for credit card use.

All employees issued a district credit card must take all reasonable measures to protect the cards against damage, loss, theft or misuse. Any damage, loss, theft or misuse of the card must be reported to the superintendent or designee immediately.

District credit cards will not be used in a manner that would circumvent bidding required by law or district policy. No person may use the card other than the authorized employee to whom the card was issued. District employees will surrender all credit cards upon completion of employment with the district or upon demand by the district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ADF, District Wellness Program  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
FEF, Construction Contracts Bidding and Awards  
GBCA, Staff Conflict of Interest

Legal Refs: " 34.350 - .359, .375, 162.301, 170.041, 171.181, 177.073, .082, 393.310,  
432.070, .080, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## **PURCHASING**

The Board recognizes the importance of a sound fiscal management program and expects district staff to maximize the resources available for the district's educational program. The superintendent or designee will supervise district purchasing and may authorize purchases on behalf of the district that conform to the Board-adopted budget. Such transactions are not to exceed budget limitations, unless the budget is modified by the Board. No contract will be entered into or bill paid without the proper documentation and without an affirmative vote from a majority of the whole Board.

The superintendent or designee shall develop procedures to implement this policy in a manner that will meet the district's needs while protecting the district's resources.

All district employees must report suspected fraud, theft or misuse to the superintendent or designee immediately. District employees may be disciplined or terminated for failing to follow this policy or district procedures and for any misuse of district resources, including district credit cards. Under no circumstances may employees use district funds to make unauthorized or personal purchases. The superintendent or designee will contact law enforcement and file a report or sign a complaint on behalf of the district in situations where fraud or theft is suspected.

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Cooperative purchasing should be utilized when it is determined to be to the financial advantage of the district.

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The Board may purchase apparatus, equipment and furnishings by entering into lease-purchase agreements with vendors. Any agreement that results in school district ownership of the leased object must contain a provision that allows the district an option to terminate the agreement on at least an annual basis without penalty. All expenditures related to lease-purchase agreements shall be considered expenditures for capital outlay.

### **Purchasing Preferences**

The Board and the district will give preference to all commodities manufactured, mined, produced or grown within the state and to all Missouri firms, corporations or individuals that supply commodities when quality and price are approximately the same. The Board encourages district staff to purchase products manufactured, assembled or produced in the United States.

When purchasing food or beverages to be processed or served in a building or room owned or operated by the district, the Board will give preference to those that contain a higher level of calcium if they are equal or lower in price and of the same type and nutritional quality. This consideration is in addition to any requirements of the U.S. Department of Agriculture under the National School Lunch Program or the School Breakfast Program.

### **Credit or Procurement Cards**

The superintendent and his or her designees are authorized to use credit cards or procurement cards issued to the district to make purchases for the district or to pay for reasonable travel expenses incurred when performing job duties. All purchases made by credit card must be attributed to the appropriate budget code and must conform to the Board-adopted budget. Any employee using a district card shall sign a card usage agreement and receive training on applicable procedures for credit card use.

All employees issued a district credit card must take all reasonable measures to protect the cards against damage, loss, theft or misuse. Any damage, loss, theft or misuse of the card must be reported to the superintendent or designee immediately.

District credit cards will not be used in a manner that would circumvent bidding required by law or district policy. No person may use the card other than the authorized employee to whom the card was issued. District employees will surrender all credit cards upon completion of employment with the district or upon demand by the district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs:    ADF, District Wellness Program  
                  BBFA, Board Member Conflict of Interest and Financial Disclosure  
                  FEF, Construction Contracts Bidding and Awards  
                  GBCA, Staff Conflict of Interest

Legal Refs: " 34.350 - .359, .375, 162.301, 170.041, 171.181, 177.082, 393.310,  
432.070, .080, RSMo.  
*Mercantile Bank of Illinois v. School Dist. of Osceola*, 834 S.W.2d 737 (1992)

Avilla R-XIII School District, Avilla, Missouri

## **BIDDING REQUIREMENTS**

The district will conduct competitive bidding for the construction of facilities that are projected to exceed an expenditure of \$15,000, and for insurance contracts, bank depository services and other products or services as required by law.

Other purchases or contractual services may be advertised and submitted for bid as directed by the Board or when, in the opinion of the superintendent, the welfare of the district will be served. The Board may require a bidder to submit a cashier's check or bidder's bond. The Board reserves the right to reject any or all bids or any part of any bid and to accept the bid that appears to be in the best interest of the school district. The Board reserves the right to waive minor technical deficiencies in any bid. Any bid may be withdrawn prior to the scheduled time for the opening of bids. Any bid received after the time and date specified shall not be considered.

Generally, bids accepted by the Board pertaining to contracts, services and/or benefits shall be on an annual basis. However, the Board may enter into multi-year agreements as long as the payments under the contract for any given year do not exceed the district's income and revenue for the year plus any unencumbered balances from previous years.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
EIA, Property and Liability Insurance  
FEF, Construction Contracts Bidding and Awards  
GCBC, Professional Staff Fringe Benefits  
GDDB, Support Staff Fringe Benefits

Legal Refs: §§ 67.150, 105.458, 165.211, 177.086, 376.696, RSMo.  
*Mercantile Bank of Illinois v. School Dist. of Osceola*, 834 S.W.2d 737  
(1992)

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## PETTY CASH ACCOUNTS

The Board authorizes a petty cash fund in each school and in the Board office to facilitate minor purchases, refunds, collection of fines and fees, and to make change when necessary. Petty cash funds will not be used to circumvent established purchasing procedures, but will be used as a convenience for immediate purchases of low-cost goods and services. The building principal or designee will be responsible for petty cash accounts in his or her school, and the superintendent or designee will be responsible for the petty cash account in the central office.

The superintendent or designee will develop administrative procedures on reporting, documentation, safekeeping and the appropriate expenditures of these funds.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri



## FISCAL ACCOUNTING AND REPORTING/ACCOUNTING SYSTEM

The district's accounting system shall conform to requirements established by state statutes and regulations of the Missouri Department of Elementary and Secondary Education (DESE), based on the current version of the *Missouri Financial Accounting Manual*.

The superintendent shall be responsible for receiving and properly accounting for all funds of the school district and implementing the accounting system. As specified in state law, the Board of Education shall establish funds for the accounting of all school moneys in the district. The treasurer of the district shall open an account for each fund, and all moneys received by the district shall be deposited in the appropriate fund account. All financial transactions shall be recorded in the revenue and expenditure records, and appropriate entries from the adopted budget shall be made in the records for the respective funds.

The Board shall receive monthly financial statements from the superintendent showing the financial condition of the district. In addition, other financial statements determined necessary by either the Board or the superintendent shall be presented to the Board for review.

The superintendent shall also be responsible for pupil-related accounting and shall file enrollment, attendance, food service and transportation reports as required by DESE.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGDF, Student Fundraising

Legal Refs: ' 165.011, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## **AUDITS**

An auditing firm shall be retained at the close of each fiscal year for the purpose of auditing and making necessary reports to the Board of Education and the Missouri Department of Elementary and Secondary Education (DESE). The superintendent shall arrange with the firm for an audit examination of all financial, transportation, food service and attendance records of the district, in accordance with state law. Confidential and privileged communications between the district and its auditor, including all auditor work products, are hereby closed to the extent permitted by § 610.021(17), RSMo.

The audit examination shall be made in accordance with generally accepted auditing standards, to include such reviews and tests of the accounting system, books and records, and other underlying data as are necessary to come to an informed opinion as to the financial affairs of the Avilla R-XIII School District.

The audit report shall include the requirements as enumerated in § 165.121.3, RSMo.

Each member of the Board of Education shall receive a copy of the audit report, and a copy shall be furnished to DESE no later than October 31. The superintendent shall be responsible for filing copies of the audit with the proper authorities.

Within 30 days of receipt of the audit report, the Board of Education shall prepare a summary of the report in accordance with § 165.121.5, RSMo., and have it published once in a newspaper within Jasper County. The publication shall contain information that the audit report is available for inspection and examination in the superintendent's office during regular office hours.

If it happens that the district does not cause an audit to be performed pursuant to § 165.121, RSMo., the district shall make and publish, not later than the first day of September, in a newspaper published in the school district, or, if no newspaper is published in the district, then in some newspaper that is circulated generally in the district, a statement of all receipts of school moneys, when and from what source such moneys were derived, and all expenditures and the accounts such moneys were expended upon. The report shall also set forth the present indebtedness of the district, the nature thereof, and the rate of taxation for all purposes for the year, and shall be duly attested by the president and secretary of the Board of Education. The secretary shall also submit the annual report on prescribed forms to DESE.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§163.021, .081, 165.111, .121, 610.021 (17), RSMo.

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**BONDED EMPLOYEES AND OFFICERS**  
*(Urban Districts)*

The treasurer of the Avilla R-XIII School District Board of Education shall enter into a bond to the state of Missouri with two (2) or more sureties, approved by the Board, conditioned that a faithful and just account of all moneys that come into the hands of the treasurer will be rendered and that the duties of the office will be performed according to the law. The bonds shall be filed with the secretary of the Board. The treasurer shall be the custodian of all school moneys derived from taxation for school purposes in the district until paid out on the order of the Board.

The secretary shall execute a bond to the school district for an amount fixed by the Board, but not less than \$5,000. The bond must be with at least two (2) sureties, to be approved by the Board.

The Board shall provide a blanket bond to cover all other employees who handle school moneys.

\*\*\*\*\*

***Note: The reader is encouraged to review administrative procedures and/or forms for related information in support of this policy area.***

Adopted:

Revised:

Cross Refs: BCC, Appointed Board Officials

Legal Refs: § 162.401, .531, .541, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **BONDED EMPLOYEES AND OFFICERS**

The treasurer of the Avilla R-XIII School District Board of Education shall enter into a bond to the state of Missouri with two (2) or more sureties, to be approved by the Board, conditional that a faithful and just account of all moneys that come into the hands of the treasurer will be rendered and that the duties of the office will be performed according to the law. The bond shall be filed with the secretary of the Board. The treasurer shall be the custodian of all school moneys derived from taxation for school purposes in the district until paid out on the order of the Board.

The Board shall provide a blanket bond to cover all other employees who handle school moneys.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BCC, Appointed Board Officials

Legal Refs: § 162.401, RSMo.

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## DEPOSITORY OF FUNDS

Selection of depositories shall be made by the bid selection process established by state law and as set forth in administrative procedure, DG-AP.

Each depository selected shall, within ten (10) days after its selection, post securities in accordance with state law. Collateralized investments will comply with the requirements of the Financial Institutions Reform, Recovery and Enforcement Act of 1989.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 110.010 - .020, 165.201 - .291, RSMo.  
12 U.S.C. § 1823(e)

Avilla R-XIII School District, Avilla, Missouri

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### **AUTHORIZED SIGNATURES**

The president and treasurer of the Board shall sign all checks issued by the school district. The Board provides authorization for the signatures to be affixed to the checks in facsimile, provided the officer has a manual signature that has been certified under oath on file with the Missouri Secretary of State.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs:   BCB, Board Officers  
                  BCC, Appointed Board Officials

Legal Refs:   §§ 165.021, .091, 105.273 -.276, RSMo.

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## **REVENUES FROM INVESTMENTS/USE OF SURPLUS FUNDS**

The Board authorizes and appoints the superintendent [or business officer or treasurer] to serve as investment officer of the Avilla R-XIII School District to invest surplus school district moneys which are determined as not being immediately needed for the operation of the district. The superintendent shall follow procedures adopted by the Board in making investments and obtaining the best interest rates possible. Collateralized investments will comply with the requirements of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989.

### **I. Scope**

This policy applies to the investment of all operating funds of the district.

#### **1. Pooling of Funds**

Except for cash in certain restricted and special funds, the district will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with the generally accepted accounting principles.

#### **2. External Management of Funds**

Investment through external programs, facilities and professionals operating in a manner consistent with this policy will constitute compliance.

### **II. General Objectives**

#### **1. Safety**

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

##### **a. Credit Risk**

The district will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, by:



- ◁ Pre-qualifying the financial institutions, brokers/dealers, intermediaries, and advisors with which the district will do business.
- ◁ Diversifying the portfolio so that potential losses on individual securities will be minimized.

b. Interest Rate Risk

The district will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates, by:

- ◁ Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
- ◁ Investing operating funds primarily in shorter-term securities.

2. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). A portion of the portfolio also may be placed in bank deposits or repurchase agreements that offer same-day liquidity for short-term funds.

3. Yield

The investment portfolio shall be designed with the objectives of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

- < A security with declining credit may be sold early to minimize loss of principal.
- < A security swap would improve the quality, yield, or target duration in the portfolio.
- < Liquidity needs of the portfolio require that the security be sold.

### III. **Standards of Care**

#### 1. Prudence

The standard of care to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal liability for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion to the governing body and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

#### 2. Ethics and Conflicts of Interest

Officers and employees of the district involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions in which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officials shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the district.

3. Delegation of Authority

Authority and responsibility for management of the day-to-day operations of the investment program may be granted to the superintendent or designee and/or an external professional organization, including Missouri Securities Investment Program ("MOSIP"). The investment officer shall ensure that the investment program's operations are in accordance with the established written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer.

**IV. Investment Transactions**

1. Authorized Financial Dealers and Institutions

A list will be maintained of financial institutions authorized to provide investment transactions. In addition, a list also will be maintained of approved security brokers/dealers selected by creditworthiness. These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- < Audited financial statements.
- < Proof of National Association of Securities Dealers, Inc. (NASD) certification.
- < Completed broker/dealer questionnaire.
- < Certification of having read and understood and agreeing to comply with the district's investment policy.

An annual review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the superintendent or designee and/or the designated external professional organization.

[Optional: From time to time, the investment officer may choose to invest or cause or permit investments to be made in instruments offered by emerging or minority firms and community financial institutions. In such situations, a waiver to the criteria under Paragraph 1 may be granted by the governing body. All terms and relationships will be fully disclosed prior to purchase and will be reported to the governing body of the district on a consistent basis. The governing body of the district should approve these types of investment purchases in advance.]

## 2. Internal Controls

The investment officer is responsible for establishing and maintaining an internal control structure that will be reviewed annually with the district's independent auditor. The internal control structure shall be designed to ensure that the assets of the district are protected from loss, theft or misuse and to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits require estimates and judgments by management.

The internal controls shall address the following points:

- ◁ Control of collusion.
- ◁ Separation of transaction authority from accounting and record keeping.
- ◁ Custodial safekeeping.
- ◁ Avoidance of physical delivery securities.
- ◁ Clear delegation of authority to subordinate staff members.
- ◁ Written confirmation of transactions for investments and wire transfers.
- ◁ Development of a wire transfer agreement with the lead bank and third party custodian.

## 3. Delivery vs. Payment

All trades where applicable will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in eligible financial institutions prior to the release of funds. All securities shall be perfected in the name or for the account of the district or MOSIP or other designated external professional organization and shall be held by a third-party custodian as evidenced by appropriate safekeeping receipts.

## V. **Suitable and Authorized Investments**

### 1. Investment Types

In accordance with and subject to restrictions imposed by current statutes, the following list represents the entire range of investments that district will consider and which shall be authorized for the investments of funds by the district.

- a. Securities issued by State of Missouri -- The district may invest in obligations of the Missouri State government for which the full faith and credit of the State of Missouri are pledged for the payment of principal and interest.
- b. United States Treasury Securities -- The district may invest in obligations of the United States government for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- c. United States Agency Securities -- The district may invest in obligations issued or guaranteed by any agency or any wholly owned corporation of the United States Government as described in V (2).
- d. Repurchase Agreements -- The district may invest in contractual agreements between the district and commercial banks or primary government securities dealers. The purchaser in a repurchase agreement (repo) enters into a contractual agreement to purchase Treasury and government agency securities while simultaneously agreeing to resell the securities at predetermined dates and prices.
- e. Collateralized Public Deposits (Certificates of Deposit) -- Instruments issued by financial institutions which state that specified sums have been deposited for specified periods of time and at specified rates of interest. The certificates of deposit are required to be backed by acceptable collateral securities as described in " 110.010 - .020, RSMo.

- f. Bankers' Acceptances --Time drafts drawn on and accepted by a commercial bank, otherwise known as bankers' acceptances. The district may invest in bankers' acceptances issued by domestic commercial banks possessing the highest rating issued by Moody's Investor Services, Inc. or Standard and Poor's Corporation.
  - g. Commercial Paper -- The district may invest in commercial paper issued by domestic corporations, which has received the highest rating issued by Moody's Investor Services, Inc. or Standard and Poor's Corporation. Eligible paper is further limited to issuing corporations that have total assets in excess of five hundred million dollars (\$500,000,000).
2. Security Selection: The following list represents the entire range of United States Agency Securities that district will consider and which shall be authorized for the investment of funds by the district. Additionally, the following definitions and guidelines should be used in purchasing the instruments:
- a. U.S. Govt. Agency Coupon and Zero Coupon Securities -- Bullet coupon bonds with no embedded options.
  - b. U.S. Govt. Agency Discount Notes -- Purchased at a discount with maximum maturities of one (1) year.
  - c. U.S. Govt. Agency Callable Securities -- Restricted to securities callable at par only with final maturities of five (5) years.
  - d. U.S. Govt. Agency Step-Up Securities -- The coupon rate is fixed for an initial term. At coupon date, the coupon rate rises to a new, higher fixed term. Restricted to securities with final maturities of five (5) years.
  - e. U.S. Govt. Agency Floating Rate Securities -- The coupon rate floats off one index restricted to coupons with no interim caps that reset at least quarterly.
  - f. U.S. Govt. Mortgage Backed Securities -- Restricted to securities with final maturities of five (5) years.
3. Investment Restrictions and Prohibited Transactions

To provide for the safety and liquidity of the district's funds, the investment portfolio will be subject to the following restrictions:

- a. Borrowing for investment purposes ("Leverage") is prohibited.
- b. Instruments known as Structured Notes (e.g. inverse floaters, leveraged floaters, and equity-linked securities) are not permitted. Investment in any instrument, which is commonly considered a "derivative" investment (e.g. options, futures, swaps, caps, floors and collars) is prohibited.
- c. Contracting to sell securities not yet acquired in order to purchase other securities for purposes of speculating on developments or trends in the market is prohibited.
- d. No more than 5% of the total market value of the portfolio may be invested in bankers' acceptances issued by any one commercial bank and no more than 5% of the total market value of the portfolio may be invested in commercial paper of any one issuer.

#### 4. Collateralization

Collateralization will be required on two (2) types of investments: certificates of deposit and repurchase agreements. In order to anticipate market changes and provide a level of security for all funds, the market value (including accrued interest) of the collateral should be at least 100%. For certificates of deposit, the market value of collateral must be at least 100% or greater of the amount of certificates of deposit plus demand deposits with the depository, less the amount, if any, which is insured by the Federal Deposit Corporation, or the National Credit Unions Share Insurance Fund.

All securities, which serve as collateral against the deposits of a depository institution must be safekept at a non-affiliated custodial facility. Depository institutions pledging collateral against deposits must, in conjunction with the custodial agent, furnish the necessary custodial receipts within five (5) business days from the settlement date.

#### 5. Repurchase Agreements

The securities for which repurchase agreements will be transacted will be limited to Treasury and government agency securities that are eligible to be delivered via the Federal Reserve's Fedwire book entry system. Securities will be delivered to the district's designated Custodial Agent. Funds and securities will be transferred on a delivery vs. payment basis.

### VI. **Investment Parameters**

1. Diversification

The investments shall be diversified to minimize the risk of loss resulting from over concentration of assets in specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. At a minimum, diversification standards by security type and issuer shall be:

- a. U.S. treasuries and securities having principal and/or interest guaranteed by the U.S. government -- 100%
- b. Collateralized time and demand deposits -- 100%
- c. U.S. Government agencies, and government sponsored enterprises -- No more than 60%
- d. Collateralized repurchased agreements -- 50%
- e. U.S. Government agency callable securities -- No more than 30%
- f. Commercial Paper and Bankers' Acceptances -- No more than 50%

2. Maximum Maturities

To the extent possible, the district shall attempt to match its investments with anticipated cash flow requirements. Investments in bankers' acceptances and commercial paper shall mature and become payable not more than 180 days from the date of purchases. All other investments shall mature and become payable not more than five (5) years from the date of purchase. The district shall adopt weighted average maturity limitations that should not exceed three (3) years and is consistent with the investment objectives.

Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds such as in bank deposits or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

**VII. Reporting**

1. Methods



The investment officer shall prepare or cause to be prepared an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner that will allow the district to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the governing body of the district. The report will include the following:

- < Listing of individual securities held at the end of the reporting period.
- < Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over one-year duration (in accordance with Government Accounting Standards Board (GASB) 31 requirements). [Note: This is only required annually.]
- < Average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks.
- < Listing of investment by maturity date.
- < Percentage of the total portfolio which each type of investment represents.

## 2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks may be established against which portfolio performance shall be compared on a regular basis.

Commercial paper and bankers' acceptances must be reviewed not less often than monthly by the investment officer to determine if the rating level has changed. The Commercial paper and bankers' acceptances must be reviewed not less often than commercial paper and bankers' acceptances should be reviewed for possible sale if the securities are downgraded below the minimum acceptable rating levels.

## 3. Marking to Market

The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least annually to the Board. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed.

## VIII. Policy Considerations

### 1. Exemption

Any investment currently held that does not meet the guidelines of this policy shall be exempt from the requirements of this policy. At maturity or liquidation, such moneys shall be reinvested only as provided by this policy.

### 2. Adoption

The policy shall be reviewed annually by the investment officer and recommended changes will be presented to the Board for consideration.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 30.260, 165.051, 165.091, 110.010 -.020, RSMo.  
Mo. Const., Art. IV, § 15  
12 U.S.C. § 1823(e)

Avilla R-XIII School District, Avilla, Missouri

## REVENUES FROM INVESTMENTS/USE OF SURPLUS FUNDS

The Board authorizes the superintendent to invest surplus school district moneys which are determined as not being immediately needed for the operation of the school district. The superintendent shall follow procedures established by the Board in making investments and obtaining the best interest rates possible. Collateralized investments will comply with the requirements of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

Investments may be made only in those instruments approved by, and in a method in conformity with state law including any instrument permitted by law for the investment of state moneys. All investment earnings shall be credited to the fund from which investments were made.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 30.260, 165.051, 165.091, 110.010 -.020, RSMo.  
Mo. Const., Art. IV, § 15  
12 U.S.C. § 1823(e)

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## DISPOSITION OF UNBUDGETED REVENUE

The Board of Education recognizes that due to special circumstances, the school district may occasionally receive revenue not budgeted.

In the event such revenues are received, the Board will disburse the revenues in accordance with any provisions or requirements accompanying the allocation. The Board, when authorized to establish local policy pertaining to the procedure and schedule for the disbursement of such revenues, shall establish an appropriate policy upon the recommendation of the superintendent.

Recommendations for procedural guidelines specifying a disbursement plan for moneys designated to the teachers' fund should be determined after receiving the suggestions of the professional staff. However, in accordance with state constitutional provisions, unbudgeted revenue received during the budget year shall not alter compensation of employees within the current contract period.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: Mo. Const., Art. III, §§ 38(a), 39(3)  
§ 168.110, RSMo.  
Mo. Atty. Gen. Op., No. 211, Belt, May 6, 1970

Avilla R-XIII School District, Avilla, Missouri

## **GRANTS**

### **Application for Grants**

The district directs the superintendent or designee to pursue all grants and other alternative sources of funds, goods and services that are consistent with the district's goals and educational strategies and that will enhance the educational offerings of the district.

All grants must:

- < Be based on a specific set of internal objectives that relate to the established goals and objectives of the district.
- < Provide measures for evaluating whether project objectives are being or have been achieved.
- < Conform to state and federal laws and to the policies of the Board in the execution of the project.

All grant proposals shall be approved by the Board before being submitted to the funding agency regardless of the amount of funding involved. Before a grant application is presented to the Board, the superintendent or designee will determine whether the district has the appropriate staff to support the grant project and to maintain accurate records required by the granting entity, as well as adequate resources if matching funds are required.

All grants that involve district property, students or personnel in their capacity as employees are considered district grants and are subject to the requirements of this policy. No individual will use grant proceeds in the district without district permission.

### **Administration of Grants**

Every grant involving the district must have a designated contact for the grant who is an employee of the district to oversee grant activity and ensure the appropriate records, evaluations and procedures are used.

All grant funds received must be deposited in district accounts. District policies regarding purchasing, expenditure of funds and employment will be followed when expending grant funds. Staff positions created through grant funding will be filled pursuant to Board policy.

Accurate records will be kept of all grant expenditures. An annual report will be provided to the superintendent or designee on the status of the grant program, participation in the program and the success of the program.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GCD, Professional Staff Recruiting and Hiring  
GDC, Support Staff Recruiting and Hiring

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## **TAXING AND BORROWING AUTHORITY/LIMITATIONS** *(Urban Districts)*

The Board is responsible for levying *ad valorem* property taxes as necessary to operate the Avilla R-XIII School District in a manner that promotes achievement for all students. Taxes will be levied in accordance with law.

### **Increasing Taxing Authority**

The Board is authorized to set an operating tax rate of \$2.75. The Board will seek voter approval to increase the tax rate ceiling, in accordance with law and as necessary to better serve the students of the district. The district may also seek voter approval to forgo all or part of the reduction of the operating levy due to Proposition C sales tax receipts, as allowed by law.

The Board may also seek voter approval to increase the bonded indebtedness of the district in accordance with law and as necessary to provide an appropriate learning environment for district students. The Board of Education has a bonded indebtedness limit of 15 percent of the value of taxable tangible property as shown by the last completed assessment for state and county purposes.

### **Tax Rate Hearing Notice**

The Avilla R-XIII School District will annually set the tax rate after first notifying the public and conducting at least one (1) public hearing. Notice of the hearing will be given by publication in a newspaper of general circulation or by posting such notice in at least three (3) public places within the district, in accordance with law. The district will publish or post the notice at least seven (7) days prior to the hearing, and the notice will include the:

1. Date, time and place of the hearing.
2. Assessed valuation by category of real, personal and other tangible property in the district for the fiscal year for which the tax is to be levied and the preceding tax year.
3. Amount of revenue required to be provided from the property tax as set forth in the adopted annual budget for each rate levied.
4. Tax rates proposed to be set for the various purposes of taxation.

5. Increase in tax revenue due to an increase in assessed value as a result of new construction and improvement.
6. Increase, both in dollar value and percentage, in tax revenue as a result of reassessment if the proposed tax rate is adopted.

### **Tax Rate Hearing**

The superintendent will provide the Board the same information included in the tax rate hearing notice prior to the tax rate hearing. The tax rate hearing will include an opportunity for citizens to speak before the Board. The Board will set the tax rate after the hearing.

The tax rate will be calculated to produce substantially the same revenues as required in the annual budget. The Board will have sole authority in determining what part of the total authorized rate shall be used to provide revenue for each of the funds. Before setting the rates for the teachers' and incidental funds, the Board will set the rate for the capital projects fund as necessary to meet the district's obligations.

### **Submitting the Tax Rate**

The Board shall forward a tax rate to the county clerk of every county in which the district is located on or before September 1 of each year. If the rate is less than one (1) dollar, the rate will be calculated to the nearest one-tenth of a cent, and the district will round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. If the rate is in excess of one (1) dollar, the estimate will be calculated to one/one-hundredths of a cent, and the district will round up a fraction greater than or equal to five/one-thousandths of one (1) cent to the next higher one/one-hundredth of a cent.

### **Legal Compliance**

If the district receives from the county clerk the state auditor's finding that the proposed rate does not comply with Missouri law, the Board will have 15 days from the date of receipt of the finding to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the Board's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk.

### **Borrowing Authority**

The Board may borrow money in anticipation of collection of taxes for the purpose of securing funds for school operations, including the debt service fund. Issuance of all tax and revenue anticipation notes requires approval of the majority of the members of the



Board. The notes may be issued at any time in any year, and the aggregate outstanding principal amount of the notes issued in one (1) year for any fund shall not exceed the amount of the Board's estimate of the year's requirement for the fund. The notes shall be payable within 12 months from date of issuance.

**Bonded Indebtedness**

The Board may borrow money and issue bonds for:

1. Purchasing sites for schoolhouses, public library buildings, art galleries, museums, janitors' houses, repair buildings and supply houses used in the operation and maintenance of the schools and other land for school purposes.
2. Erecting schoolhouses, public library buildings, art galleries, museums, janitors' houses, repair buildings, supply houses and other buildings used in the operation and maintenance of the schools.
3. Building additions to, remodeling and reconstructing buildings existing at the time of making the loan.
4. Furnishing any building erected or reconstructed.
5. Purchasing school buses and other transportation equipment.

Funds raised through the sale of bonds may be used only for the purposes set forth in the election that authorized the sale of bonds.

The following points of state law shall govern the Board's issuance of bonds:

1. A four-sevenths vote is required before the issuance of bonds if the issue is submitted at a municipal election or at the general or primary election held in even-numbered years. At all other elections, a two-thirds vote is required.
2. The Board of Education has a limit of bonded indebtedness of 15 percent of the value of taxable tangible property as shown by the last completed assessment for state and county purposes.
3. Bonds shall be issued in denominations of \$1,000 or in any multiples of \$1,000.
4. The number of years the whole or any part of the bonds are to run shall not exceed 20 years from the date of the bonds.

5. The revenues from taxes levied for the purpose of satisfying bonded indebtedness obligations, both principal and interest, shall be recorded in the debt service fund.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BBBB, School Board Ballot Issues

MSIP Refs: 8.5

Legal Refs: Mo. Const., art. VI, ' 26(b)  
Mo. Const., art. X, ' 11(c)  
" 67.110, 108.150 - .280, 137.010, .055, .072, .100, .245, 164.011, .131 - .301,  
165.011, .131, .141, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## TAXING AND BORROWING AUTHORITY/LIMITATIONS

The Board is responsible for levying *ad valorem* property taxes as necessary to operate the Avilla R-XIII School District in a manner that promotes achievement for all students. Taxes will be levied in accordance with law.

### Increasing Taxing Authority

The Board is authorized to set an operating tax rate of \$2.75. The Board will seek voter approval to increase the tax rate ceiling, in accordance with law and as necessary to better serve the students of the district. The district may also seek voter approval to forgo all or part of the reduction of the operating levy due to Proposition C sales tax receipts, as allowed by law.

The Board may also seek voter approval to increase the bonded indebtedness of the district in accordance with law and as necessary to provide an appropriate learning environment for district students. The Board of Education has a bonded indebtedness limit of 15 percent of the value of taxable tangible property as shown by the last completed assessment for state and county purposes.

### Tax Rate Hearing Notice

The Avilla R-XIII School District will annually set the tax rate after first notifying the public and conducting at least one (1) public hearing. Notice of the hearing will be given by publication in a newspaper of general circulation or by posting such notice in at least three (3) public places within the district, in accordance with law. The district will publish or post the notice at least seven (7) days prior to the hearing, and the notice will include the:

1. Date, time and place of the hearing.
2. Assessed valuation by category of real, personal and other tangible property in the district for the fiscal year for which the tax is to be levied and the preceding tax year.
3. Amount of revenue required to be provided from the property tax as set forth in the adopted annual budget for each rate levied.
4. Tax rates proposed to be set for the various purposes of taxation.
5. Increase in tax revenue due to an increase in assessed value as a result of new construction and improvement.

6. Increase, both in dollar value and percentage, in tax revenue as a result of reassessment if the proposed tax rate is adopted.

### **Tax Rate Hearing**

The superintendent will provide the Board the same information included in the tax rate hearing notice prior to the tax rate hearing. The tax rate hearing will include an opportunity for citizens to speak before the Board. The Board will set the tax rate after the hearing.

The tax rate will be calculated to produce substantially the same revenues as required in the annual budget. The Board will have sole authority in determining what part of the total authorized rate shall be used to provide revenue for each of the funds. Before setting the rates for the teachers' and incidental funds, the Board will set the rate for the capital projects fund as necessary to meet the district's obligations.

### **Submitting the Tax Rate**

The Board shall forward a tax rate to the county clerk of every county in which the district is located on or before September 1 of each year. If the rate is less than one (1) dollar, the rate will be calculated to the nearest one-tenth of a cent, and the district will round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. If the rate is in excess of one (1) dollar, the estimate will be calculated to one/one-hundredths of a cent, and the district will round up a fraction greater than or equal to five/one-thousandths of one (1) cent to the next higher one/one-hundredth of a cent.

### **Legal Compliance**

If the district receives from the county clerk the state auditor's finding that the proposed rate does not comply with Missouri law, the Board will have 15 days from the date of receipt of the finding to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the Board's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk.

### **Borrowing Authority**

The Board may borrow money in anticipation of collection of taxes for the purpose of securing funds for school operations, including the debt service fund. Issuance of all tax and revenue anticipation notes requires approval of the majority of the members of the Board. The notes may be issued at any time in any year, and the aggregate outstanding principal amount of the notes issued in one (1) year for any fund shall not exceed the

amount of the Board's estimate of the year's requirement for the fund. The notes shall be payable within 12 months from date of issuance.

### **Bonded Indebtedness**

The Board may borrow money and issue bonds for:

1. Purchasing schoolhouse sites and other land for school purposes.
2. Erecting or furnishing schoolhouses or library buildings.
3. Building additions to or repairing old buildings.
4. Purchasing school buses and other transportation equipment.
5. Paying off and discharging assessments made by counties, cities, towns and villages or other political subdivisions or public corporations of the state against the district.

Funds raised through the sale of bonds may be used only for the purposes set forth in the election that authorized the sale of bonds.

The following points of state law shall govern the Board's issuance of bonds:

1. A four-sevenths vote is required before the issuance of bonds if the issue is submitted at a municipal election or at the general or primary election held in even-numbered years. At all other elections, a two-thirds vote is required.
2. The Board of Education has a limit of bonded indebtedness of 15 percent of the value of taxable tangible property as shown by the last completed assessment for state and county purposes.
3. Bonds shall be issued in denominations of \$1,000 or in any multiples of \$1,000.
4. The number of years the whole or any part of the bonds are to run shall not exceed 20 years from the date of the bonds.
5. The revenues from taxes levied for the purpose of satisfying bonded indebtedness obligations, both principal and interest, shall be recorded in the debt service fund.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BBBB, School Board Ballot Issues

MSIP Refs: 8.5

Legal Refs: Mo. Const., art. VI, ' 26(b)  
Mo. Const., art. X, ' 11(c)  
" 67.110, 108.150 - .280, 137.010, .055, .072, .100, .245, 164.011, .121 - .301,  
165.011, .131, .141, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## POLITICAL CAMPAIGNS

No contribution or expenditure of district funds shall be made directly by any Board member, employee or agent of the district to advocate, support or oppose any ballot measure or candidate for public office. This does not prevent Board members or administrators from making public appearances or issuing press releases concerning any such ballot measures.

Reasonable expenditures may be made solely for the purpose of providing patrons of the district with objective information regarding ballot measures in order to inform voters concerning issues that directly affect the district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BBBB, School Board Ballot Issues  
GBCB, Staff Conduct  
KB, Public Information Program  
KI, Public Solicitations/Advertising in District Facilities

Legal Refs: § 115.646, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **ANNUAL BUDGET**

One of the primary responsibilities of the Board of Education is to secure adequate funds to conduct a quality program of education in the school district. The annual school budget represents a written document presenting the Board's plan for allocation of the available financial resources into an explicit expenditure plan to sustain and improve the educational function of the school district. It is a legal document describing the programs to be conducted during the fiscal year and is the basis for the establishment of tax rates for the district.

The planning and preparation of the budget is a continuing process. It must involve a number of people who have knowledge of the educational needs of the community and who can provide accurate data in regard to the financial potential of the district. Members of the Board, citizens, students and professional and support staff members should be involved in the planning process, which culminates in the preparation of the budget document. The superintendent will establish procedures that seek input from the appropriate people on budgetary needs and that consider the priorities established by the Board.

The Board designates the superintendent to serve as the budget officer of the district. As budget officer, the superintendent will direct the planning and preparation of the budget and will submit it to the Board for approval. The superintendent will present to the Board a tentative budget proposal for the following year and will present the final budget proposal before the new fiscal year begins, as provided by law.

The Board may revise the items contained therein and will at that meeting adopt the portion of the budget dealing with the salary schedule and the needed tax rate for the district. Should the adopted budget require an increase in the tax levy above the authorized level that the Board may levy, the tax levy increase shall be presented to the voters for approval. The budget shall be appropriately adjusted if the voters fail to pass the tax levy increase. The Board will conduct at least one (1) public hearing regarding the proposed budget and taxation rate.

The annual budget document shall present a completed financial plan for the ensuing fiscal year and shall include at least the following statutory requirements:

- < A budget message describing the important features of the budget and major changes from the preceding year.
- < Estimated revenues to be received from all sources for the fiscal year, with a comparative statement of actual or estimated revenues for the two (2) years next preceding, itemized by year, fund and source.



- < Proposed expenditures for each department, office and other classification for the fiscal year, with a comparative statement of actual or estimated expenditures for the two (2) years preceding, itemized by year, fund, activity and object.
- < The amount required for the payment of interest, amortization and redemption charges on the debt of the school district.
- < A general budget summary.

In no event shall the total proposed expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the fiscal year. Upon the recommendation of the superintendent, the Board will approve a system of internal accounting to ensure proper financial accounting of revenues and expenditures.

The adopted budget of the Avilla R-XIII School District serves as the control to direct and limit expenditures in the district. Overall responsibility for assuring control rests with the superintendent, who will establish procedures for budget control and reporting throughout the district.

The total amounts that may be expended during the fiscal year for the operation of the school district are set forth in the budget. The total budgeted expenditure for each program is the maximum amount that may be expended for that classification of expenditures during the school year unless a budget transfer is recommended by the superintendent and is approved by the Board.

The Board will review the financial condition of the district monthly and shall require the superintendent to prepare a monthly reconciliation statement. This statement will show the amount expended during the month, total (to date) for the fiscal year, receipts and remaining balances in each fund. This statement will be used as a guide for projected purchasing and as a guide for budget transfers.

During the fiscal year the superintendent may transfer any unencumbered balance or portion thereof from the expenditure authorization of one (1) account to another, subject to limitations provided by state laws and approval by the Board.

All moneys received by the school district shall be disbursed only for the purposes for which they are levied, collected or received.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: CGC, State and Federal Programs Administration  
ECB, Building and Grounds Maintenance

Legal Refs: §§ 67.010 - .110, 165.016, .021, .051, .091, .131, RSMo.  
Mo. Const., Art. VI, § 26  
*Mercantile Bank of Illinois v. School District of Osceola*, 834 S.W. 2d 737  
(Mo. banc 1992)

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## FISCAL YEAR

The fiscal year is defined as beginning annually on the first day of July and ending on the thirtieth day of June following.

The district treasurer shall not draw any check or issue any order for payment that is in excess of the income and unencumbered revenue of the school district for the fiscal year beginning on the first day of July and ending on the thirtieth day of June following.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: § 165.021, RSMo.

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**SECTION E: SUPPORT SERVICES**

<b>EB</b>	Safety Program
<b>EBAB</b>	Hazardous Materials
<b>EBAC</b>	Integrated Pest Management
<b>EBB</b>	Communicable Diseases
<b>EBBA</b>	Illness and Injury Response and Prevention
<b>EBC</b>	Emergency Plans/Safety Drills
<b>EBCA</b>	Crisis Intervention Plan
<b>ECA</b>	Building and Grounds Security
<b>ECB</b>	Building and Grounds Maintenance
<b>ECD</b>	Traffic and Parking Controls
<b>EEA</b>	Student Transportation Services
<b>EEAB</b>	School Bus Scheduling and Routing
<b>EF</b>	Food Services Management
<b>EFB</b>	Free and Reduced-Cost Food Services
<b>EGAAA</b>	Reproduction of Copyrighted Materials
<b>EHB</b>	Technology Usage
<b>EI</b>	Insurance Management
<b>EIA</b>	Property and Liability Insurance

**INSURANCE MANAGEMENT**

The Board of Education shall maintain adequate insurance programs to cover district property, liability and personnel, within the requirements of good insurance

management and state law. The administration will recommend to the Board the kind and amount of property, casualty and/or liability insurance needed for the protection of the district property, employees, and Board of Education, and will administer insurance authorized by the Board, unless otherwise directed.

Every effort shall be made to obtain insurance at the most economical cost consistent with required service, by obtaining quotations or by negotiations, whichever method is advantageous to the district.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BHE, Board Member Liability/Insurance  
GCBC, Professional Staff Fringe Benefits  
GDBC, Support Staff Fringe Benefits

Legal Refs: §§ 67.150, 162.013, .063, 376.696, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## PROPERTY AND LIABILITY INSURANCE

The district will maintain full insurance coverage on all buildings and capital outlay contents.

The district will maintain liability coverage of at least the statutory caps set pursuant to § 537.610, RSMo., for individual claims and single occurrences. The contract for insurance will be submitted to competitive bidding at least every six (6) years.

This policy does not waive any sovereign immunity available to the district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BHE, Board Member Liability/Insurance  
DJC, Bidding Requirements

Legal Refs: §§ 376.696, 537.610, RSMo.

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## TECHNOLOGY USAGE

The Avilla R-XIII School District's technology exists for the purpose of maximizing 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.

### Definitions

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

*Technology Resources* B Technologies, devices and resources used to access, process, store or communicate information. This definition includes, but is not limited to: computers, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, Internet, electronic mail, electronic communications devices and services, multi-media resources, hardware and software.

*User* B 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)* B 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* B 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 such as consultants, legal counsel and independent contractors. All users must agree to follow the district=s policies and

procedures. Unless authorized by the superintendent or designee, all users must have a signed *User Agreement* on file with the district before they are allowed access to district technology resources.

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 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 or searched by district administrators or designees at any time in the regular course of business to protect users and district equipment. Any such search, access or interception will be reasonable in inception and scope and shall comply with all applicable laws.

### **Technology Administration**

The Board directs the superintendent or designee to create procedures governing technology usage and 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 computer 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 maintain or improve technology resources at any time. 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 new programs or information, install new equipment, upgrade any system or enter any system to correct problems at any time.

### **Content Filtering and Monitoring**



The district will monitor the online activities of minors and operate a technology protection measure (Afiltering/blocking device@) on the network and/or all computers with Internet access, as required by law. The filtering/blocking device will be used to protect against access to visual depictions that are obscene or harmful to minors or are child pornography, as required by law. Filtering/Blocking devices are not foolproof, and the district cannot guarantee that users will never be able to access offensive materials using district equipment. Evasion or disabling, or attempting to evade or disable, a filtering/blocking device installed by the district is prohibited.

The superintendent, designee or the district's technology administrator may disable the district's filtering/blocking device to enable a non-student user access for bona fide research or for other lawful purposes. In making decisions to disable the district's filtering/blocking device, the administrator shall consider whether the use will serve a legitimate educational purpose or otherwise benefit the district.

### **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 that complies 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 will 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 computer 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**

Use of technology resources in a disruptive, manifestly inappropriate or illegal manner impairs the district=s mission, squanders resources and shall not be tolerated. Therefore, a consistently high level of personal responsibility is expected of all users granted access to the district=s technology resources. Any violation of district policies or procedures regarding technology usage may result in temporary, long-term or permanent suspension of user privileges. 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.

### **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, will be charged to the user. District administrators have the authority to sign any criminal complaint regarding 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.

\* \* \* \* \*



**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
IGDB, Student Publications  
IGDBA, Distribution of Noncurricular Student Publications  
JO, Student Records  
KB, Public Information Program

MSIP Refs: 6.4, 6.8

Legal Refs: " 170.051, 182.827, 431.055, 537.525, 542.402, 569.095 - .099,  
610.010 - .028, RSMo.  
Chapter 109, RSMo.  
Chapter 573, RSMo.  
Electronic Communications Privacy Act, 18 U.S.C. " 2510-2520  
Stored Communications Act, 18 U.S.C. " 2701 - 2711  
Family Educational Rights and Privacy Act, 20 U.S.C. ' 1232g  
Children=s Internet Protection Act, 47 U.S.C. ' 254(h)  
Federal Rule of Civil Procedure 34  
*Reno v. ACLU*, 521 U.S. 844 (1997)  
*Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260 (1988)  
*Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675 (1986)  
*Sony Corp. of America v. Universal City Studios, Inc.*, 464 U.S. 417 (1984)  
*FCC v. Pacifica Foundation*, 438 U.S. 726 (1978)  
*Ginsberg v. New York*, 390 U.S. 629 (1968)  
*Biby v. Bd. of Regents of the Univ. of Nebraska*, 419 F.3d 845 (8th Cir. 2005)  
*Henerey by Henerey v. City of St. Charles Sch. Dist.*, 200 F.3d 1128 (8th Cir.  
1999)  
*Bystrom v. Fridley High Sch. Ind. Sch. Dist.*, 822 F.2d 747 (8th Cir. 1987)  
*Urofsky v. Gilmore*, 216 F.3d 401 (4th Cir. 2000)  
*Beussink v. Woodland R-IV Sch. Dist.*, 30 F. Supp. 2d 1175 (E.D. Mo 1998)  
*J.S. v. Bethlehem Area Sch. Dist.*, 757 A.2d 412 (Pa. Commw. 2000)

Avilla R-XIII School District, Avilla, Missouri

## **REPRODUCTION OF COPYRIGHTED MATERIALS**

It is the intent of the Board to abide by the provisions of current copyright and intellectual property laws as they affect the school district and its employees. The superintendent or designee will create procedures to train employees on the law and monitor district compliance.

Copyrighted materials, whether they are print or nonprint, will not be duplicated, reproduced, distributed or displayed for district-sponsored activities or by using district equipment except in accordance with law.

Details about "fair use" and other relevant information regarding copyright law will be made available to all employees. A summary of these standards will be posted or otherwise made easily available at each machine used for making copies.

The Board does not sanction or condone illegal duplication, reproduction or distribution in any form. It is the responsibility of all district staff to notify the superintendent or designee of any potential violation of law or policy. Once notified of a violation, the superintendent or designee will take reasonable steps to remedy the violation. Employees who violate this policy may be disciplined or terminated. Students who violate this policy may be disciplined. All persons who use district resources in violation of law may be prohibited from using district resources in the future and will assume liability for their actions. The district may also seek other legal remedies.

### **Copyright Infringement Using District Technology**

All persons are prohibited from using district technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with district technology. Further, no person will use the district's technology to post, publicize or duplicate information in violation of copyright law. The Board directs the superintendent and/or designee to take all reasonable measures to prevent the use of district technology in violation of the law. All persons using district technology in violation of law may lose their user privileges in addition to other sanctions.

If a content owner reasonably believes that the district's technology has been used to infringe upon a copyright, the owner is encouraged to notify the following designated agent immediately:

(Title)  
(Address)  
(Phone Number)

The district will notify the U.S. Copyright Office of the designated agent's identity. Further, the district's website will include information on how to contact the district's designated agent and a copy of the district's copyright policy. Upon notification, the district's designated agent will take all actions necessary to remedy any violation. The district will provide the designated agent appropriate training and resources necessary to protect the district.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IIAC, Instructional Media Centers/School Libraries  
JG, Student Discipline

Legal Refs: 17 U.S.C. § 101 *et seq.*  
Digital Millennium Copyright Act

Avilla R-XIII School District, Avilla, Missouri

## FOOD SERVICES MANAGEMENT

The food services program provided by the school district is designed to provide wholesome and appetizing school meals to district students. School meals contribute to good nutrition, which is vital to mental and physical growth during the formative years. As such, the food services program operates as an integral part of the total school program.

Program leadership, direction and supervision at all levels are the responsibilities of a trained staff. The superintendent, in cooperation with the director of food services, is charged with administering the total program, implementing Board policy as it pertains to school food services and making recommendations pertaining to the program and food services personnel to the Board. Food services personnel in the schools will be directly responsible to the director of food services in the district and the building principal.

The principal of each school shall administer the program in the particular school and shall maintain discipline in the cafeteria or lunchroom. In addition, the principal will require correlation between the district's health instruction and the food services program.

The school food services program will be operated on a non-profit basis and will comply with all rules and procedures pertaining to health, sanitation, internal accounting procedures and service of foods. The district will meet all state and federal requirements necessary for participation in state and federal meal programs. All school food services receipts must flow through the district chart of accounts and be used only to pay allowable food services costs, in accordance with law.

Meal prices shall be established annually by the Board of Education.

When food services facilities are used by outside agencies, an adequate fee approved by the Board will be charged. If facilities are used for other than the regular program, the manager will ensure that no supplies provided for the regular program or USDA commodities are used.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: KG, Community Use of School Facilities

Legal Refs: §§ 167.201, .211, RSMo.  
P.L. 79-396, National School Lunch Act, as amended and  
accompanying regulations  
P.L. 89-642, Child Nutrition Act of 1966, as amended and  
accompanying regulations

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## FREE AND REDUCED-COST FOOD SERVICES

School officials will determine student eligibility based on guidelines established under the national school lunch program and state and federal law. Eligible students will be provided nutritionally acceptable meals, snacks and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or designee may establish rules and procedures as needed to accomplish this goal.

The criteria for determining a student's need and the procedures for securing free and reduced-cost lunches for the student will be outlined and published each year by the district. The criteria and procedures are established at the state and federal level.

The district will establish a school breakfast program or will adopt a resolution requesting a waiver excusing the district from this requirement, in accordance with law. The resolution, if adopted, will be filed with the Missouri Department of Elementary and Secondary Education.

The students who participate in the free or reduced-cost meals program will not be overtly identified, distinguished or served differently than other students and will have the same choice of meals or milk as other students. The district may charge all students for à la carte menu items. The names of students receiving free and reduced-cost meals will be kept confidential and will only be released to district personnel or persons administering the district's program on a need-to-know basis, in accordance with law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JO, Student Records  
KB, Public Information Program

Legal Refs: §§ 167.201, .211, RSMo.  
42 USC § 1751 et seq.



7 CFR Part 210-250  
5 CSR 30-680.010, .020, .030, .050, .060, .070

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## **STUDENT TRANSPORTATION SERVICES**

The Board, in accordance with state law, may provide free transportation for eligible students attending the district's schools. The superintendent shall ensure that the transportation services of the district meet all of the requirements established by the Missouri Department of Elementary and Secondary Education as well as the policies that pertain directly to the qualifications of transportation operators and operational procedures adopted by the Board of Education.

Resident students living three and one-half miles or more from school will be entitled to free transportation to and from school. The Board of Education may also provide transportation to resident students who live less than three and one-half miles from school.

Transportation for a student with a disability will be provided if the IEP team determines that such transportation is necessary as a related service due to the student's disability. Transportation for special education students or students classified as homeless will be provided in accordance with law.

The superintendent shall ensure that the transportation services of the district meet all state and federal laws as well as other requirements of the Board of Education. Students may be transported in leased vehicles, private vehicles, common carriers or other contracted transportation as allowed by law and permitted by the Board. All district employees or other persons who drive district-owned or district-leased transportation or who transport students in private vehicles as an agent for the district must meet applicable state and federal laws as well as district policies and procedures.

The superintendent will present to the Board a plan for student transportation services for the district no later than the end of October of each year for initial approval and no later than the end of June for the final approval of modifications made during the school year. The plan should follow the procedures set by the State Board of Education.

### **Transportation Records and Reports**

The superintendent or designee shall provide for the proper accounting of student transportation records and reports in the school district and shall be responsible for preparing and submitting to the State Board of Education the necessary reports for apportioning state transportation aid, in addition to reports for statistical purposes and for the proper maintenance and administration of the district's transportation services.

## **District Transportation Safety**

School officials must provide safe transportation of district students to and from school. Drivers, students and district personnel will follow all laws and district policies and procedures.

District vehicles carrying students will be considered extensions of the school environment. Any student whose conduct on district transportation is improper or jeopardizes the safety of other students may be suspended from district transportation services and may be disciplined in accordance with district policy. Uniform rules of conduct and disciplinary measures will be enforced. Students with disabilities will be disciplined according to law.

Access to all district transportation is limited to authorized riders and staff. All district staff and drivers shall report any instance of trespass to appropriate administrators and law enforcement agencies.

## **Special Use of District Transportation**

District vehicles will be used solely for district-sponsored activities, including district extracurricular activities and organizations.

**NOTE:** For further information, see the *School Transportation Administrator's Handbook*.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBCA, Programs for Homeless Students  
JFCC, Student Conduct on School Transportation

Legal Refs: §§ 162.670 - .995, 163.161, 167.231 - .251, 178.510, 301.010,  
302.272, 304.050, 304.060, 569.155, RSMo.  
5 CSR 30-261.010  
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 - 1487  
McKinney-Vento Homeless Education Assistance Improvements Act of  
2001, 42 U.S.C. § 11431 *et seq.*

*McVey v. Hawkins*, 258 S.W. 2d 927 (Mo. banc 1953)  
*Luetkemeyer v. Kaufman*, 364 F. Supp. 376 (W.D. Mo. 1973)

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## SCHOOL BUS SCHEDULING AND ROUTING

Bus routes, schedules and stops will be developed under the direction of the superintendent following procedures set by the State Board of Education. The purpose of bus scheduling and routing will be to achieve maximum service with a minimum fleet of buses and to render reasonable and equal service to all eligible students.

School bus routes will be approved by the Board no later than October for initial approval, and no later than June for the final modifications made during the school year.

Bus routes will follow the most direct roads practicable for bus travel to serve those students entitled to transportation service. Where an alternate route may be selected without sacrifice of efficiency or economy, preference will be given to that route serving the largest number of students more directly.

Routes will be designed to eliminate as many turn-around points as possible and to employ as nearly as practicable the full carrying capacity for each bus trip. No bus will be overloaded. New routes will be established only when capacity of the existing routes has been reached or is imminent.

Authorized bus stops will be located at convenient intervals for students and in places where students may board and get off, cross highways and await arrival of buses with the utmost safety permitted by highway conditions. The location of the students' residences, the age and grade of the students, the road conditions and the funds available will be considered when determining bus routes.

Students will ride their assigned buses, getting on and getting off at their regularly assigned stops, unless a note from their parent or guardian authorizes students to depart at other than their regular stop or to ride a bus other than their assigned bus. Notes will be subject to approval by the superintendent or designee. In unusual or emergency situations, parents/guardians may request to have their child picked up or dropped off at a different spot by directly communicating to the superintendent or designee.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 163.161, 167.251, RSMo.  
5 CSR 30-261.010  
*Missouri Pupil Transportation Administrative Handbook*  
*Missouri Minimum Standards for School Buses*  
*Missouri Certified Bus Driver Instructor's Manual*  
*Missouri School Bus Procedures Manual*

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## TRAFFIC AND PARKING CONTROLS

Driving and parking on school property are privileges granted by the Board of Education to persons who have reasons to be in the schools or on the school property of the Avilla R-XIII School District.

The school administration will develop, with the aid of local traffic authorities, a plan for accommodating the flow of traffic on school roadways, and any necessary accompanying traffic procedures. The administrative staff will have the responsibility for the assignment of parking areas to staff, students and visitors to the schools. Convenient parking areas will be designated for persons with disabilities.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JFG, Interrogations, Interviews and Searches  
JG-R, Student Discipline

Legal Refs: §§ 8.610 -.655, 171.011, 177.011, 301.143, RSMo.

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## BUILDING AND GROUNDS MAINTENANCE

Research shows that the condition of the district's facilities has an impact on both teaching and learning. Well-maintained facilities improve student achievement, and inadequately maintained facilities have a negative impact on student achievement and staff and student morale. Based on its recognition that student achievement is the top priority in the Avilla R-XIII School District, the Board directs the superintendent or designee to implement a program of preventive maintenance to protect and improve the district's facilities. The program will include:

1. Regularly scheduled inspections.
2. Procedures for reporting dangerous conditions.
3. Procedures for receiving and responding to requests for repairs. These procedures will include methods for tracking the completion of requested repairs and documenting reasons any repairs are not made.
4. Annual evaluation of maintenance staffing needs.

The superintendent and the administrative staff will ensure that all professional and support staff know and follow the proper procedures for the maintenance of school property.

Annual budget recommendations by the superintendent shall include adequate allocations for maintenance of district facilities.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DB, Annual Budget  
FB, Facilities Planning  
FFA, Memorials on Facilities and Grounds  
KH, Public Gifts to the School



MSIP Refs: 6.5, 8.10

Legal Refs: " 177.011 - .031

Avilla R-XIII School District, Avilla, Missouri

## **BUILDING AND GROUNDS SECURITY**

The patrons of the school district have provided the district with facilities for the education of their youth through the support of their tax dollars. It is the responsibility of the Board of Education, administration, professional and support staff members, and students to see that these facilities are cared for, used properly and treated with respect. The superintendent, with the counsel of the administrative staff, will establish procedures for the proper use of school facilities to guard against damage or loss of school property by theft, vandalism or misuse. These procedures will include preventive measures as well as clear steps to follow when school property has been taken or damaged.

The superintendent and the administrative staff will see that all professional and support staff know and respond to the proper procedures for the use and care of school property and report correctly when property has been taken or damaged.

Access to school buildings and grounds outside regular school hours will be granted only to authorized personnel. An adequate key control system shall be established that will prevent the potential entrance of unauthorized persons.

All records of existing or proposed security systems and structural plans for property owned or leased by the district will be considered closed to the extent that disclosure would threaten public safety, as allowed by law. The public interest in nondisclosure outweighs the public interest in disclosure because the disclosure of these records would impair the district's ability to protect the security or safety of persons or real property.

When special events or activities are scheduled, the principal may request permission from the superintendent to employ special law enforcement services to give extra help in protecting school property.

### **Firearms and Other Weapons**

No person shall carry a firearm, a concealed weapon or any other weapon readily capable of lethal use into any school, onto any school transportation or onto the premises of any function or activity sponsored or sanctioned by the district, except for authorized law enforcement officials. Adults and students may possess weapons on school property for the limited purpose of facilitating or participating in a school-sanctioned firearm-related event, as long as the weapons are not concealed and the weapons are not carried onto school transportation or onto the premises of any other school or school-sponsored activity. School officials are prohibited from authorizing any person to bring weapons on school property or to school activities, including concealed weapons, beyond the exceptions stated in this policy.

Any person who possesses a weapon in violation of this policy will be asked to leave. In addition, district administrators may report the incident to law enforcement officials, ban the person from school property or school events in accordance with policy KK or seek other legal remedies. Possession of weapons by students is governed by policy JFCJ and regulation JG-R.

### **Vandalism**

The Board shall seek all legal redress against persons found to have committed incidents of willful or malicious abuse, destruction, defacing and/or theft of the property of the Avilla R-XIII School District.

District patrons, students and members of the staff are urged by the Board to cooperate in reporting incidents of vandalism to property belonging to the district, as well as the name(s) of the person or persons believed to be responsible.

The superintendent and/or principal shall be authorized to sign a complaint, press charges and pursue civil action against perpetrators of vandalism to school property. Restitution for the damages caused will be sought from such persons -- and, in the case of minors, from their parents/guardians -- under the laws of this state. Students found guilty of willfully defacing or injuring any school property shall pay for the damages caused thereby and may be suspended or expelled as provided by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDC, Closed Meetings, Records and Votes  
JFCJ, Weapons in School  
JGD, Student Suspension and Expulsion  
KG, Community Use of School Facilities  
KK, Visitors to District Property/Events

Legal Refs: §§ 168.201, 171.011, 177.031, 211.181, .185, .188, 537.045, 571.030,  
.094, 574.085, 610.021, RSMo.

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## **SAFETY PROGRAM**

The Board recognizes the necessity for a planned safety program to create a safe environment for the students attending, and for the professional and support staff employed by the school district. The maintenance of healthful and safe conditions throughout the school district is a responsibility shared by the Board, superintendent and all professional and support staff.

Every attempt will be made to meet safety and health standards established by state and federal laws and regulations. The cooperation of school, home and community in providing a safe and healthful environment is encouraged by the Board.

Safe practices will be a scheduled part of instruction in the classrooms, laboratories and school shops. Proper supervision of students and other citizens using the school facilities will be required. Hazardous conditions indicated by inspectors will be reported to the Board and corrected. Each building administrator will develop and implement a safety program, report hazardous conditions to the superintendent and hold employees and students responsible for the observance of all safety rules and procedures.

The district will fully utilize federal, state and local violence prevention programs and resources available to students, teachers or staff that the district determines are necessary and cost effective for the school district. By July 1, 2001, the superintendent will designate a school safety coordinator who will have a thorough knowledge of such programs.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 160.660, 165.011, RSMo.

Avilla R-XIII School District, Avilla, Missouri

**EMERGENCY PLANS/SAFETY DRILLS**  
***(Districts Required to Hold Earthquake Drills)***

The superintendent or designee has the responsibility for developing and maintaining the district's emergency preparedness plans and emergency drill schedules. The district will supply the schools with safety equipment and train the staff on emergency preparedness and violence prevention.

Operational guidelines and policies will be closed to the public when they are developed, adopted or maintained by the district in its capacity as an entity responsible for law enforcement, public safety, first response or public health for use in responding to or preventing any critical incident that is or appears to be terrorist in nature and that has the potential to endanger individual or public safety or health. Public interest in nondisclosure outweighs the public interest in disclosure because disclosure would impair the district's ability to protect the safety or health of persons.

**Emergency Drills**

Emergency preparedness drills (fire, severe weather, tornado, bus evacuation, earthquake, bomb threat, lockdown, shelter-in-place and evacuation) will be developed by the superintendent or designee in cooperation with the building principals. A sufficient number of drills will be conducted in each building to give instruction and practice in proper actions by staff and students. Emergency exiting procedures will be posted near the door in each instructional area. Instruction in fire drills shall be given early in the school year, and drills shall be held regularly throughout the year.

The decision to call for and execute drills will be the responsibility of the superintendent and/or the building principal. The district will cooperate and coordinate drills with other community agencies such as the fire department, law enforcement officials, emergency medical services and local emergency planning committees.

**District Emergency Plans**

It shall be the responsibility of the building principal, in cooperation with the appropriate emergency preparedness officials, to determine shelter areas in the school building or outside that are best suited for the protection of students from severe storms, tornadoes or other emergencies, as well as the safest routes to reach those areas. In addition, the district will work with emergency preparedness officials to address off-site emergencies that may occur, such as accidents involving school transportation or emergencies on field trips.

Students and staff members may be retained for safety reasons at the school buildings or another safe place during actual emergency conditions. The district plan will include

information on communicating with parents and instructions on how parents will locate their students in an emergency.

During actual emergency conditions, emergency personnel and emergency vehicles will have priority near the schools.

### **Earthquake Preparedness Disaster Plans and Drills**

In accordance with law, the superintendent or designee, cooperating with building principals, shall develop and implement a districtwide school building disaster plan, in order to protect students and staff before, during and after an earthquake. The plan will be designed specifically to minimize the danger to students, staff and district property as a result of an earthquake and will be ready for implementation at any time. The superintendent or designee will request assistance with developing and establishing the earthquake emergency procedure system from the State Emergency Management Agency (SEMA) and any local emergency management agency located within district boundaries.

An emergency exercise will be held at least twice each school year that will require students and staff to simulate earthquake emergency conditions and practice the procedures that are to be implemented under such conditions.

The superintendent shall develop a program that ensures that all students and staff of the district are aware of and properly trained in the earthquake emergency procedure system. This emergency procedure system shall be available for public inspection at the district office during normal business hours.

At the beginning of each school year, the district shall distribute to all students information from the Federal Emergency Management Agency (FEMA), SEMA and other sources in order to help students understand the causes and effects of earthquakes and the best and latest safety measures available to them in an earthquake situation.

### **Community Emergency Plan**

The Board directs the superintendent or designee to recommend an emergency preparedness plan, subject to Board adoption, to address the use of school resources, including school facilities, commodity foods, school transportation and equipment if a natural disaster or other community emergency occurs. The plan will authorize the superintendent or other designated school official to approve the use of school resources to provide relief to the community if an emergency occurs. The use of school resources under this section shall be subject to review by the Board within 30 days of authorization or as soon as reasonably possible.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IC, Academic Calendar/Year/Day

Legal Refs: §§ 160.451 - .457, .480, 320.010, 610.021, RSMo.  
5 C.S.R. 30 - 261.010

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**EMERGENCY PLANS/SAFETY DRILLS**  
***(Districts Not Required to Hold Earthquake Drills)***

The superintendent or designee has the responsibility for developing and maintaining the district's emergency preparedness plans and emergency drill schedules. The district will supply the schools with safety equipment and train staff on emergency preparedness and violence prevention.

Operational guidelines and policies will be closed to the public when they are developed, adopted or maintained by the district in its capacity as an entity responsible for law enforcement, public safety, first response or public health for use in responding to or preventing any critical incident that is or appears to be terrorist in nature and that has the potential to endanger individual or public safety or health. Public interest in nondisclosure outweighs the public interest in disclosure because disclosure would impair the district's ability to protect the safety or health of persons.

**Emergency Drills**

Emergency preparedness drills (fire, severe weather, tornado, bus evacuation, bomb threat, lockdown, shelter-in-place and evacuation) will be developed by the superintendent or designee in cooperation with the building principals. A sufficient number of drills will be conducted in each building to give instruction and practice in proper actions by staff and students. Emergency exiting procedures will be posted near the door in each instructional area. Instruction in fire drills shall be given early in the school year, and drills shall be held regularly throughout the year.

The decision to call for and execute drills will be the responsibility of the superintendent and/or the building principal. The district will cooperate and coordinate drills with other community agencies such as the fire department, law enforcement officials, emergency medical services and local emergency planning committees.

**District Emergency Plans**

It shall be the responsibility of the building principal, in cooperation with the appropriate emergency preparedness officials, to determine shelter areas in the school building or outside that are best suited for the protection of students from severe storms, tornadoes or other emergencies, as well as determine the safest routes to reach those areas. In addition, the district will work with emergency preparedness officials to address off-site emergencies that may occur, such as accidents involving school transportation or emergencies on field trips.

Students and staff members may be retained for safety reasons at the school buildings or another safe place during actual emergency conditions. The district

plan will include information on communicating with parents and instructions on how parents will locate their students in an emergency.

During actual emergency conditions, emergency personnel and emergency vehicles will have priority near the schools.

### **Community Emergency Plan**

The Board directs the superintendent or designee to recommend an emergency preparedness plan, subject to Board adoption, to address the use of school resources, including school facilities, commodity foods, school transportation and equipment if a natural disaster or other community emergency occurs. The plan will authorize the superintendent or other designated school official to approve the use of school resources to provide relief to the community if an emergency occurs. The use of school resources under this section shall be subject to review by the Board within 30 days of authorization or as soon as reasonably possible.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IC, Academic Calendar/Year/Day

Legal Refs: §§ 160.480, 320.010, 610.021, RSMo.  
5 C.S.R. 30 - 261.010

Avilla R-XIII School District, Avilla, Missouri

## CRISIS INTERVENTION PLAN

The Avilla R-XIII School District has a crisis intervention plan to help school district administrators and faculty deal effectively with crises that could interfere with the normal daily operation of school. This plan outlines and describes the district's guidelines for responding to most crises. All staff members with a need to know will be provided in-service training concerning these guidelines. Specific information regarding the crisis intervention plan is available to concerned parties upon request in the central and building offices.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: MO Safe Schools & Safe Communities Consortium - Unified Emergency  
Contingency Plans for Schools

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## **COMMUNICABLE DISEASES**

The Avilla R-XIII School District School Board recognizes its responsibility to protect the health of students and employees from the risks posed by communicable diseases. The Board also has a responsibility to protect individual privacy, educate all students regardless of medical condition and treat students and employees in a nondiscriminatory manner.

### **Immunization**

In accordance with law, students cannot attend school without providing satisfactory evidence of immunization, unless they are exempted from immunization.

### **Universal Precautions**

The district requires all staff to routinely employ universal precautions to prevent exposure to disease-causing organisms. The district will provide the necessary equipment and supplies to implement universal precautions.

### **Categories of Potential Risk**

Students or employees with communicable diseases that pose a risk of transmission in school or at school activities (such as, but not limited to, chicken pox, influenza and conjunctivitis) will be managed as required by law and in accordance with guidelines provided by the Department of Health and Senior Services (DHSS) and local county or city health departments. Such management may include, but is not limited to, exclusion from school or reassignment as needed for the health and safety of students and staff.

Students or employees infected with chronic communicable diseases that do *not* pose a risk of transmission in school or at school activities (such as, but not limited to, hepatitis B virus or HIV) shall be allowed to attend school or continue to work without any restrictions based solely on the infection. The district will not require any medical evaluations or tests for such diseases.

### **Exceptional Situations**

There are certain specific types of conditions, such as frequent bleeding episodes or uncoverable, oozing, skin lesions that could potentially be associated with transmission of both bloodborne and nonbloodborne pathogens. In the case of students, certain types of behaviors, such as biting or scratching, may also be associated with transmission of pathogens.

Students who exhibit such behaviors or conditions may be educated in an alternative educational setting or, if appropriate, disciplined in accordance with the discipline code. In the case of a student with a disability, the Individualized Education Program (IEP) team or 504 team will make any change of placement decisions.

Employees who exhibit such conditions will not be allowed to work until the condition is resolved or appropriately controlled in a way that minimizes exposure.

### **Confidentiality**

The superintendent or designee shall ensure that confidential student and employee information is protected in accordance with law. Medical information about an individual, including an individual with HIV, will only be shared with district employees who have a reasonable need to know the identity of the individual in order to provide proper health care or educational services. Examples of people who may need to know a student's medical information are the school nurse and the IEP or 504 team if applicable. An example of an individual who may need to know an employee's medical information is the employee's immediate supervisor, if accommodations are necessary.

All medical records will be maintained in accordance with law and Board policy. Breach of confidentiality may result in disciplinary action, including termination.

### **Reporting and Disease Outbreak Control**

Reporting and disease outbreak control measures will be implemented in accordance with state and local law, DHSS rules governing the control of communicable diseases and other diseases dangerous to public health, and any applicable rules distributed by the appropriate county or city health department.

### **Notification**

Missouri state law provides that superintendents who supply a copy of this policy, adopted by the district Board of Education, to DHSS shall be entitled to confidential notice of the identity of any district student reported to DHSS as HIV-infected and known to be enrolled in the district. Missouri law also requires the parent or guardian to provide such notice to the superintendent.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GBE, Staff Health and Safety  
JHC, Student Health Services and Requirements  
JHCD, Administration of Medications to Students

Legal Refs: §§ 167.181, .183, .191, 191.650 - .695, 210.003, RSMo.  
19 C.S.R. 20-20.010 - .060, 20-28.010  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

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## ILLNESS AND INJURY RESPONSE AND PREVENTION

District personnel will provide appropriate first aid and emergency treatment, and contact emergency medical services (EMS) when appropriate, for any individual who is injured or becomes ill while on district property, on district transportation or at a district activity. Further medical attention, including the cost of services provided by EMS, is the responsibility of the individual unless otherwise required by law.

Procedures for handling emergencies will be established and distributed in each school building.

### Incident Reports

Employees must report all injuries to their supervisor immediately. Staff who witness any injury or observe the onset of a serious illness on district property, on district transportation or at a district activity will prepare a written incident report on the incident form available in each building. A copy of the incident report form will be filed with the appropriate designee as soon after witnessing the event as possible.

The superintendent is charged with providing the Board periodic statistical reports on the number and types of injuries occurring on district property or at district activities as well as information on individual accidents or injuries as necessary.

### Eye Protection

When required by law, the district will provide students, staff and visitors with eye protective devices that will be used during all activities defined by law. School principals are authorized to charge for loss, damage or failure to return any eye protective device.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GBEA, Workers' Compensation  
GBEBA, Drug-Free Workplace  
JFCA, Student Dress Code  
JHC, Student Health Services and Requirements  
JHCD, Administration of Medications to Students

Legal Refs: " 167.630, 170.005, RSMo.

Avilla R-XIII School District, Avilla, Missouri



## INTEGRATED PEST MANAGEMENT

Recognizing the potential impact of both chemicals and pests on health and the environment, the Board of Education of the Avilla R-XIII School District requires that all district property and facilities utilize a system of integrated pest management (IPM) for controlling insects, rodents, weeds and other pests. Integrated pest management is the use of a variety of methods for effective pest control while minimizing pesticide use.

### Definitions

*Biological Controls* -- Use of a pest's natural enemies to control pest population. Conservation and augmentation are the biological control strategies most commonly used by school districts. Conservation simply preserves the natural biological controls already present. Augmentation means increasing the number of biological controls in a particular area.

*Chemical Controls* -- Pheromones; insect growth regulators; repellants; dusts, soaps and oils; synthetic or botanical insecticides, fungicides and other similar substances. For the purposes of this policy, chemical controls do not include the application of germ killers, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants.

*Integrated Pest Management (IPM)* -- The use of a variety of methods for effective pest control while minimizing pesticide use.

*Pest* -- Includes, but is not limited to: weeds, insects, arachnids, rodents, reptiles, birds and other animals other than those used in classroom instruction.

*Pest Tolerance Level* -- The level of pests deemed tolerable before action will be taken.

### IPM Components

The superintendent will work with representatives of school food services, facilities management, maintenance services, building administrators and a school nurse to develop procedures for implementation of this policy. These procedures must include:

1. A method for monitoring the types and numbers of pests present on district property.
2. A method for accurately identifying the pests to be controlled.
3. An acceptable pest tolerance level (i.e., the level of pests deemed tolerable).

4. A list of acceptable pest control tactics to be applied in this order:
  - < No action
  - < Erection of physical barriers
  - < Alterations to current practices that contribute to pest problems
  - < Application of exterior biological controls
  - < Chemical controls beginning with the least toxic pesticides appropriate
5. Methods for educating students, parents and staff about pest prevention.

### **Notice of Treatment**

All chemical treatment will be conducted at a time when buildings are unoccupied, other than the individuals conducting the treatment. Notice of chemical treatment must be posted in buildings where the treatment is scheduled.

Each notice will include the name of the active ingredients, the locations of the application, date of the application, approximate time and length of the application, the safe re-entry time or date and the name of the person to contact for additional information.

### **Prohibitions and Requirements**

No form of chemical pest management may be applied on district property unless the application is performed by a licensed individual who has prior approval in accordance with this policy and appropriate procedures. The district will only use or contract with companies that use appropriately certified individuals for pesticide application. No individual may disperse any type of pest control device without authority from the superintendent or designee. For the purposes of this policy, chemical pest management does not include the application of germ killers, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants.

The district will purchase pesticides in limited amounts calculated to meet the district's needs for no more than one (1) year. The school nurse will be provided a copy of the Material Safety Data Sheet (MSDS) for each pesticide used.

### **Complaint Resolution**

Complaints and concerns about the district's pest management program should be directed to the superintendent.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: Missouri Pesticide Use Act, §§ 281.040 - .115, RSMo.  
2 C.S.R. 70-25.010 - .120

Avilla R-XIII School District, Avilla, Missouri

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## **HAZARDOUS MATERIALS**

To promote the health and safety of the students, staff and patrons of the district, and to ensure the environment is reasonably protected from hazardous materials, the Board of Education of the Avilla R-XIII School District directs the administration under the guidance of the superintendent to develop procedures which address the purchase, storage, handling, transportation and disposal of hazardous materials for all school facilities and operations of the district. Emergency response actions and evacuation plans will also be coordinated with the procedures.

Hazardous materials shall be defined as any substance specifically designated as such by state or federal law, or any other substance or mixture of substances which may be explosive, ignitable, corrosive, reactive and/or toxic.

The procedures developed by the administration shall comply with all local, state and federal laws and regulations which pertain to the proper management of hazardous materials. The superintendent or designee is responsible for identifying any substances which may be hazardous, and ensuring such substances are properly disposed in a state-approved facility or landfill.

When necessary, the district shall contact the U.S. Environmental Protection Agency (EPA) and/or the Waste Management Program of the Missouri Department of Natural Resources in order to obtain relevant information regarding hazardous waste management.

District personnel will be encouraged to make less dangerous substitutions for hazardous substances to the extent possible and to minimize quantities of such substances generated by the school district. In addition, district employees shall follow the procedures developed by the administration and shall take the necessary precautions recommended by manufacturers' warnings when handling or transporting hazardous materials.

### **Asbestos**

The district shall survey and assess the exposure of friable asbestos in all buildings. This report shall be filed with appropriate state agencies, and will be available for public review in the superintendent's office. The district shall take all steps necessary to comply with the Asbestos Hazard Emergency Response Act, as described in regulations of the EPA.

### **Lead Contamination Inspection**

The district shall monitor the periodic collection of drinking water samples from all sources in the district by the Missouri Department of Health, and shall review the results

from the EPA-certified laboratory that performs the tests, when the results become available.

The Board shall assist the Department of Health in any way necessary to assure that any testing program mandated by law is completed within the time frame allowed, and will act immediately to secure funding for the repair of drinking water sources that do not meet federal standards, or for the disconnection of the sources. Pipes that contain lead soldering shall be repaired using a non-lead solder, and water coolers that are found to contain lead in the lining of their tanks will be repaired or replaced. The Board shall encourage continued periodic inspections of district drinking water sources constructed before 1987.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: " 640.120, 643.225 *et seq.*, RSMo.  
10 C.S.R. 10-6.240, 25-16.273, 60-15  
The Asbestos Hazard Emergency Response Act of 1986, 20 U.S.C. " 4011 *et seq.*  
Asbestos School Hazard Abatement Reauthorization Act, 15 U.S.C. " 2641 *et seq.*  
40 C.F.R. Part 763

Avilla R-XIII School District, Avilla, Missouri

## **SECTION F: FACILITIES DEVELOPMENT**

<b>FB</b>	Facilities Planning
<b>FC</b>	School Closings, Consolidations and Reorganizations
<b>FEB</b>	Selection of Architectural/Engineering and/or Land Surveying Services
<b>FEC</b>	Selection of Construction Management Services
<b>FEF</b>	Construction Contracts Bidding and Awards
<b>FF</b>	Facility Names
<b>FFA</b>	Memorials on Facilities and Grounds

### **FACILITY NAMES**

#### **New Facilities**

When any new facility is acquired or constructed, the Board will appoint a committee consisting of community members, students and staff to recommend appropriate names for the new facility. If possible, staff members who serve on the committee will include those slated to work in the new facility. The committee will recommend two (2) or three (3) possible names to the Board for consideration, and the names will be included in the minutes. Activities of the committee are governed by the Missouri Sunshine Law. The Board of Education will make the final decision on the name of any district facility.

The committee will give preference to names of local individuals and individuals who are associated with the intended use of the new facility. Special consideration will be given to those names that have special significance to students, staff or the community.

#### **Existing Facilities and Additions**

Once a building or facility has been named, that name will remain with the building or facility unless changed by the Board. Names will be changed using the same process outlined above. Names may be changed when a specific program or theme

the facility was named for changes, when the current name no longer supports the objectives of the facility, or due to additions or renovations to an existing facility.

### **Naming Rights**

The Board of Education may, when it is in the best interest of the district to do so, contract to sell or lease naming rights to any district-owned property to an entity or organization whose stated purpose is consistent with the educational mission of the district and whose activities are not contrary to that mission.

### **Plaques**

The Board may have plaques installed on new construction projects or renovations to existing facilities reflecting the name of the facility; the names of the Board members in office at the time the project was approved; the name of the superintendent serving at the time the project was approved; and the names of the architect, general contractor and others as determined by the Board. The plaque will also include the date the project was completed.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri

## MEMORIALS ON FACILITIES AND GROUNDS

The Avilla R-XIII School District Board of Education recognizes that the loss of a member of the school community is deeply felt, and that on occasion it may be desirable to remember a deceased individual by establishing a memorial. District facilities are designed to support learning, and the Board will not permit changes to facilities that interfere with that purpose or detract from the district=s educational mission. The following guidelines apply to requests for memorials in school facilities or on district grounds.

### Approval of Memorials

All memorials must be approved by the superintendent and building-level administration before being placed within a school building or on school grounds. To avoid unnecessary expense and possible disappointment, the district recommends that individuals refrain from purchasing any type of memorial until it is approved by the administration.

The administration will determine the location of all memorials on school grounds or in school facilities. While requests will be considered when possible, the administration must consider such issues as design parameters, whether the memorial blends with the school campus, ongoing and future maintenance, and the effect a memorial may have on students and staff.

### Memorial Options

*Planting (trees, shrubs, perennials, etc.) on school grounds* B The administration must approve the type and placement of any planting before it is placed. Such planting may be accompanied by a movable flat ground marker. The engraving on the marker must be limited to the memorialized individual's name, dates of birth and death, and the words, "donated in memory of" or "in memory of." The marker will be moved when necessary and may be permanently removed after ten (10) years and offered to the nearest relative.

*Benches, tables and other outdoor furnishings; sidewalks, stepping stones, statuary, etc.* B The Board will accept memorials of this type only to the extent that there is a suitable location and the style is complementary to the buildings and grounds. Each item may contain a plaque engraved with the memorialized individual's name, dates of birth and death, and the words, "donated in memory of" or "in memory of."

Other types of memorials are addressed in the district=s policy on acceptance of gifts. All items received as memorials become the property of the Avilla R-XIII



School District, and the district cannot guarantee that memorials that become damaged or worn will be replaced at district expense.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ECB, Building and Grounds Maintenance  
KH, Public Gifts to the Schools

Legal Refs: ' 162.790, RSMo.

Avilla R-XIII School District, Avilla, Missouri

**CONSTRUCTION CONTRACTS BIDDING AND AWARDS**  
*(Urban, Metropolitan and School Districts*  
*located totally or partially within St. Louis County)*

By an affirmative vote of not less than two-thirds of all the members, the Board may authorize the construction of libraries, schools, school offices, art galleries and museums and the necessary janitors' houses, repair buildings, supply houses and parking facilities to be used in the operation and maintenance of the school.

All facilities construction projects that exceed an expenditure of \$15,000 shall be advertised, and competitive bids solicited, according to state law, only after the plans and specifications have been approved by the Board of Education. In order to protect the Board of Education, each bidder may be required to submit, with his or her bid, a bidder's bond in an amount determined by the estimated cost of the project.

The construction contract shall be awarded to the lowest responsible bidder whose bid is in accordance with the Board-approved plans and specifications and who has provided the required security. However, the Board reserves the right to waive minor technical defects in a bid, or reject any or all bids, or any part of any bid. No bid for the construction, alteration or repair of any building shall be accepted if it does not conform to the Board-approved plans and specifications.

If the project is considered a public works project estimated to exceed \$25,000, the contractor will be required to furnish a performance bond in accordance with law. No contractor shall be required to submit a bond from a particular insurance or surety company. Lien waivers shall be provided by the contractor and his or her subcontractors and suppliers.

All pay requests by the contractor shall be approved by the architect prior to submission to the Board of Education for payment.

Bids specifications and/or contracts for all public works shall include the required provisions concerning prevailing wages pursuant to the rules of the Division of Labor Standards of the Missouri Department of Labor and Industrial Relations and will comply with state law.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
DJC, Bidding Requirements  
DJF, Purchasing  
DK, Payment Procedures

Legal Refs: §§ 34.057, .059, 67.150, 107.170, 177.073, .086, 290.210 - .340, .550 -  
.580, 432.070, .080, 493.010 - .140, RSMo.  
8 C.S.R. 30-3.010 - .060

Avilla R-XIII School District, Avilla, Missouri

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## CONSTRUCTION CONTRACTS BIDDING AND AWARDS

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Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
DJC, Bidding Requirements  
DJF, Purchasing

DK, Payment Procedures

Legal Refs: §§ 34.057, .059, 67.150, 107.170, 177.086, 290.210 - .340, .550 - .580,  
432.070, .080, 493.010 - .140, RSMo.  
8 C.S.R. 30-3.010 - .060

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## SELECTION OF CONSTRUCTION MANAGEMENT SERVICES

The Board may, at its discretion and in accordance with law, contract for construction management services when planning, designing, constructing, improving, altering or repairing a building or structure.

Construction management services are those as defined in state law. A construction manager@ is defined as any person providing construction management services.

### Selection

The Board will advertise and solicit proposals in the following manner:

1. Construction management services for projects expected to cost no more than \$500,000 will be selected in the same manner in which architects are selected, except the Board will consider all submitted proposals even if the submission was not solicited.
2. If the total anticipated cost of the project exceeds \$500,000, the Board will request and solicit proposals by advertising for ten (10) days in one (1) newspaper of general circulation in the county where the work is located.
3. If the anticipated project cost exceeds \$1,500,000, proposals will be solicited by advertising for ten (10) days in two (2) daily newspapers in the state that have a daily circulation of not less than 50,000, in addition to the advertisement in the newspaper in the county where the work will be done.
4. The Board will not prequalify construction managers nor limit the number of proposals accepted but will accept all proposals that are in accordance with the advertised terms.

Selection of a construction manager will be based on:

1. Fees for overhead and profit.
2. Reimbursable costs.
3. Qualifications.
4. Demonstration of ability to perform comparable projects.

5. Demonstration of good-faith efforts to comply with federal, state and local affirmative action requirements.
6. References from prior clients.
7. Financial strength.
8. Qualifications of the in-house personnel who will manage the project.
9. Demonstration of successful management systems used for estimating, scheduling and cost controls.

The Board may negotiate a contract for services with any construction manager selected. If the Board is unable to negotiate a contract at a fair and reasonable price, as determined by the Board, the Board may revise the proposal and advertise again.

The Board will not award the contract for construction management services if the construction manager or a firm that controls, is controlled by, or shares common ownership or control with the construction manager:

1. Guarantees, warrants or otherwise assumes financial responsibility for the work of others on the project.
2. Provides the public owner with a maximum price for the work of others on the project.
3. Furnishes or guarantees a performance or payment bond for other contractors on the project.

Upon being awarded a construction management contract, the construction manager will:

1. Furnish his or her skill and judgment in cooperation with and reliance on the project architect or engineer.
2. Furnish business administration, management of the construction process and other specified services in an expeditious and economical manner consistent with the best interests of the school district.
3. Perform basic services for reimbursement as provided in the construction services management contract.

## **Bids**

Actual construction work on the project will be awarded by competitive bids submitted to the school district in accordance with law. Successful bidders must satisfy the same legal

requirements as a contractor, including the obligation to provide payment and performance bonds to the district and meet the obligations pertaining to prevailing wage. In addition, all nonresident employers must meet the bonding and registration requirements of law.

The construction manager will not bid on or perform any of the actual construction on a project where he or she is serving as the construction manager nor will any company that controls, is controlled by or shares common ownership with the construction manager.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: " 8.675 - .687, 177.086, RSMo.

Avilla R-XIII School District, Avilla, Missouri



**SELECTION OF ARCHITECTURAL/ENGINEERING AND/OR  
LAND SURVEYING SERVICES**

The Board may select qualified firm(s) and negotiate contract(s) for architectural, engineering and land surveying services for the various building projects in the school district. Selection shall be made on the basis of demonstrated competence and qualifications for the types of services specified by the district at fair and reasonable prices.

In selecting such firm(s), the following criteria will be considered:

- < Training, specialized experience and technical competence, including that of partners and associates, demonstrated either with the district or elsewhere with respect to the type of services desired by the Board.
- < Planning ability, efficiency and promptness of the firm(s), including the capacity and capability of the firm(s) to perform the tasks requested, as well as any specialized services, within the time limitations established for the completion of the project.
- < Demonstrated educational specifications writing, to include accuracy and sufficiency of detail.
- < Inspection of job effectiveness, to include an analysis of the past record of performance of the firm(s) with respect to control of costs, quality of work, design, appearance, utility and the ability to meet time schedules.
- < Proximity to and familiarity with the geographical area in which the project shall be located.

When considering the need for architectural, engineering and/or land surveying services, the Board or designee shall prepare a written description of the services desired by the district. Interested firms may be requested to submit statements of their qualifications and performance data with respect to the above criteria and also to submit a fee schedule. The Board or designee shall analyze the data received and list the top three (3) qualified firms. The Board shall select the firm(s) considered best qualified and capable of performing the desired services and shall negotiate a contract. Should the Board be unable to negotiate a contract with the firm(s) first selected, the Board may negotiate a contract with another firm from the list, or may direct the superintendent to seek additional statements of qualifications from other firm(s) and then submit a new list of qualified firms.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 8.285 - .291, 327.091, .181, .272, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **SCHOOL CLOSINGS, CONSOLIDATIONS AND REORGANIZATIONS**

When considering the matter of permanently closing, consolidating or reorganizing schools within the district, it is the intent and desire of the Board of Education to provide students with high quality academic opportunities in a supportive educational atmosphere, ensure maintenance and enhancement of program options, and accommodate demographic demands and financial constraints.

The Board may permanently or temporarily close, consolidate or reorganize a school for any reason including, but not limited to:

1. Efficiency B Enrollment has declined or the space available at a school or schools in close proximity is not being used in the most efficient and cost-effective manner.
2. Physical condition of building B The physical condition of the school building makes continued operation of the site cost-prohibitive or continued occupancy of the site unsafe or impractical.
3. Alternative use of school facilities B The Board may close a school to use its facilities for other programmatic/educational purposes, for support services, to open a new school or to expand an existing school.
4. Change in educational focus B The Board may determine that a school closure, consolidation or reorganization is necessary to address the educational needs of students such as by implementing new curricula or instructional programs.

### **Process for School Closings, Consolidations and Reorganizations**

Before any facility is permanently closed, the Board will convene a hearing, or a series of hearings if appropriate, to elicit public comment regarding the proposed action. The superintendent or designee will develop procedures for the conduct of the public hearings. Before any school closing, consolidation or reorganization is proposed, the superintendent=s staff shall prepare an impact analysis setting forth:

1. Possible alternatives to the proposed action, including maintenance of the status quo.
2. The projected impact that each alternative would have on each school affected by such action.

3. Enrollment data for the current school year and three-year enrollment projections for all schools affected by the proposed action.

After approval by the Board, the superintendent shall be responsible for the orderly closing, consolidation or reorganization of the school.

### **Reassignment of Students from Closed, Consolidated or Reorganized Schools**

When a school is permanently closed, the students will be reassigned to a school or schools with available space that can meet their educational needs. If a school closing requires that the attendance boundaries of any school receiving students be redrawn, they shall be redrawn in a manner that facilitates equitable and appropriate reassignment. Physical proximity to the school will also be considered. Students may apply for enrollment at a school or schools other than the school to which they are reassigned in accordance with Board policy and subject to space availability and the admissions criteria of such school(s).

### **Reassignment of Employees Assigned to Closed, Consolidated or Reorganized Schools**

Teachers, administrators and other employees at schools permanently closed, consolidated or reorganized pursuant to this policy shall be reassigned by the superintendent in accordance with Board policy and law. If the closing, consolidation or reorganization requires the district to eliminate positions, those positions will be eliminated in accordance with Board policy and law.

### **Planning Commission Submission**

The district will submit any building closing proposal to the planning commission that has adopted a city plan pursuant to Missouri law. If the commission does not approve the district's proposal, the Board will meet to consider an override of the commission's decision.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DN, Surplus School property

GCI, Professional Staff Assignments and Transfers  
GCPA, Reduction in Professional Staff Work Force  
GDI, Support Staff Assignments and Transfers  
GDPD, Nonrenewal, Suspension and Termination of Support Staff Members  
JCB, Intradistrict Transfers

MSIP Refs: 8.10

Legal Refs: " 89.300 - .491, 168.124, 177.073, .091, RSMo.  
*School Dist. of Springfield R-12 v. City of Springfield*, 174 S.W.3d 653 (Mo. Ct.  
App. S.D. 2005)

Avilla R-XIII School District, Avilla, Missouri

## FACILITIES PLANNING

The Board of Education will make the necessary provisions to carry out the goals and objectives of the school district through careful facilities planning.

The Board shall periodically review the long-range school facilities plan. This review will provide guidance for capital outlay expenditures and will ensure that the school district has well-planned school buildings at proper locations when needed and at reasonable costs. The superintendent shall report to the Board annually the status of facilities needed, based on enrollment projections and other factors. Enrollment projections shall cover five (5) years and include current registration figures, community population trends, local birth rates and a review of proposed land development in the community, including residential construction rates.

The Board or superintendent will generally initiate facility planning; however, the Board and superintendent will consider suggestions from staff or patrons. Principals, staff and patrons shall be consulted during the planning stage through final layout. The superintendent will present a detailed summary of this consultation to the Board prior to the approval of any building plan. The summary will include recommendations based on activities that will take place in the building; organization of instruction and curriculum to be housed in the building; specific architectural characteristics desired; equipment required; the spatial relationship to other district facilities; and other pertinent factors. Building plans for new construction or major structural renovation will be designed in accordance with seismic design standards if required by law and will comply with access requirements for persons with disabilities as required by law.

The district may acquire real property necessary for facility improvement or expansion through eminent domain only in accordance with law. The district will provide for the relocation of any persons displaced by the acquisition of property through eminent domain as required by and in accordance with law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ECB, Building and Grounds Maintenance

Legal Refs: " 8.610 - .655, 319.200, 523.205, RSMo.  
Chapters 177, 523, RSMo.  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. ' 794  
Americans with Disabilities Act, 42 U.S.C. " 12101 – 12213

Avilla R-XIII School District, Avilla, Missouri

**SECTION G: PERSONNEL**

<b>GBB</b>	Staff Involvement in Decision Making
<b>GBCA</b>	Staff Conflict of Interest
<b>GBCB</b>	Staff Conduct
<b>GBE</b>	Staff Health and Safety
<b>GBEA</b>	Workers' Compensation
<b>GBEBA</b>	Drug-Free Workplace
<b>GBEBB</b>	Employee Alcohol and Drug Testing
<b>GBEBC</b>	Criminal Background Checks
<b>GBH</b>	Staff/Student Relations
<b>GBL</b>	Personnel Records
<b>GBM</b>	Staff Complaints and Grievances
<b>GCA</b>	Professional Staff Positions
<b>GCBA</b>	Professional Staff Salary Schedules
<b>GCBA-R</b>	Professional Staff Salary Schedules
<b>GCBC</b>	Professional Staff Fringe Benefits
<b>GCBDA</b>	Professional Staff Short-Term Leaves and Absences
<b>GCBDB</b>	Professional Staff Long-Term Leaves and Absences
<b>GCD</b>	Professional Staff Recruiting and Hiring
<b>GCE</b>	Part-Time and Substitute Professional Staff Employment



<b>GCG</b>	Professional Staff Probation and Tenure
<b>GCI</b>	Professional Staff Assignments and Transfers
<b>GCKA</b>	Professional Staff Extra Duty
<b>GCL</b>	Professional Staff Development Opportunities
<b>GCLB</b>	Professional Staff Career Ladder Program
<b>GCN</b>	Evaluation of Professional Staff
<b>GCPA</b>	Reduction in Professional Staff Work Force
<b>GCPB</b>	Resignation of Professional Staff Members
<b>GCPC</b>	Retirement of Professional Staff Members
<b>GCPD</b>	Suspension of Professional Staff Members
<b>GCPE</b>	Termination of Professional Staff Members
<b>GCPF</b>	Nonrenewal of Professional Staff Members
<b>GDBB</b>	Nonexempt Employee Supplementary Pay Plans
<b>GDBC</b>	Support Staff Fringe Benefits
<b>GDBDA</b>	Support Staff Leaves and Absences
<b>GDC</b>	Support Staff Recruiting and Hiring
<b>GDI</b>	Support Staff Assignments and Transfers
<b>GDL</b>	Support Staff Development Opportunities
<b>GDPB</b>	Resignation of Support Staff Members
<b>GDPC</b>	Retirement of Support Staff Members
<b>GDPD</b>	Nonrenewal, Suspension and Termination of Support Staff Members

**NONRENEWAL, SUSPENSION AND TERMINATION OF SUPPORT  
STAFF MEMBERS**

## **Employees without Contracts**

The superintendent may terminate or suspend with or without pay support staff members who are not under contract. The superintendent shall report any such termination or suspension to the Board of Education. The superintendent's decision will stand approved unless reversed by the Board.

Although support staff employees not employed under contract have no contractual right to continued employment from one academic term or year to the next, such employees may reasonably expect continued employment until notified otherwise.

Any employee who strip searches a student in violation of state law will be immediately suspended without pay as required by law and may be terminated.

## **Employees with Contracts**

### ***Nonrenewal***

Unless otherwise required by law, the district may nonrenew the contracts of support staff by notifying the employee prior to entering into a new contract with the employee that his or her contract will not be renewed.

### ***Suspension with Pay***

Support staff members under contract may be suspended by the superintendent with pay for violation of Board policies, state law, for any other good cause or to investigate allegations of misconduct. The employee will be notified of the basis for the suspension and given an opportunity to discuss or rebut the charges. Suspensions with pay will stand approved unless reversed by the Board.

### ***Suspension without Pay***

Support staff members employed under contract may be suspended without pay by the superintendent during the term of such contract for violation of the policies of the Board of Education, for violation of state law, or for any other good cause. Prior to the suspension, the employee shall be notified of the charges, given an opportunity to discuss the charges and informed of the opportunity to appeal the suspension to the Board of Education. In general, pay will not be withheld until the Board renders its decision, unless an appeal has been waived. If the employee appeals, the employee may still be suspended with pay in accordance with Board policy pending the appeal.

Any employee who strip searches a student in violation of state law will be immediately suspended without pay and may be terminated. Prior to suspension without pay, the staff member shall be notified of the charges, given an opportunity to discuss the charges and

informed of the opportunity to appeal the suspension to the Board of Education. If the Board reverses the suspension, the employee will be reimbursed for any pay withheld. Depending on the length and nature of the suspension, the employee may receive additional due process as required by law.

### ***Termination***

Support staff members employed under contract may be terminated during the term of such contract for violation of Board policies, violation of state law, or for any other good cause. Prior to the termination, the employee shall be notified in writing of the charges and the action to be taken, and shall be given an opportunity to discuss or rebut the charges.

Unless an employee's contract allows for termination for any reason at the end of a notice period, the employee may appeal the termination to the Board by filing a written notice of appeal with the superintendent within ten (10) days after receiving the notice of charges.

The employee will be suspended but will continue to be paid until the time for appeal has expired, and if an appeal is taken, until the Board renders its decision unless the law requires the suspension to be without pay. If no appeal is taken, or if the Board terminates the employee after a hearing, the employee's pay will be docked retroactively for any period of suspension.

### ***Termination Pursuant to Contract Terms***

If an employee's contract allows for termination for any reason at the end of a notice period and such notice is given, the employee's contract rights shall expire in accordance with the contract. Notice of termination from the superintendent shall be deemed to be notice from the Board of Education and shall be effective for such purpose when given, unless later reversed by the Board.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations  
JFCF, Hazing and Bullying  
JFG, Interrogations, Interviews and Searches

Legal Refs: § 167.166, RSMo.

U.S. Const., Amend. XIV

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**RETIREMENT OF SUPPORT STAFF MEMBERS**

Noncertificated support staff members are participants in the Public Education Employee Retirement System (PEERS) of the State of Missouri as allowed by law. A retired employee, as well as his or her dependents, surviving spouse and children, shall be allowed to remain or become members in non-insurance health benefit programs, self-funded plans and insured plans by qualifying for the coverage in the manner prescribed by law under the provisions of such plan and paying the premiums of said plans.

Persons engaged by the district as independent contractors, including consultants, are not by virtue of such engagement considered employees of the district for purposes of membership or contribution to the Public School Retirement System or PEERS.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: " 169.590, .600 - .712, RSMo.  
Age Discrimination in Employment Act, 29 U.S.C. " 621- 634

Avilla R-XIII School District, Avilla, Missouri

**RESIGNATION OF SUPPORT STAFF MEMBERS**

**Employees Not Under Contract**

Any support staff member who desires to resign must submit a written letter of resignation to his or her immediate supervisor. The letter should specify when the resignation is to be effective and should be submitted at least two (2) weeks prior to the effective date. A resignation is final upon submission and cannot be withdrawn unless authorized by the supervisor to whom it was submitted. The resignation need not be approved by the Board.

### **Employees Under Contract**

The employee must submit a written letter of resignation to his or her immediate supervisor. If the contract contains a notice period, the resignation is final upon submission and effective at the end of the notice period.

If the contract does not include a notice provision, the resignation is final upon submission and effective at the end of the contract period. Resignations for employees under contract require Board approval only if the employee wishes the resignation to be effective prior to the end of the contract period. The district may pursue all legal remedies available to address a breach of an employment contract. A resignation is final upon submission and cannot be withdrawn unless authorized by the supervisor to whom it was submitted.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri

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### **RESIGNATION OF SUPPORT STAFF MEMBERS (Employees Not Under Contract)**

Any support staff member who desires to resign must submit a written letter of resignation to his or her immediate supervisor. The letter should specify when the resignation is to be effective and should be submitted at least two (2) weeks prior to the effective date. A resignation is final upon submission and cannot be withdrawn unless authorized by the supervisor to whom it was submitted. The resignation need not be approved by the Board.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

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### **SUPPORT STAFF DEVELOPMENT OPPORTUNITIES**

Support staff employees are integral parts of the Avilla R-XIII School District's total staff, and training and development opportunities for support staff employees are essential to the efficient and economical operation of the schools. The Board further recognizes that support staff have a significant impact on student achievement and will provide professional development activities for support staff. The Board will develop a support staff professional development committee (SSPDC), and the district's professional development committee (PDC) will include representatives from noncertified positions. The district will conduct needs assessments that serve to identify the professional development needs of support staff employees.

Absences to attend meetings, conventions, conferences, or workshops of local, state or national associations that serve to advance the welfare of the district through the upgrading and strengthening of noninstructional service may be granted in accordance with the district's short-term leave policy.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri

## **SUPPORT STAFF ASSIGNMENTS AND TRANSFERS**

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. Transfer requests for the following school year must be submitted on or before March 1.

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.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations

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### **SUPPORT STAFF RECRUITING AND HIRING (Urban Districts)**

To provide a positive educational environment for students, the district must employ quality staff members. It is the responsibility of the superintendent or designee to determine the support staff personnel needs of the school district and to locate suitable support staff candidates. The superintendent will make recommendations for employment of contractual support staff members for the Board's approval. The Board will employ personnel in accordance with law.

The Board is responsible for the hiring, promotion, demotion or termination of all persons employed. However, the Board delegates to the superintendent the authority to make decisions on the hiring, promotion, demotion or termination of all non-contractual support staff employees.

The district's hiring procedures will comply with all federal and state laws, including laws prohibiting discrimination. The Avilla R-XIII School District is an equal opportunity employer. The district hires only citizens of the United States and persons who are legally authorized to work in the United States.

#### **Recruiting**

Efforts will be made to recruit the best-qualified candidate for the position. New or vacant positions will be posted for at least five (5) business days in the district's buildings and publicized externally by other means as determined appropriate by the superintendent or



designee. However, if the superintendent or designee determines that it would be detrimental to wait five (5) business days or that a longer period is necessary, the position will be advertised for as many days as is appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the position. A position is not considered vacant if the Board, superintendent or designee assigns an existing employee to the position.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current, qualified employee meeting the stated requirements may apply for positions in the district.

All requests for information concerning vacancies in the district shall be directed to the superintendent or designee. Persons interested in positions in the district must complete a formal application and provide all necessary information requested by the superintendent or designee. The superintendent or designee shall conduct interviews, review references and obtain other information as deemed necessary.

The superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy.

## Hiring

A position will be filled by the Board of Education only after receiving the recommendation of the superintendent or designee. All candidates will be selected on the basis of qualifications, training, experience and ability to fulfill the requirements of the position.

A spouse of a Board member will only be hired to fill any vacant or new position if the position has been advertised in accordance with this policy and if the superintendent has submitted a written recommendation supporting the employment of the spouse. If the spouse of a Board member is hired, the names of all applicants for that position as well as the name of the individual hired will be included in the appropriate Board minutes.

In accordance with law, the district will hire individuals receiving retirement benefits from the Missouri Public Education Employee Retirement System to work full time only if the district has determined that it has a shortage of noncertificated employees. The district may only hire retired employees under this program if it has:

- < Made a good-faith effort to fill positions with candidates who have not retired.
- < Not offered early retirement incentives for either of the previous two (2) years.
- < Posted the vacancy for at least one (1) month and solicited applications through local newspapers or other media.
- < Determined that there is an insufficient number of eligible applicants.
- < Declared a critical shortage of noncertificated employees that is active for one (1) year.

The total number of retired noncertificated employees hired under this section cannot exceed at any one (1) time the lesser of ten (10) percent of the total noncertificated staff in the district or five (5) noncertificated employees.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
BBFA, Board Member Conflict of Interest and Financial Disclosure

DD, Grants

Legal Refs: §§ 162.261, .511, 168.133, 213.010, .055, .070, 290.400, .410, RSMo.  
Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
Equal Pay Act, 29 U.S.C. § 206(d)  
Age Discrimination in Employment Act, 29 U.S.C. §§ 621 - 634  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Family and Medical Leave Act, 29 U.S.C. § 2615  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e - 2000e-17  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

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## **SUPPORT STAFF RECRUITING AND HIRING**

To provide a positive educational environment for students, the district must employ quality staff members. It is the responsibility of the superintendent or designee to determine the support staff personnel needs of the school district and to locate suitable support staff candidates. The superintendent will make recommendations for employment of support staff members for the Board's approval. The Board will employ personnel in accordance with law.

The district's hiring procedures will comply with all federal and state laws, including laws prohibiting discrimination. The Avilla R-XIII School District is an equal opportunity employer. The district hires only citizens of the United States and persons who are legally authorized to work in the United States.

### **Recruiting**

Efforts will be made to recruit the best-qualified candidate for the position. New or vacant positions will be posted for at least five (5) business days in the district's buildings and publicized externally by other means as determined appropriate by the superintendent or designee. However, if the superintendent or designee determines that it would be detrimental to wait five (5) business days or that a longer period is necessary, the position will be advertised for as many days as is appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the position. A position is not considered vacant if the Board, superintendent or designee assigns an existing employee to the position.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current, qualified employee meeting the stated requirements may apply for positions in the district.

All requests for information concerning vacancies in the district shall be directed to the superintendent or designee. Persons interested in positions in the district must complete a formal application and provide all necessary information requested by the superintendent or designee. The superintendent or designee shall conduct interviews, review references and obtain other information as deemed necessary.

The superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy.

### **Hiring**

A position will be filled by the Board of Education only after receiving the recommendation of the superintendent or designee. All candidates will be selected on the basis of qualifications, training, experience and ability to fulfill the requirements of the position.

A spouse of a Board member will only be hired to fill any vacant or new position if the position has been advertised in accordance with this policy and if the superintendent has submitted a written recommendation supporting the employment of the spouse. If the spouse of a Board member is hired, the names of all applicants for that position as well as the name of the individual hired will be included in the appropriate Board minutes.

In accordance with law, the district will hire individuals receiving retirement benefits from the Missouri Public Education Employee Retirement System to work full time only if the district has determined that it has a shortage of noncertificated employees. The district may only hire retired employees under this program if it has:

- < Made a good-faith effort to fill positions with candidates who have not retired.
- < Not offered early retirement incentives for either of the previous two (2) years.
- < Posted the vacancy for at least one (1) month and solicited applications through local newspapers or other media.
- < Determined that there is an insufficient number of eligible applicants.
- < Declared a critical shortage of noncertificated employees that is active for one (1) year.

The total number of retired noncertificated employees hired under this section cannot exceed at any one (1) time the lesser of ten (10) percent of the total noncertificated staff in the district or five (5) noncertificated employees.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
DD, Grants

Legal Refs: §§ 162.261, .301, 168.133, 213.010, .055, .070, 290.400, .410, RSMo.  
Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
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Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e - 2000e-17  
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Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

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GDC-C.1F

(9/05)

## **SUPPORT STAFF LEAVES AND ABSENCES**

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

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

1. Is for a reason not granted as paid or protected leave under Board policy.

2. Exceeds the number of days allotted by the Board for that particular leave.
3. Is for a reason authorized by Board policy but exceeds five (5) days a month, 20 days in a semester or 40 days per school year.

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

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

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

The following leaves with pay will be provided to full-time support staff employees. Part-time support staff employees will receive these leaves on a pro rata basis:

1. **Sick Leave** B Any support staff employees whose assignments call for 12 months of full-time employment will be entitled to \_\_\_ days of sick leave. Support staff employees whose assignments call for full-time employment only during the regular school term will be entitled to \_\_\_ days of sick leave. Unused sick leave will be cumulative to \_\_\_ sick leave days. An absence of over one (1) through four (4) hours shall be counted as a half-day of sick leave.

Absences may be charged against sick leave for the following reasons:

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

- c. Illness, injury or incapacity of other relatives, with permission granted by the superintendent.
- d. Pregnancy, childbirth and adoption leave in accordance with this policy.

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

2. **Personal Leave** B A maximum of \_\_\_\_ days will be available per school year. Unused personal leave days do not accumulate.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law requires no leave be charged to the employee.
- c. Wedding, graduation or funeral.
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on Saturday, Sunday or before or after school hours, including parent-teacher conferences.
- f. Leave under the FMLA.
- g. Leave connected with duty as a volunteer firefighter, member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, or Urban Search and Rescue Team.
- h. Leave for other purposes as approved by the building principal.

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

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

3. **Vacation B** All support staff employed on a 12-month basis will receive weeks of vacation per year. An employee must submit a written request for vacation to his or her supervisor and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the supervisor has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

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

4. **Bereavement Leave B** When a death occurs in an employee's immediate family, employees may take up to five (5) days off with pay to attend the funeral or make funeral arrangements. The district may require verification of the need for the leave. The Board defines "immediate family" to include spouse, parents, children, children's spouses, grandparents, grandchildren and siblings of an employee or employee's spouse, and any other family member residing with the employee. After the exhaustion of the five (5) days of bereavement leave, the employee may use personal leave.

Unless otherwise provided, the following leaves will be provided to full-time and part-time support staff employees.

1. **Holidays B** *[List paid holidays district recognizes.]* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. **Professional Leave B** Employees may be granted professional leave upon the approval of their immediate supervisor. Professional leave must be arranged well in advance and is not considered personal leave.
3. **Military Leave B** The Board shall grant military leave as required by law.
4. **Election Leave B** Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven (7) days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.
5. **Leave to Vote B** Employees who do not have three (3) successive hours free from work while the polls are open will be granted a leave period of three (3) hours for



the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.

6. **Jury Duty Leave B** An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.
7. **Leave for Court Subpoena B** If the subpoena is directly related to the employee's school duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.
8. **Firefighter Leave B** Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One and Urban Search and Rescue Team. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the building principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.
9. **Crime Victim Leave B** Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.

### **Pregnancy, Childbirth and Adoption Leave**

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at

least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA, as detailed in the following section. The district shall only apply up to six (6) weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to six (6) weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation leave or unpaid leave.

Pregnant employees who need more than six (6) weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

### **Family/Medical Leave**

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

#### ***Eligibility***

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

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

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

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

### ***Leave Protections***

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

### ***Leave Application***

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

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

FMLA leave may be taken intermittently as required for the health of the employee or family member or as reduced-schedule leave in hourly increments. If intermittent leave or leave taken on a reduced schedule equals more than 20 percent of instructional time, the district may require instructional employees who take such leave due to medical reasons to

take block leave or to find an alternative placement for the period of planned medical treatment. When an instructional employee on FMLA leave is scheduled to return close to the end of a school term, the district may elect to use a special rule to prolong the employee=s leave until the beginning of the next school term, thus extending the leave beyond the period where an FMLA-qualifying reason exists. In such an instance, the prolonged leave time is unpaid and is not charged against the employee=s annual FMLA entitlement. In cases where the special rules for instructional employees apply, the superintendent may apply those special rules or the general FMLA rules as best serves the interest of the district.

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

**Notice**

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

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

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: DLB, Salary Deductions

Legal Refs: " 105.270 - .271, 115.639, 168.122, 169.595, 320.200, .330 - .339,  
494.460, 595.036, .209, RSMo.

Fair Labor Standards Act, 29 U.S.C. " 201-219

Family and Medical Leave Act of 1993, 29 U.S.C. " 2611-2619

Title VII of the Civil Rights Act of 1964 as amended by the Pregnancy  
Discrimination Act, 42 U.S.C. ' 2000e(k)  
29 C.F.R. ' 1604.10  
*Willis v. School Dist. of Kansas City*, 606 S.W.2d 189 (Mo. Ct. App. 1980)  
*Stewart v. Board of Educ. of Ritenour*, 574 S.W.2d 471 (Mo. Ct. App. 1978)  
*Aubuchon v. Gasconade County R-1 Sch. Dist.*, 541 S.W.2d 322 (Mo. Ct. App.  
1976)

Avilla R-XIII School District, Avilla, Missouri

### **SUPPORT STAFF FRINGE BENEFITS**

The Board recognizes that fringe benefits are an integral part of the total compensation plan for support staff members. The Board of Education shall provide fringe benefits to all full-time support staff employees by offering participation in a group insurance plan. The contract for insurance will be submitted to competitive bidding at least every three (3) years. Any plan of group health insurance shall include a provision allowing persons who retire, or who have retired, to become members of the plan if they are eligible to receive benefits under the Public Education Employee Retirement System (PEERS), by paying premiums at the same rate as other members of the group, pursuant to the limitations set forth in ' 169.590, RSMo. In addition, the Board shall establish a premium-only cafeteria plan, as permitted under federal law, accessible by employees of the school district.

### **COBRA**

At the time of commencement of coverage under the plan, an employee shall be given his or her first notification of rights under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Further notification is contingent upon the occurrence of a qualifying event and, in applicable situations, notification to the district that a qualifying event has occurred, as required by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DJC, Bidding Requirements

Legal Refs: " 67.150, .210, 169.590, 376.453, RSMo.  
Internal Revenue Code, 26 U.S.C. ' 125  
Consolidated Omnibus Budget Reconciliation Act, 29 U.S.C. " 1161-1168

Avilla R-XIII School District, Avilla, Missouri

## **NONEXEMPT EMPLOYEE SUPPLEMENTARY PAY PLANS** *(District Does NOT Use Compensatory Time)*

### **Definitions**

1. *Hours Worked:* For purposes of this policy, hours worked means all hours during which the individual is required to be on duty -- generally from the required starting time to normal quitting time -- and all hours an employee is permitted to work. Meal periods and break periods of 20 minutes or longer do not count as hours worked unless the individual performs work during the meal period.
2. *Nonexempt Employees:* This includes all district employees not specifically identified as exempt under federal law. This generally includes noncertificated staff; however, in some circumstances noncertificated staff members may qualify for exempt status. The Board directs the superintendent to ensure that job positions are classified as exempt or nonexempt and that employees are made aware of these classifications. Employees in doubt about their status should contact their immediate supervisor.
3. *Exempt Employees:* Those employees whose duties and compensation meet the requirements to be an exempt executive, administrative, professional or computer employee as defined in federal law.

### **Overtime Compensation**

The following provisions apply to nonexempt staff who work more than 40 hours during any workweek:

1. Since the district does not use compensatory time, employees will be paid one and one-half (1½) times their regular rate of pay for each hour of overtime.

2. The Board discourages overtime work by nonexempt employees. A nonexempt employee shall not work overtime without the express approval of his or her supervisor. Nonexempt employees who begin work earlier or work later than their assigned hours without prior authorization from their immediate supervisor(s) are subject to discipline including termination.

Individuals covered by this policy are required to complete a daily time record showing actual hours worked. Failure to maintain or falsification of such records may be grounds for disciplinary action.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.*  
*Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 528 (1985)

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## **NONEXEMPT EMPLOYEE SUPPLEMENTARY PAY PLANS (District Uses Compensatory Time)**

### **Definitions**

1. *Hours Worked:* For purposes of this policy, hours worked means all hours during which the individual is required to be on duty -- generally from the required starting time to normal quitting time -- and all hours an employee is permitted to work. Meal periods and break periods of 20 minutes or longer do not count as hours worked unless the individual performs work during the meal period.
2. *Nonexempt Employees:* This includes all district employees not specifically identified as exempt under federal law. This generally includes noncertificated staff; however, in some circumstances noncertificated staff members may qualify for exempt status. The Board directs the superintendent to ensure that job positions

are classified as exempt or nonexempt and that employees are made aware of these classifications. Employees in doubt about their status should contact their immediate supervisor.

3. *Exempt Employees:* Those employees whose duties and compensation meet the requirements to be an exempt executive, administrative, professional or computer employee as defined in federal law.

### **Overtime Compensation**

The following provisions apply to nonexempt staff who work more than 40 hours during any workweek:

1. Unless the district and the employee have an agreement or understanding in advance that the employee will be given compensatory (comp) time off for overtime work, he or she will be paid one and one-half (1½) times his or her regular rate of pay for each hour of overtime.
2. The Board discourages overtime work by nonexempt employees. A nonexempt employee shall not work overtime without the express approval of his or her supervisor. Nonexempt employees who begin work earlier or work later than their assigned hours without prior authorization from their immediate supervisor are subject to discipline, including termination.

### **Compensatory Time**

The district uses comp time in lieu of overtime for the following classifications of employees:

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This policy constitutes an agreement or understanding in advance that these employees will be given comp time off for overtime work. Employees will be awarded such comp time off at the rate of one and one-half (1½) hours for each hour of overtime worked.

The following provisions apply to comp time:

1. Comp time may be accrued up to 240 hours (160 overtime hours). Overtime work beyond this maximum accrual will be monetarily compensated at the rate of one and one-half (1½) times the individual's regular rate of pay.
2. Every effort will be made to permit the use of comp time at a time mutually agreed upon by the individual and his or her supervisor. However, when the individual's absence would unduly disrupt the district's operations, the district retains the right to postpone comp time usage.



3. Upon leaving the district, individuals with unused comp time will be paid for any unused comp time at a rate not less than the higher of the average regular rate received by the employee during his or her last three (3) years of employment or his or her final regular rate of pay. (If overtime hours have not been converted to comp time, the employee will be paid one and one half[1½] times his or her final regular pay rate for each such hour of overtime.)

Individuals covered by this policy are required to complete a daily time record showing actual hours worked. Failure to maintain or falsification of such records may be grounds for disciplinary action.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Legal Refs: Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.*  
*Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 528 (1985)

Avilla R-XIII School District, Avilla, Missouri

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## NONRENEWAL OF PROFESSIONAL STAFF MEMBERS

### Probationary Teachers

On or before April 15 of each school year, the Board of Education shall notify in writing a probationary teacher who will not be retained by the school district of the nonrenewal of his or her contract. If the teacher was nonrenewed due to a decrease in student enrollment, school district reorganization or the financial condition of the school district, the written notice will include the reason for nonrenewal. Otherwise, upon request, the district will provide a concise written statement of the reason or reasons the contract was not renewed.

### Certificated Administrative Staff Ineligible for Tenure

On or before April 15 of the year in which a contract expires, the Board of Education shall notify in writing an administrator ineligible for tenure (other than the superintendent) concerning his or her re-employment. Any motion regarding re-employment of such certificated employee shall include only one (1) person and shall be made in the positive. A majority of the elected members voting in the affirmative shall constitute re-employment.

Nonrenewed administrators who have tenure as a teacher in the district will be offered a teaching position in accordance with law and must provide written notice to the district by June 1 if they do not intend to accept the position.

If an administrator is nonrenewed or demoted, and if the employee has been re-employed five (5) times by the district, the employee may, within ten (10) days following receipt of notice, request a written statement of reasons. The statement shall be provided within ten (10) days of receipt of the request. The employee shall be granted a hearing, if requested in writing within ten (10) days after receipt of the statement of reasons. The hearing shall be held within ten (10) days of the receipt of the request, and shall be open at the employee's request. The employee may have counsel, testify, offer evidence and cross-examine witnesses. After the hearing, no further action by the Board shall be required.

### **Noncertificated Professional Staff**

Unless otherwise required by law, the district may nonrenew the contracts of noncertificated professional staff members by notifying the employee prior to entering into a new contract with the employee that his or her contract will not be renewed.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDDF, Voting Method

Legal Refs: §§ 168.101, .126, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## TERMINATION OF PROFESSIONAL STAFF MEMBERS

### **Noncertificated Personnel**

#### *Employees with Contracts*

Employees with contracts will be terminated after due process in accordance with the contract and law.

#### *Employees without Contracts*

The superintendent may terminate employees who are not under contract. The superintendent shall report any such termination or suspension to the Board of Education, and the decision will stand approved unless reversed by the Board.

### **Certificated Personnel**

Termination of certificated personnel shall be done in accordance with the provisions of the Teacher Tenure Act of Missouri or other applicable law. In addition to termination, the district reserves the right to file and prosecute charges with the State Board of Education for the revocation of a teaching certificate, pursuant to state law. The district may also petition the office of the Attorney General to file charges with the State Board of Education on behalf of the school district for any cause other than annulment of contract.

The superintendent or designee shall immediately provide written notice to the State Board of Education and the Attorney General upon learning that a certificated employee has pled guilty or was found guilty of any offense that would authorize the State Board to seek discipline or revoke a teaching certificate.

#### *Tenured Teachers*

- I. Method
  - A. A tenured teacher shall not be terminated by the Board of Education of a school district except for one (1) or more of the following causes:
    1. Physical or mental condition unfitting him or her to instruct or associate with children.
    2. Immoral conduct.
    3. Incompetency, inefficiency or insubordination in the line of duty.

4. Willful or persistent violation or failure to obey the school laws of the state or the published regulations of the Board of Education of the school district employing him or her.
  5. Excessive or unreasonable absence from performance of duties.
  6. Conviction of a felony or crime involving moral turpitude.
- B. In determining the professional competency or efficiency of a tenured teacher, consideration should be given to regular and special evaluation reports prepared in accordance with district policy and to any written standards of performance adopted by the Board.
- C. A tenured teacher's contract may not be terminated by the Board of Education until after service upon the teacher of written charges specifying with particularity the grounds alleged to exist for termination of such contract, notice of a hearing on charges and, if requested by the teacher, a hearing by the Board of Education.
- D. If the charges are for incompetency, inefficiency or insubordination, at least 30 days before service of the notice of charges, the superintendent will give the teacher a warning in writing stating specifically the causes which, if not removed, may result in charges. Thereafter, the superintendent or designee and the teacher shall meet in an effort to resolve the matter. Thirty days' notice is not necessary for termination for charges other than incompetency, inefficiency and insubordination.
- E. Notice of a hearing upon charges, together with a copy of charges, shall be served on the tenured teacher at least 20 days prior to the date of the hearing. The notice and copy of charges may be served upon the teacher by certified mail with personal delivery, addressed to the employee at his or her last known address. If the teacher or the teacher's agent does not within ten (10) days after receipt of the notice request a hearing on the charges, the Board may, by a majority vote, order the contract of the teacher terminated. If a hearing is requested by either the teacher or the Board of Education, it shall take place not less than 20 or more than 30 days after notice of the hearing has been furnished to the tenured teacher.
- F. On the filing of charges in accordance with this section, the Board may suspend the teacher from active performance of duty until a decision is rendered by the Board, but the teacher's salary shall be continued during such suspension unless the law requires the suspension to be without pay. If a decision to terminate a teacher's employment is appealed and the decision is reversed, the teacher shall be paid his or her salary lost while the appeal was pending.

## II. Termination Hearing

If a hearing is requested on the termination of a tenured contract or is otherwise used for the termination of a professional staff member under this policy, it shall be conducted by the Board of Education in accordance with the following provisions:

- A. The hearing shall be public.
- B. Both the teacher and the person filing charges may be represented by counsel who may cross-examine witnesses.
- C. Testimony at hearings shall be on oath or affirmation administered by the president of the Board of Education who shall have the authority to administer oaths in accordance with law.
- D. The Board shall have the power to subpoena witnesses and documentary evidence as provided in § 536.077, RSMo., and shall do so on its own motion or at the request of the teacher against whom charges have been made. The Board shall hear testimony of all witnesses named by the teacher. However, the Board may limit the number of witnesses to be subpoenaed on behalf of the teacher to not more than ten (10).
- E. The Board of Education shall employ a stenographer who shall make a full record of the proceedings of the hearings and who shall, within ten (10) days after the conclusion thereof, furnish the Board of Education and the teacher, at no cost to the teacher, a copy of the transcript of the record, which shall be certified by the stenographer to be complete and correct. The transcript shall not be open to public inspection unless the hearing on the termination of the contract was an open hearing or if an appeal from the decision of the Board is taken by the teacher.
- F. All costs of the hearing shall be paid by the Board except the cost of counsel for the teacher.
- G. The decision of the Board of Education resulting in the demotion of a tenured teacher or the termination of a tenured contract shall be by a majority vote of the members of the Board of Education, and the decision shall be made within seven (7) days after the transcript is furnished them. A written copy of the decision shall be furnished to the teacher within three (3) days thereafter.

## III. Appeal

- A. The teacher may appeal the decision of the Board of Education to the circuit court of the county where the district is located. The appeal shall be taken within 15 days after service of a copy of the decision of the Board of Education upon the teacher, and if an appeal is not taken within that time, then the decision of the Board of Education shall become final.
- B. The appeal may be taken by filing notice of appeal with the Board of Education, whereupon the Board of Education, under its certificate, shall forward to the court all documents and papers on file in the matter, together with a transcript of the evidence, the findings and the decision of the Board of Education, which shall thereupon become the record of the cause. Such appeal shall be heard as provided in Chapter 536, RSMo.

### ***Probationary Teachers***

A probationary teacher may be terminated during the course of a contract for good cause including, but not limited to, the reasons for terminating a tenured teacher.

If in the opinion of the Board of Education any probationary teacher has been doing unsatisfactory work, the Board of Education, through its authorized administrative representative, shall provide the teacher with a written statement definitely setting forth his or her alleged incompetency and specifying the nature thereof in order to furnish the teacher an opportunity to correct his or her fault and overcome the incompetency. If improvement satisfactory to the Board of Education has not been made within 90 days of receipt of the notification, the Board of Education may terminate the employment of the probationary teacher immediately. Termination on other grounds may progress immediately.

Any motion to terminate the employment of a probationary teacher shall include only one (1) person and must be approved by a majority of the members of the Board of Education. A tie vote thereon constitutes termination. A probationary teacher will receive due process as required by law prior to termination. The district may utilize the process for dismissal of tenured teachers.

### ***Certificated Administrative Staff Ineligible for Tenure***

Certificated employees ineligible for tenure (other than the superintendent) in their present positions, such as principals and assistant principals, may be terminated during the course of a contract for good cause including, but not limited to, the reasons for terminating instructional personnel. No improvement period is required prior to the notice of charges. If an administrator other than the superintendent is also a tenured teacher, the district will provide the terminated administrator a teaching position if a position is available in accordance with law, unless the teaching contract has also been terminated. An administrator will receive due process prior to termination as required by law. The district may utilize the process for dismissal of tenured teachers.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JFCF, Hazing and Bullying

Legal Refs: §§ 168.101, .114, .116, .118, .120, .126, RSMo.

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## **SUSPENSION OF PROFESSIONAL STAFF MEMBERS**

The Board delegates to the superintendent the authority to suspend any staff member for violation of Board policies, for violation of state law, for any other good cause or to investigate allegations of misconduct in accordance with this policy and law. Action shall be taken when, in the judgment of the superintendent, the best interests of the school will be served by immediate suspension.

### **Employees without Contracts**

The superintendent may suspend with or without pay professional staff members who are not under contract. Any employee who strip searches a student in violation of law will be immediately suspended without pay and may be terminated. The superintendent shall report any such suspension to the Board of Education. The superintendent's decision will stand approved unless reversed by the Board.

### **Employees with Contracts**

Employees with contracts may be suspended with pay in accordance with law.

Employees with contracts may be suspended without pay only after appropriate due process. Prior to suspension without pay during the term of a contract, a professional staff member shall be notified of the charges, given an opportunity to discuss the charges and informed of the opportunity to appeal the suspension to the Board of Education. The employee must request an appeal within ten (10) days of notice of suspension without pay. If the employee appeals, the employee may also be suspended with pay pending the appeal. In general, pay will not be withheld until the Board renders its decision, unless an appeal has been waived.

Pursuant to state law, any employee who strip searches a student in violation of law will be immediately suspended without pay and may be terminated. Prior to the suspension without pay, the professional staff member shall be notified of the charges, given an opportunity to discuss the charges and informed of the opportunity to appeal the suspension to the Board of Education. If the Board reverses the suspension, the employee will be reimbursed for any pay withheld. Depending on the length and nature of the suspension, the employee may receive additional due process as required by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JFCF, Hazing and Bullying  
JFG, Interrogations, Interviews and Searches

Legal Refs: §§ 167.166, 168.071, .101 - .126, RSMo.

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## **RETIREMENT OF PROFESSIONAL STAFF MEMBERS**

Professional staff members shall be participants in the Public School Retirement System (PSRS) of the State of Missouri or in the Public Education Employee Retirement System (PEERS) as



allowed by law. A retired employee, as well as his or her dependents, surviving spouse and children, shall be allowed to remain or become members in non-insurance health benefit programs, self-funded plans and insured plans by qualifying for the coverage in the manner prescribed by law under the provisions of such plan and paying the premiums of said plans.

Persons engaged by the district as independent contractors, including consultants, are not by virtue of such engagement considered employees of the district for purposes of membership or contribution to PSRS or PEERS.

Any person retired and currently receiving a retirement allowance other than for disability may be employed in any capacity on either a part-time or temporary-substitute basis not to exceed a total of 550 hours in any one (1) school year, and through such employment, may earn up to 50 percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance.

If the position in question is not subject to the district's salary schedule, a retiree employed may earn up to 50 percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules of the board of trustees of the retirement system; provided that, it shall not exceed 50 percent of the annual compensation payable for the position in the school district that is most comparable to the position filled by the retiree.

In any case where a retiree fills more than one (1) position during the school year, the 50 percent limit on permitted earnings shall be based on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to PEERS because of earnings during such period of employment. If such a person is employed in any capacity by such a district on a regular, full-time basis, he or she shall not be eligible to receive his or her retirement allowance for any month during which he or she is so employed and shall contribute to the retirement system.

Any person retired and currently receiving a retirement allowance from either PSRS or PEERS, other than for disability, who elects to return to work in an employment capacity covered by either of the aforementioned retirement systems, shall undertake such service under a new membership in the applicable system.

Contributions shall be made to the retirement system for any covered employment under the new membership at the same time and in the same manner as contributions are made for covered employment generally.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: " 169.010 - .130, .270 - .400, .560 - .596, .600 - .712, RSMo.  
Age Discrimination in Employment Act, 29 U.S.C. " 621- 634

Avilla R-XIII School District, Avilla, Missouri

### **RESIGNATION OF PROFESSIONAL STAFF MEMBERS**

The district encourages teachers to notify the superintendent as soon as the teacher decides not to return or not to accept another contract with the district. Resignations become effective at the end of the school year in which they are submitted unless the district is notified otherwise.

A tenured teacher has a binding contract with the district for the next school year if the teacher does not notify the district of his or her resignation in writing by June 1, or at the time a new contract is executed with the district if executed prior to June 1. A probationary teacher has a binding contract with the district once the teacher and the Board have executed a contract.

Once under contract, only the Board has the authority to release the teacher from a contract. The Board considers serious illness, transfer of spouse and military service legitimate reasons for resignation of professional staff. However, the Board will consider each resignation on an individual basis. A teacher will not be released from a contract unless a suitable replacement is found.

The Board reserves the right to pursue all available legal remedies when an employee breaks a contract with the district including, but not limited to, filing charges to have a teacher's certificate revoked or seeking a monetary judgment.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: GCB, Professional Staff Contracts and Compensation Plans

Legal Refs: §§ 168.101 - .130, RSMo.

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### **REDUCTION IN PROFESSIONAL STAFF WORK FORCE (Instructional Personnel)**

The Board of Education may place as many teachers on unrequested leave of absence as may be necessary due to a decrease in student enrollment, school district reorganization or the financial condition of the school district. The Board of Education shall be the sole judge that one or more of the above conditions exist.

If it becomes necessary to reduce the number of certificated, professional staff members in the district through unrequested leaves of absence, the following philosophy will govern the reduction:

*Because the school district exists for the students, and the main obligation of the Board of Education is to provide an education for the district's students, and not to provide employment, the Board will, through procedures carried out by the administration, determine which employees can best serve the needs of the students.*

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations

Legal Refs: § 168.124, RSMo,  
Mo. Atty. Gen. Op., 101 - 83  
*Fast v. School District of Ladue, et. al.*, 728 F.2d 1030 (8th Cir. 1984)

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### **EVALUATION OF PROFESSIONAL STAFF**

To assure high quality professional staff performance, and to advance the instructional programs of the Avilla R-XIII School District, the Board will require a program of comprehensive, performance-based evaluations for each professional staff member it employs. The evaluation shall be ongoing and of sufficient specificity and frequency to provide for demonstrated standards of competency and academic ability.

The primary purpose of a performance-based evaluation is to facilitate and improve instruction that enhances student learning. An effective evaluation system should identify areas of teaching/administrative strength and weakness and provide direction for maintaining and improving teacher/administrator skills through professional staff development activities. The secondary purpose is to determine whether performance meets the degree of competency required for continued employment and/or tenure.

Probationary teachers are expected to perform at the expectation level on all criteria on the district's performance-based evaluation instrument. Failure to maintain this level of performance is a ground for non-renewal.

The procedures and instruments for professional staff evaluation will be developed by the administration, in consultation with the district's professional staff, and will be approved by the Board. One copy of the completed evaluation form shall be given to the staff member concerned, one copy filed in the employee's personnel file at the office of the Board of Education and one copy retained by the appropriate administrator/evaluator.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GBL, Personnel Records

Legal Refs: §§ 168.128, .410, RSMo.

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### **PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES**

The Board of Education of the Avilla R-XIII School District recognizes the relationship between high-quality professional development and student achievement and therefore commits to a high-quality professional staff development program. The program will be aligned with the current Comprehensive School Improvement Plan (CSIP) and based on available student achievement data and the results of needs assessment at the school and district level.

In support of this commitment the Board will:

1. Establish a Professional Development Committee (PDC) that will create and implement a Professional Development Plan (PDP) based on the district's CSIP. The PDP must be approved by the Board prior to implementation.
2. Allocate adequate funding for high-quality professional development activities as defined by law.
3. Provide leave and dismissal time for approved professional growth activities and reimbursement for expenses related to conferences and visitations.
4. Provide opportunities for increased compensation or advancement on the salary schedule with additional education or training in accordance with Board policies and procedures.
5. Provide opportunities for collective participation by staff members in the same school community, subject area, grade level or department.

#### **Professional Development for Teachers**

The professional development program for teachers will:

1. Be sustained over time.
2. Focus on specific content areas or instructional practices.
3. Support the collective learning of teachers.
4. Align with district, school and teacher goals.
5. Be infused with active learning and provide teachers the opportunity to practice and apply new knowledge.

Professional development for teachers will include a beginning teacher assistance program and a mentoring program that meets or exceeds the standards established by the Department of Elementary and Secondary Education (DESE).

### **Professional Development for Administrators**

Professional development activities will be provided for superintendents, principals and other district personnel charged with administrative functions. As with professional development for teachers, professional development for administrators will be available on an individual basis and as part of a collective group.

Professional development for administrators will align with Interstate School Leaders Licensure Consortium (ISLLC) standards and focus on support of classroom instruction.

Administrators will participate in the Mentoring Program for Administrators (MPA) supported by the Missouri Partnership for Mentoring School Leaders.

### **Program Evaluation**

The PDC will conduct an annual evaluation of the professional development program to determine whether professional development is aligned with the district's CSIP and identified instructional strategies. To the extent possible, the evaluation will determine the effect of the professional development program on student achievement as measured by assessments of student mastery of grade-level expectations.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this***

***section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

MSIP Refs: 6.1.2, 6.2.2, 6.4.3, 6.7

Legal Refs: " 160.530, 163.021.4, 168.400, RSMo.  
5 C.S.R. 80-850.045

Avilla R-XIII School District, Avilla, Missouri

### **PROFESSIONAL STAFF CAREER LADDER PROGRAM**

The Avilla R-XIII School District will participate in a voluntary Career Ladder Program for its professional staff. Information concerning the Career Ladder plan is available upon request in the district's central office.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GCL, Professional Staff Development Opportunities

Legal Refs: §§ 168.500 - .515, RSMo.

Avilla R-XIII School District, Avilla, Missouri

### PROFESSIONAL STAFF EXTRA DUTY

Professional staff members will be expected to assume reasonable duties over and above their regular teaching responsibilities. Activities and services that make minor demands on the teacher's time shall be part of each teacher's basic assignment. Teachers shall take turns selling tickets to extracurricular events, and shall supervise students at those activities, when assigned by the principal. Schedules of supervision, sponsorships and activities will be assembled by the building principals. Administrators will strive to equalize those duties among teachers.

Extra duty assignments which make *major* demands on a teacher's time shall be compensated in accordance with an extra-duty allowance salary schedule established annually by the Board. Extra duties shall be defined as those duties and responsibilities in conjunction with but not a part of the regular teaching assignment, but considered as a part of the teaching act. These duties are not considered subject to the provisions of the Teacher Tenure Act. Faculty members to be appointed to extra-duty positions will be recommended by the superintendent and approved by the Board. Appointees will be issued a contract for the terms of their extra-duty employment stating the particular assignment, its duration and the compensation to be paid. Professional staff members will be paid stipends that are commensurate with the demands of their specific extra-duty assignments. Most stipends will be paid on an annual or seasonal basis, although certain assignments not related to the teaching act, performed at irregular or infrequent intervals, may be paid at an hourly rate.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GCBA, Professional Staff Salary Schedules

Legal Refs: Fair Labor Standards Act  
*Garcia v. San Antonio Metropolitan Transit Authority*, Nos. 82-1913, 82-1915,  
15LW4135

Avilla R-XIII School District, Avilla, Missouri



## **PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS**

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 professional staffing needs of the district annually and to assign professional 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 staff members to different positions or buildings at any time, including after a contract has been signed or in the middle of the school year.

### **Transfers**

Professional staff may request a transfer to a different position or building by submitting the appropriate form to the superintendent or designee. Transfer requests for the following school year must be submitted on or before March 1.

Transfers in the middle of the year are discouraged and will be considered only in extraordinary circumstances. Professional 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.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations

Avilla R-XIII School District, Avilla, Missouri

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## PROFESSIONAL STAFF PROBATION AND TENURE

The superintendent shall recommend employment for the professional staff, maintain personnel records, administer leaves, evaluate performance, keep the Board apprised of the performance of district employees and take action when necessary to discipline or terminate employees. If a question exists as to when a teacher will earn tenure or whether an employee is tenured, the superintendent or designee is authorized to contact the district's attorney for advice.

### Definitions

The following definitions shall apply in the administration of district policies and are intended to merely summarize the legal definitions under Missouri law. If for any reason the following definitions contradict Missouri law, the legal definitions will control in the application of district policy.

*Teacher* -- Any employee of a school district regularly required to be certified under laws relating to the certification of teachers, except superintendents, assistant superintendents and any other persons regularly performing supervisory functions as their primary duty, but including certified teachers who teach at the pre-kindergarten level within a pre-kindergarten program in which no fees are charged to parents or guardians.

*Permanent or Tenured Teacher* -- A teacher who meets the definition of a "permanent" teacher in the Missouri Teacher Tenure Act, including:

- ◁ Teachers who have been employed as a teacher in the district for five (5) successive years and who continue to be employed by the school district.

- < Teachers who have been employed in any other school system as a teacher for two (2) or more years, who have been employed as a teacher in the district for four (4) successive years and who continue to be employed by the school district.
- < Teachers who were tenured in the district, resigned or were permanently separated from employment by the district, and were re-employed by the district. Once re-employed, the first school year is probationary. However, if the employee is employed for the succeeding year, the employment constitutes a permanent (tenured) contract.
- < Any permanent or tenured teacher who is promoted with his or her consent to a supervisory position, including a principal or assistant principal, or who is first employed by a district as a principal or assistant principal, shall not have permanent status in such position, but shall retain tenure in the position previously held within the district, or, after serving two (2) years as principal or assistant principal, shall have tenure as a permanent or tenured teacher of that system.
- < Any teacher employed under a part-time contract by the district shall accrue credit toward permanent or tenured status as described above on a prorated basis.

*Probationary Teacher* -- Any teacher as herein defined who is not classified as a "permanent" or "tenured" teacher by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 168.101 - .130, RSMo.

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## **PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT**

### **Part-Time Teachers**

Part-time teachers shall meet the qualifications required of full-time teachers in the district, as well as the requirements for teachers under state law and/or state regulations. Part-time teachers must satisfactorily complete the same background checks and screenings required of full-time teachers by the district.

The contracts of all professional staff employed on a regular part-time basis must explicitly state the percentage of full-time employment (FTE) that the employee is contracted to work so that the district may accurately calculate the accumulation of tenure.

### **Job Sharing**

The district may employ classroom teachers through a job-sharing arrangement. Classroom teachers in a job-sharing position shall receive paid legal holidays and paid leave applicable to all classroom teachers on a pro-rata basis.

A job-sharing position shall mean any position requiring employment of at least 17 and no more than 20 hours per week on a regular basis, requiring at least 70 percent of time spent in classroom instruction and that is shared with one (1) other employee.

### **Previously Retired Teachers**

Any person retired and currently receiving a retirement allowance other than for disability under the Missouri Public School Retirement System may be employed in any capacity on either a part-time or temporary/substitute basis not to exceed a total of 550 hours in any one (1) school year and, through such employment, may earn up to 50 percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance.

If the position in question is not subject to the district's salary schedule, an employed retiree may earn up to 50 percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules of the Board of Trustees of the retirement system provided that it shall not exceed 50 percent of the annual compensation payable for the position in the school district that is most comparable to the position filled by the retiree.

In any case where a retiree fills more than one (1) position during the school year, the 50 percent limit on permitted earnings shall be based on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the Public Education Employee Retirement System because of earnings during such period of employment.

A retired teacher may be employed for more than 550 hours, but this will result in a new retirement account being established pursuant to law, and he or she shall not be eligible to receive his or her retirement allowance for any month during which he or she is so employed.

### **Substitute Teachers**

All substitute teachers must be certified by the Department of Elementary and Secondary Education (DESE) through an application submitted by the school district seeking to employ the person as a substitute. All applications to serve as a substitute teacher for the district and applications for a Substitute Certificate of License to Teach from DESE must be processed through the superintendent's office. The superintendent will present a current list of substitute teachers to the Board for approval at each regular meeting. Substitute teachers must satisfactorily complete the same background checks and screenings required of full-time teachers by the district.

\* \* \* \* \*

*Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted:

Revised:

Legal Refs: " 162.301, 168.101 - .130, .303, 169.560, RSMo.  
5 C.S.R. 80-800.290

Avilla R-XIII School District, Avilla, Missouri

### **PROFESSIONAL STAFF RECRUITING AND HIRING (Urban Districts)**

Because an effective educational program requires quality staff members, the Board and the administration of the Avilla R-XIII School District will make every effort possible to attract and retain the best-qualified personnel. The Board of Education will employ personnel in accordance with law.

The Board is responsible for the hiring, promotion, demotion or termination of all persons employed. However, the Board delegates to the superintendent the authority to make the

final decisions on the hiring, promotion, demotion or termination of all non-contractual professional employees and the re-employment of all probationary teachers.

All employment contracts other than those for the re-employment of teachers must be approved by the Board. The superintendent or designee shall make recommendations on employment actions.

The district's hiring procedures will comply with all federal and state laws, including laws prohibiting discrimination. The district is an equal opportunity employer. The district hires only citizens of the United States and persons who are legally authorized to work in the United States.

### **Recruiting**

Efforts will be made to recruit the best-qualified candidate for the position. New or vacant positions will be posted for at least five (5) business days in the district's buildings and publicized externally by other means as determined appropriate by the superintendent or designee. However, if the superintendent or designee determines that it would be detrimental to wait five (5) business days or that a longer period is necessary, the position will be advertised for as many days as is appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the position. A position is not considered vacant if the Board, superintendent or designee assigns an existing employee to the position.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current, qualified employee meeting the stated requirements may apply for positions in the district.

All requests for information concerning professional staff vacancies in the district shall be directed to the superintendent or designee. Persons interested in positions in the district must complete a formal application and provide all necessary information requested by the superintendent or designee. The superintendent or designee shall conduct interviews, review references and obtain other information as deemed necessary.

The superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy.

### **Hiring**

A position other than the superintendent's position will be filled by the Board of Education only after receiving the recommendation of the superintendent or designee. It is the policy of the Board of Education to employ highly qualified teachers with the appropriate teaching certificates. In making recommendations, the superintendent or designee shall give first consideration to applicants who, in addition to proper general education qualifications,

have special training and other qualifications for the particular type of vacancy to be filled. If a candidate is not acceptable to the Board, the superintendent or designee should recommend another candidate.

All applicants will be promptly notified once a decision has been made on the position. As required by law, nontenured professional staff will receive written notice on or before April 15 if they will not be re-employed for the following school year. Principals, assistant principals and other certificated employees in positions ineligible for tenure, except the superintendent, shall be notified in writing concerning re-employment on or before April 15 of the year in which the current contract expires.

A spouse of a Board member will only be hired to fill a vacant or new position if the position has been advertised in accordance with this policy and if the superintendent has submitted a written recommendation supporting the employment of the spouse. If the spouse of a Board member is hired, the names of all applicants for that position as well as the name of the individual hired will be included in the appropriate Board minutes.

If the district determines that it has a shortage of certificated teachers, the district may hire retired certificated teachers receiving retirement benefits from the Missouri Public School Retirement System to teach full time for up to two (2) years without loss of benefits to the teacher, if the district meets the requirements set by state law. The district may only hire retired teachers under this program if it has:

- < Made a good-faith effort to fill positions with candidates who have not retired.
- < Not offered early retirement incentives for either of the previous two (2) years.
- < Posted the vacancy for at least one (1) month and solicited applications through local newspapers, other media or teacher education programs.
- < Determined that there is an insufficient number of eligible applicants.
- < Declared a critical shortage of certificated teachers that is active for one (1) year.

The total number of retired teachers hired under this section cannot exceed at any one (1) time the lesser of ten (10) percent of the total teacher staff in the district or five (5) certificated teachers. This provision does not apply to a retired certificated teacher employed as a superintendent.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
DD, Grants

Legal Refs: §§ 162.261, .511, 168.101 - .133, 169.331, .596, 213.010, .055, .070, 290.400,  
.410, RSMo.  
Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
Equal Pay Act, 29 U.S.C. § 206(d)  
Age Discrimination in Employment Act, 29 U.S.C. §§ 621 - 634  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Family and Medical Leave Act, 29 U.S.C. § 2615  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e -2000e-17  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

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## **PROFESSIONAL STAFF RECRUITING AND HIRING**

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### **Recruiting**

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detrimental to wait five (5) business days or that a longer period is necessary, the position will be advertised for as many days as is appropriate. Further, if the same or similar position was recently advertised, the superintendent or designee may utilize applications previously received without re-advertising the position. A position is not considered vacant if the Board, superintendent or designee assigns an existing employee to the position.

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The superintendent or designee will conduct background checks on employees and applicants for employment in accordance with law and Board policy.

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All applicants will be promptly notified once a decision has been made on the position. As required by law, nontenured professional staff will receive written notice on or before April 15 if they will not be re-employed for the following school year. Principals, assistant principals and other certificated employees in positions ineligible for tenure, except the superintendent, shall be notified in writing concerning re-employment on or before April 15 of the year in which the current contract expires.

A spouse of a Board member will only be hired to fill a vacant or new position if the position has been advertised in accordance with this policy and if the superintendent has submitted a written recommendation supporting the employment of the spouse. If the spouse of a Board member is hired, the names of all applicants for that position as well as the name of the individual hired will be included in the appropriate Board minutes.

If the district determines that it has a shortage of certificated teachers, the district may hire retired certificated teachers receiving retirement benefits from the Missouri Public School Retirement System to teach full time for up to two (2) years without loss of benefits to the teacher, if the district meets the requirements set by state law. The district may only hire retired teachers under this program if it has:

- < Made a good-faith effort to fill positions with candidates who have not retired.
- < Not offered early retirement incentives for either of the previous two (2) years.
- < Posted the vacancy for at least one (1) month and solicited applications through local newspapers, other media or teacher education programs.
- < Determined that there is an insufficient number of eligible applicants.
- < Declared a critical shortage of certificated teachers that is active for one (1) year.

The total number of retired teachers hired under this section cannot exceed at any one (1) time the lesser of ten (10) percent of the total teacher staff in the district or five (5) certificated teachers. This provision does not apply to a retired certificated teacher employed as a superintendent.

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Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
BBFA, Board Member Conflict of Interest and Financial Disclosure  
DD, Grants

Legal Refs: §§ 162.261, .301, 168.101 - .133, .303, 169.331, .596, 213.010, .055, .070,  
290.400, .410, RSMo.  
Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
Equal Pay Act, 29 U.S.C. § 206(d)  
Age Discrimination in Employment Act, 29 U.S.C. §§ 621 - 634  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Family and Medical Leave Act, 29 U.S.C. § 2615

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d - 2000d-7  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e -2000e-17  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 - 6107  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

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GCD-C.1F

(9/05)

### **PROFESSIONAL STAFF LONG-TERM LEAVES AND ABSENCES**

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

#### **Sabbatical Leaves of Absence**

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

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

#### **Military Leaves of Absence**

The Board of Education will grant military leave as required by law and as described in Board policy.

1. Pursuant to federal law, employment and re-employment rights shall be maintained for periods of service up to five (5) years or more as required by statute.
2. Pursuant to state law, employees taking military leave are entitled to up to 120 hours of paid leave for military duty. Pay will only be available for hours of military leave that occur at a time when the employee would otherwise have been required to be at work.
3. Leaves for military service will not be counted as continuous full-time service when computing tenure but shall not impair tenure previously acquired nor affect any credit toward tenure previously earned.
4. After initial employment with the district, time spent on military leave shall be counted in determining placement on the salary schedule.

### **One-Year General Leaves of Absence**

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

1. The leave of absence shall be based upon application by the teacher; it shall coincide with the school year and not be for a period of more than one (1) year. Leaves will not be counted as continuous full-time service when computing tenure but shall not impair tenure previously acquired nor affect any credit toward tenure previously earned.
2. The applicant shall have been a certificated employee of the school district for not less than \_\_\_\_ consecutive years immediately preceding the application.
3. The teacher shall request the leave 90 calendar days prior to the end of the school year preceding the leave period.
4. The Board of Education shall be able to make satisfactory arrangements for the performance of the ordinary duties of the applicant during the period for which the leave of absence is requested.
5. The number of leaves granted in any one (1) year shall be left to the discretion of the Board of Education.

6. Upon the staff member's return to the school system, the employee shall be reinstated at the proper position on the salary schedule, losing only that time during which regular duties were not performed. The Board retains the right to reassign the teacher.
7. The leave of absence shall be without pay or benefits by the school district.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GCBC, Professional Staff Fringe Benefits  
GCBDA, Professional Staff Short-Term Leaves and Absences

Legal Refs: §§ 105.270, .271, 168.122, 169.595, RSMo.  
16 CSR 10-4.041  
Uniformed Services Employment and Re-employment Rights Act of 1994  
(USERRA), 38 U.S.C. §§ 4301 - 4333

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## **PROFESSIONAL STAFF SHORT-TERM LEAVES AND ABSENCES**

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

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

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

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

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

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

The following leaves with pay will be provided to full-time professional staff employees. Part-time professional staff employees will receive these leaves on a pro rata basis:

1. **Sick Leave** B Professional staff employees whose assignments call for 12 months of full-time employment will be entitled to \_\_\_\_ days of sick leave. Professional staff employees whose assignments call for full-time employment only during the regular school term will be entitled to \_\_\_\_ days of sick leave. Unused sick leave will be cumulative to \_\_\_\_ sick leave days. An absence of over one (1) through four (4) hours shall be counted as a half-day of sick leave.

Absences may be charged against sick leave for the following reasons:

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

- c. Illness, injury or incapacity of other relatives, with permission granted by the superintendent.
- d. Pregnancy, childbirth and adoption leave in accordance with this policy.

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

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

- 2. **Personal Leave** B A maximum of \_\_\_\_ days of personal leave will be available per school year. Unused personal leave days do not accumulate.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law requires no leave be charged to the employee.
- c. Wedding, graduation or funeral.
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on a Saturday, Sunday or before or after school hours, including parent-teacher conferences.
- f. Leave under the FMLA.
- g. Leave connected with duty as a volunteer firefighter, member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, or Urban Search and Rescue Team.
- h. Leave for other purposes as approved by the building principal.

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

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

3. **Vacation B** All professional staff employed on a 12-month basis will receive weeks of vacation per year. An employee must submit a written request for vacation to the superintendent or designee and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the superintendent or designee has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

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

4. **Bereavement Leave B** When a death occurs in an employee's immediate family, employees may take up to five (5) days off with pay to attend the funeral or make funeral arrangements. The district may require verification of the need for the leave. The Board defines "immediate family" to include spouse, parents, children, children's spouses, grandparents, grandchildren and siblings of an employee or employee's spouse, and any other family member residing with the employee. After the exhaustion of the five (5) days of bereavement leave, the employee may use personal leave.

Unless otherwise provided, the following leaves will be provided to full-time and part-time professional employees.

1. **Holidays B** *[List paid holidays district recognizes.]* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. **Professional Leave B** Teachers may be granted professional leave upon the approval of the superintendent or designee. Professional leave must be arranged well in advance and is not considered personal leave.
3. **Military Leave B** The Board shall grant military leave as required by law.



4. **Election Leave B** Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven (7) days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.
5. **Leave to Vote B** Employees who do not have three (3) successive hours free from work while the polls are open will be granted a leave period of three (3) hours for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.
6. **Jury Duty Leave B** An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.
7. **Leave for Court Subpoena B** If the subpoena is directly related to the employee's school duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.
8. **Firefighter Leave B** Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One and Urban Search and Rescue Team. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the building principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.
9. **Crime Victim Leave B** Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required

to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.

### **Pregnancy, Childbirth and Adoption Leave**

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA, as detailed in the following section. The district shall only apply up to six (6) weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to six (6) weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation leave or unpaid leave.

Pregnant employees who need more than six (6) weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

### **Family/Medical Leave**

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

#### ***Eligibility***

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

1. Have been employed in the district for at least 12 months (but not necessarily consecutively), and

2. Have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the leave (full-time teachers are deemed to meet this requirement), and
3. Be employed at a worksite where 50 or more employees are employed by the district within 75 miles of that worksite, and
4. Provide the district at least a 30-day notice of an expected absence for foreseeable circumstances, if practical.

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

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

### ***Leave Protections***

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

### ***Leave Application***

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

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

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

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

### **Notice**

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

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

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures**

***and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DLB, Salary Deductions

Legal Refs: " 105.270 - .271, 115.639, 168.122, 169.595, 320.200, .330 - .339,  
494.460, 595.036, .209, RSMo.  
Fair Labor Standards Act, 29 U.S.C. " 201-219  
Family and Medical Leave Act of 1993, 29 U.S.C. " 2611-2619  
Title VII of the Civil Rights Act of 1964 as amended by the Pregnancy  
Discrimination Act, 42 U.S.C. ' 2000e(k)  
29 C.F.R. ' 1604.10  
*Willis v. School Dist. of Kansas City*, 606 S.W.2d 189 (Mo. Ct. App. 1980)  
*Stewart v. Board of Educ. of Ritenour*, 574 S.W.2d 471 (Mo. Ct. App. 1978)  
*Aubuchon v. Gasconade County R-1 Sch. Dist.*, 541 S.W.2d 322 (Mo. Ct. App.  
1976)

Avilla R-XIII School District, Avilla, Missouri

### **PROFESSIONAL STAFF FRINGE BENEFITS**

The Board recognizes that fringe benefits are an integral part of the total compensation plan for full-time professional staff members. The Board of Education shall provide fringe benefits to all full-time professional staff members by offering participation in a group insurance plan. The contract for insurance will be submitted to competitive bidding at least every three (3) years. Any plan of group health insurance shall include a provision allowing persons who retire, or who have retired, to become members of the plan if they are eligible to receive benefits under the Public School Retirement System of Missouri (PSRS), by paying premiums at the same rate as other members of the group, pursuant to the limitations set forth in ' 169.590, RSMo. In addition, the Board shall establish a premium-only cafeteria plan, as permitted under federal law, accessible by employees of the school district.

### **COBRA**

At the time of commencement of coverage under the plan, an employee shall be given his or her first notification of rights under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Further notification is contingent upon the occurrence of a qualifying event and, in applicable situations, notification to the district that a qualifying event has occurred, as required by law.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DJC, Bidding Requirements

Legal Refs: " 67.150, .210, 169.590, 376.453, RSMo.  
Internal Revenue Code, 26 U.S.C. ' 125  
Consolidated Omnibus Budget Reconciliation Act, 29 U.S.C. " 1161-1168

Avilla R-XIII School District, Avilla, Missouri

### **PROFESSIONAL STAFF SALARY SCHEDULES**

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

1. The professional staff will be employed by the Board based on the recommendation of the superintendent.
2. Maintenance of the salary schedule is dependent on the local levy approvals and continued state financial support.
3. The minimum contract period for all full-time certificated personnel will be determined annually by the school district.

4. The professional salary schedule does not apply to extended contracts or extra-duty contracts.
5. Experienced teachers who are new to the school district may receive credit for previous experience. No one can advance more than one (1) step vertically and one (1) column horizontally per year. The salary a teacher will receive will be determined at the time the teacher contracts with the district, or by June 1 for tenured teachers. A teacher cannot progress on the salary schedule after entering into a contract for a school year, unless authorized in the contract.
6. In order to advance on the salary schedule for completion of additional college graduate hours, professional staff must receive approval by the administration prior to enrolling in the course.
7. Each teacher may be assigned one (1) or more activities to sponsor without an increase in salary.
8. The Board of Education may recognize certification and teaching in high need areas on the salary schedule when it deems it necessary to secure or retain qualified personnel in any area where there is a shortage of qualified staff.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 163.172, 168.110 (2), RSMo.  
Mo. Const. Art. III, § 38(a), 39(3)

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## PROFESSIONAL STAFF SALARY SCHEDULES

### Instructional Staff

An adequate salary schedule is necessary to secure new teachers who are personally competent and professionally well prepared, to encourage the professional growth of teachers while in service, and to retain the most competent teachers while in the school system. The Board of Education shall annually adopt a salary schedule having the following essential features:

- < A salary for those beginning in the system, which will be at or above the minimum salary established by state statute.
- < Annual increments shall be added for each school year of successful experience up to the limits provided by the schedule.

The superintendent of schools shall prepare salary schedules for approval of the Board of Education and implement the salary schedules adopted by the Board of Education. The superintendent may consult with staff members in preparing the salary schedules.

### **Administrative Staff**

The Board will annually determine the salaries for the administrative staff.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GCL, Professional Staff Development Opportunities

Legal Refs: §§ 163.172, 168.110 (2), RSMo.

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## **PROFESSIONAL STAFF POSITIONS**

The Board of Education may, upon the recommendation of the superintendent, elect and appoint certificated professional staff positions, assistant principals, principals, directors and other



supervisory personnel as may be required for proper classification and accreditation of the schools, and to accomplish the district's goals and objectives.

The term "professional staff" will be used to designate those employees who must either possess teaching, administrative or professional certificates issued by state educational authorities or degrees from accredited institutions of higher learning in order to maintain their status with the district.

The Board instructs the superintendent to maintain a comprehensive and up-to-date set of job descriptions of all positions in the school system. Job descriptions are to be kept in a separate manual dedicated to that purpose and shall be available in the office of the superintendent during regular business hours.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

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## STAFF COMPLAINTS AND GRIEVANCES

It is the intent of the Board of Education to address staff complaints and grievances at the earliest possible time and at the lowest level of supervision. Therefore the Board directs the superintendent or designee to create a procedure detailing how employees may bring complaints and receive responses to their complaints.

If a complaint has been made to the employee's immediate supervisor, building-level supervisor, and the superintendent or their designee and the employee has received responses from these persons, the employee may appeal to the Board of Education. The employee must submit a written request for an appeal within five (5) workdays after receiving a decision from the superintendent. The decision of the Board will be final.

Complaint processing should be viewed as a positive and constructive effort to establish the facts upon which the complaint is based and come to a fair conclusion. Employees will not be

discriminated against nor will reprisal be attempted against an employee because a complaint was filed.

**I. Definition**

*Complaint and/or Grievance* -- An employee's assertion that he or she is adversely affected by a violation, misinterpretation or misapplication of a published district policy, procedure or regulation, or of an employee handbook, employee contract or existing law. Complaints relating to discrimination or harassment will be resolved in accordance with policy AC.

**II. Exclusions**

This regulation shall not apply to complaints for which state law establishes a procedure for obtaining a Board hearing. In addition, complaints about non-renewal of a probationary teacher's contract, or about any other official Board action, shall be directed to the Board; and a hearing on the same, unless required by state law, shall be discretionary with the Board. Complaints concerning evaluations, except those which lead to a loss of pay, will be excluded.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: KL, Public Complaints

Avilla R-XIII School District, Avilla, Missouri

**PERSONNEL RECORDS**

It is the intent of the Board of Education to maintain complete and current personnel files, including all information necessary to comply with the Fair Labor Standards Act, for all district employees.

The file of an individual employee will be considered confidential information and a closed record, to the extent allowed by the law, and will only be available to authorized administrative personnel and to the employee. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment are closed records under the Missouri Sunshine Law to the extent allowed by law. Pursuant to state law, the names, positions, salaries and lengths of service of all employees are public information and must be released upon request. In accordance with federal law, the district shall release to parents, upon request, information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals who are employed by a school receiving Title I funds and who provide instruction to their child at that school.

Files containing immigration records and files containing medical information regarding an employee will be kept separate from other personnel files.

Upon request to and in the presence of the appropriate administrative official, any employee may inspect his or her own personnel file during regular working hours, with the exception of the ratings, reports and records obtained prior to the employment of the individual, including confidential placement papers.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
KBA, Public's Right to Know

Legal Refs: §§ 168.128, 610.021(13), RSMo.  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
29 C.F.R. § 1630.14  
Fair Labor Standards Act, U.S.C. §§ 201, *et seq.*  
29 C.F.R. Part 516  
Immigration Reform and Control Act, 8 U.S.C. §§ 1324, *et seq.*

No Child Left Behind Act of 2001, P.L. 107-110  
*Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 528(1985)

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### STAFF/STUDENT RELATIONS

The relationship between professional staff members and students in the school district should be one of cooperation, understanding and mutual respect. All employees have the responsibility to provide an atmosphere conducive to learning, which should be accomplished through effective individual and group discipline. All students and staff will treat each other with respect.

Differences and problems that arise between an employee and student are typically best worked out by conferences between these two (2) persons or between the employee and the parent of the student. However, employees and students should immediately report a violation or perceived violation of the district's nondiscrimination and anti-harassment policy (AC), regardless of whether a conference has been held.

No employee may use his or her status as an employee to adversely influence a student of the district. No employee may date, make advances toward, or engage in any sexual relationship with a district student, regardless of the student's age, the perceived consensual nature of the relationship, where the advances are made or whether the employee directly supervises the student. Further, no employee may discuss or plan a future romantic or sexual relationship with a student. All employees possessing evidence of or witnessing such conduct or sexual harassment shall report it to the district's administration immediately. All employees or school officials who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse to the principal or to the Children's Division (CD) of the Department of Social Services hotline, pursuant to state law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
JG, Student Discipline  
JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: §§ 168.114, 210.115, RSMo.  
*Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998)  
*Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999)  
*Ross v. Robb*, 662 S.W.2d 257 (Mo.banc 1983)  
Title IX of the Education Amendments of 1972, 20 U.S.C. §1681

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### **STAFF HEALTH AND SAFETY**

The health and safety of all district personnel is of vital importance to the school district. The Board will seek to provide safe working conditions for all staff members and will give prompt consideration to those conditions that may present a threat to the health and safety of staff members. The district will respond to employee requests for reasonable accommodations when an employee has a disability as defined by Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA). All employees will receive annual training on universal precautions and the district's communicable disease policy.

The district will only make medical inquiries, require physical exams or keep medical information on an employee in accordance with law.

Individuals employed by the district or through a contracted service to drive district transportation must annually file a statement from a medical examiner with the district that indicates that they are physically qualified to operate district transportation for the purpose of transporting students. A new driver must file this statement prior to his or her initial operation of district transportation.

Medical records must be maintained on separate forms in separate medical files and shall be kept confidential.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: EBAB, Hazardous Materials  
EBB, Communicable Diseases

Legal Refs: §§ 162.064, 302.272, RSMo.  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

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## CRIMINAL BACKGROUND CHECKS

The Avilla R-XIII School District is committed to providing a safe environment for students to learn. As part of this effort, the district will require criminal background checks of employees as well as certain volunteers and others working on school grounds in accordance with this policy. The Board directs the superintendent or designee to develop procedures and practices consistent with this policy.

### Definitions

*Criminal Background Check B* A search of the Federal Bureau of Investigation=s criminal history files, the Missouri Highway Patrol's criminal database and sexual offender registry, the central registry of child abuse and neglect of the Children's Division (CD) of the Department of Social Services, or other databases designated by law or by the district.

*Driving Records B* Traffic-related offenses contained in the Missouri Department of Revenue=s databases.

### Employees

Generally, the district will conduct a criminal background check in accordance with law on all new employees before they have contact with any student; however, the district will forgo a criminal background check on any teacher hired on a part-time or substitute basis if the teacher is hired within one (1) year of having retired from the Avilla R-XIII School District. Any offer of employment is contingent upon the satisfactory outcome of the criminal background check,

when required. The district has the sole and absolute discretion to determine whether the outcome is satisfactory.

### **Drivers**

The district will conduct a criminal background check on all bus drivers, regardless of when they were first hired. The district may allow bus drivers to operate district transportation pending the results of the criminal background check.

If the district contracts for student transportation services, the contract will require that the transportation company that provides services for the district conduct criminal background checks and will allow the district access to that information.

### **Volunteers**

The district will conduct a criminal background check on all persons volunteering in positions where they will be left alone with a child. The superintendent or designee is directed to identify the volunteer positions in the district that require a criminal background check. The superintendent or designee must receive the results of the background check and officially approve the volunteer before he or she may begin service in the identified volunteer position.

### **Independent Contractors**

The district will not conduct business with entities distributing or providing products or services to the Avilla R-XIII School District in student-occupied facilities unless the contract includes a provision that prohibits the business from utilizing an employee on district property who is a registered sex offender or who is otherwise prohibited from being on school property by law. The district will also stipulate that contractors must require subcontractors to agree to the same conditions.

### **Payment**

All applicants for employment and volunteers are responsible for the cost of the criminal background check, but the district may later reimburse the person at the district's discretion. The district will pay the expenses associated with conducting and renewing criminal background checks for current employees. The district will negotiate with independent contractors for payment of criminal background check expenses.

### **Updating Information**

The district reserves the right to require any person to submit to additional criminal background checks at the district's expense or to rerun background checks at any time. The district will update all criminal background checks required under this policy at least every five (5) years if

the person is still volunteering or working for the district or working on district property. The district will update the driving records for all drivers of district transportation at least every six (6) months. Any employee refusing to submit to a background check may be disciplined or terminated. The district may decline to utilize the services of volunteers or contractors who refuse to participate.

### **District Notification**

As a condition of continuing to work within the district, all employees and other persons required to submit to a criminal background check pursuant to this policy must notify the district if they are charged, convicted, plead guilty to or are otherwise found guilty of any misdemeanor or felony, regardless of the imposition of sentence. This notification must be made as soon as possible, but no later than five (5) business days after the event.

### **Reporting Requirements**

The district will report to the Department of Elementary and Secondary Education (DESE) when information is obtained that a certificated person has pled guilty or no contest to or been found guilty of a crime or offense, regardless of whether a sentence has been imposed, in this state, another state or another country that may put the person's certificate in jeopardy pursuant to Missouri law.

### **Confidentiality**

Information received by the district pursuant to a criminal background check is confidential. The district will only use this information for the district's internal purposes in determining the suitability of an applicant, employee, volunteer or other worker on district property. The district will keep this information in a location that is only accessible to persons who need to know the information to carry out their responsibilities with the district. Any person submitting to a criminal background check may receive a copy of the background check information received by the district.

### **Consequences**

The superintendent or designee is directed to exclude any person from employment, or to take action to terminate employment, whose criminal background check reveals that they have exhibited behavior that is violent or harmful to children or adults. Contracts with independent contractors will likewise address the suitability of workers on school grounds.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section***



*for other pertinent policies and to review administrative procedures and/or forms for related information.*

Adopted:

Revised:

Cross Refs: IICC, School Volunteers

Legal Refs: " 43.540, 168.133, RSMo.

Avilla R-XIII School District, Avilla, Missouri

**EMPLOYEE ALCOHOL AND DRUG TESTING**  
***(District Both Provides and Contracts for Transportation Services)***

**Provisions Applicable to All Employees**

***Alcohol and Drug Prohibitions***

No employee may manufacture, use, possess, sell, distribute or be under the influence of alcohol or drugs in violation of the district's Drug-Free Workplace policy. All employees may be tested for alcohol and drugs if the district has reasonable suspicion that the employee has consumed alcohol or drugs in violation of Board policy.

***Program Coordinator***

The superintendent or designee will serve as the program coordinator to implement the alcohol and drug testing program of the district within the guidelines of this policy.

***Training***

All staff who have supervisory duties over other staff members will be provided training on the effects of drug and alcohol use. The training will include physical, behavioral, speech and performance indicators of drug and alcohol use. Supervisors of employees who operate district transportation will be trained in accordance with federal law.

***Testing Program***

The district will use testing facilities with appropriately trained personnel for alcohol and drug testing. The district's drug and alcohol testing program shall provide individual privacy in the collection of specimen samples to the maximum extent possible. The specimen collection procedures and chain of custody shall ensure that specimen security, proper identification and integrity are not compromised.

### ***Refusal to Submit to Tests***

Drug or alcohol tests administered pursuant to this policy are mandatory. An employee refuses to submit when he or she fails to provide adequate breath or urine for testing when notified of the need to do so or engages in conduct that clearly obstructs the testing process.

### ***Consequences***

Employees who refuse to submit to a test, who test positive for prohibited substances or who take deliberate action with the intent to falsify test results will be subject to discipline, including termination, in accordance with Board policy and law.

### ***Treatment***

In addition to any disciplinary action taken, the district will provide employees a list containing the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs when employees have a positive drug or alcohol test, refuse to take a test or otherwise request information about substance abuse treatment.

### ***District Records and Reports***

Alcohol and drug test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, an employee shall receive copies of any records pertaining to his or her use of alcohol or drugs, including any records pertaining to his or her tests. Test records shall be maintained with the separate medical files of each employee. The district shall maintain records and reports of its alcohol and drug prevention program as required by law.

### ***Notification to Employees***

The program coordinator shall ensure that all employees receive written materials explaining the district's drug and alcohol misuse prevention program, including copies of or access to applicable policies, procedures or handbooks.

Employees shall sign statements certifying that they have received the materials.

### ***Provisions Applicable to Drivers***

In addition to the drug testing provisions applicable to all employees, the Avilla R-XIII School District, which employs operators of commercial motor vehicles ("drivers"), is required to implement a drug and alcohol testing program that fulfills federal requirements. The district will use laboratories certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis. This comprehensive program shall include conducting pre-employment drug testing and reasonable suspicion, random and post-accident testing for use of alcohol or drugs by drivers; notifying drivers of the requirements and consequences of the program; maintaining appropriate records; and complying with Missouri Department of Revenue's reporting requirements.

As required by law, no driver shall report for duty within four (4) hours of using alcohol. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident alcohol test, whichever comes first.

Records of drug and alcohol tests and other related records shall be made available to a subsequent employer only as expressly requested in writing by the employee.

#### **Application to Contracted Services Drivers**

In addition to the drug testing provisions applicable to all employees, the Avilla R-XIII School District, which contracts with an outside agency for some student transportation services of the district, will only contract with an agency that follows the guidelines of the Omnibus Transportation Employee Testing Act and complies with state reporting requirements. In meeting these guidelines the agency must provide a comprehensive program that includes conducting pre-employment drug testing and reasonable suspicion, random and post-accident testing for use of alcohol or drugs by operators of commercial motor vehicles; notifying such operators of the requirements and consequences of the program; maintaining appropriate records; and complying with Missouri Department of Revenue's reporting requirements. The contract between the agency and the district will specify this condition.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EEA, Student Transportation Services

Legal Refs: § 287.120, RSMo.  
Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §  
31306  
Controlled Substances Act, 21 U.S.C. § 802(6)  
49 C.F.R. Parts 40, 382 and 383

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**EMPLOYEE ALCOHOL AND DRUG TESTING**  
***(District Contracts for Transportation Services)***

**Provisions Applicable to All Employees**

***Alcohol and Drug Prohibitions***

No employee may manufacture, use, possess, sell, distribute or be under the influence of alcohol or drugs in violation of the district's Drug-Free Workplace policy. All employees may be tested for alcohol and drugs if the district has reasonable suspicion that the employee has consumed alcohol or drugs in violation of Board policy.

***Program Coordinator***

The superintendent or designee will serve as the program coordinator to implement the alcohol and drug testing program of the district within the guidelines of this policy.

***Training***

All staff who have supervisory duties over other staff members will be provided training on the effects of drug and alcohol use. The training will include physical, behavioral, speech and performance indicators of drug and alcohol use.

***Testing Program***

The district will use testing facilities with appropriately trained personnel for alcohol and drug testing. The district's drug and alcohol testing program shall provide individual privacy in the collection of specimen samples to the maximum extent possible. The specimen collection procedures and chain of custody shall ensure that specimen security, proper identification and integrity are not compromised.

***Refusal to Submit to Tests***

Drug or alcohol tests administered pursuant to this policy are mandatory. An employee refuses to submit when he or she fails to provide adequate breath or urine for testing when notified of the need to do so or engages in conduct that clearly obstructs the testing process.

### ***Consequences***

Employees who refuse to submit to a test, who test positive for prohibited substances or who take deliberate action with the intent to falsify test results will be subject to discipline, including termination, in accordance with Board policy and law.

### ***Treatment***

In addition to any disciplinary action taken, the district will provide employees a list containing the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs when employees have a positive drug or alcohol test, refuse to take a test or otherwise request information about substance abuse treatment.

### ***District Records and Reports***

Alcohol and drug test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, an employee shall receive copies of any records pertaining to his or her use of alcohol or drugs, including any records pertaining to his or her tests. Test records shall be maintained with the separate medical files of each employee.

The district shall maintain records and reports of its alcohol and drug prevention program as required by law.

### ***Notification to Employees***

The program coordinator shall ensure that all employees receive written materials explaining the district's drug and alcohol misuse prevention program, including copies of or access to applicable policies, procedures or handbooks.

Employees shall sign statements certifying that they have received the materials.

### ***Provisions Applicable to Drivers***

In addition to the drug testing provisions applicable to all employees, the Avilla R-XIII School District, which contracts with an outside agency for the student transportation services of the district, will only contract with an agency that follows the guidelines of the Omnibus Transportation Employee Testing Act and complies with state reporting requirements. In meeting these guidelines the agency must provide a comprehensive

program that includes conducting pre-employment drug testing and reasonable suspicion, random and post-accident testing for use of alcohol or drugs by operators of commercial motor vehicles; notifying such operators of the requirements and consequences of the program; maintaining appropriate records; and complying with Missouri Department of Revenue's reporting requirements. The contract between the agency and the district will specify this condition.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: EEA, Student Transportation Services

Legal Refs: § 287.120, RSMo.  
Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §  
31306  
Controlled Substances Act, 21 U.S.C. § 802(6)  
49 C.F.R. Parts 40 and 382

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## **EMPLOYEE ALCOHOL AND DRUG TESTING (District Provides Transportation Services)**

### **Provisions Applicable to All Employees**

#### ***Alcohol and Drug Prohibitions***

No employee may manufacture, use, possess, sell, distribute or be under the influence of alcohol or drugs in violation of the district's Drug-Free Workplace policy. All employees may be tested for alcohol and drugs if the district has reasonable suspicion that the employee has consumed alcohol or drugs in violation of Board policy.

#### ***Program Coordinator***

The superintendent or designee will serve as the program coordinator to implement the alcohol and drug testing program of the district within the guidelines of this policy.

### ***Training***

All staff who have supervisory duties over other staff members will be provided training on the effects of drug and alcohol use. The training will include physical, behavioral, speech and performance indicators of drug and alcohol use. Supervisors of employees who operate district transportation will be trained in accordance with federal law.

### ***Testing Program***

The district will use testing facilities with appropriately trained personnel for alcohol and drug testing. The district's drug and alcohol testing program shall provide individual privacy in the collection of specimen samples to the maximum extent possible. The specimen collection procedures and chain of custody shall ensure that specimen security, proper identification and integrity are not compromised.

### ***Refusal to Submit to Tests***

Drug or alcohol tests administered pursuant to this policy are mandatory. An employee refuses to submit when he or she fails to provide adequate breath or urine for testing when notified of the need to do so or engages in conduct that clearly obstructs the testing process.

### ***Consequences***

Employees who refuse to submit to a test, who test positive for prohibited substances or who take deliberate action with the intent to falsify test results will be subject to discipline, including termination, in accordance with Board policy and law.

### ***Treatment***

In addition to any disciplinary action taken, the district will provide employees a list containing the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs when employees have a positive drug or alcohol test, refuse to take a test or otherwise request information about substance abuse treatment.

### ***District Records and Reports***

Alcohol and drug test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, an employee shall receive copies of any records pertaining to his or her use of alcohol or drugs, including any records pertaining to his or her tests. Test records shall be maintained with the separate medical files of each employee. The district shall maintain records and reports of its alcohol and drug prevention program as required by law.

### ***Notification to Employees***

The program coordinator shall ensure that all employees receive written materials explaining the district's drug and alcohol misuse prevention program, including copies of or access to applicable policies, procedures or handbooks.

Employees shall sign statements certifying that they have received the materials.

### ***Provisions Applicable to Drivers***

In addition to the drug testing provisions applicable to all employees, the Avilla R-XIII School District, which employs operators of commercial motor vehicles ("drivers"), is required to implement a drug and alcohol testing program that fulfills federal requirements. The district will use laboratories certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis. This comprehensive program shall include conducting pre-employment drug testing and reasonable suspicion, random and post-accident testing for use of alcohol or drugs by drivers; notifying drivers of the requirements and consequences of the program; maintaining appropriate records; and complying with Missouri Department of Revenue's reporting requirements.

As required by law, no driver shall report for duty within four (4) hours of using alcohol. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident alcohol test, whichever comes first.

Records of drug and alcohol tests and other related records shall be made available to a subsequent employer only as expressly requested in writing by the employee.



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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: EEA, Student Transportation Services

Legal Refs: § 287.120, RSMo.  
Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §  
31306  
Controlled Substances Act, 21 U.S.C. § 802(6)  
49 C.F.R. Parts 40, 382 and 383

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## **DRUG-FREE WORKPLACE**

Student and employee safety is of paramount concern to the Board of Education. In recognition of the threat to safety posed by employee use or possession of drugs or alcohol, the Board of Education commits itself to a continuing good-faith effort to maintain a drug-free workplace. The Board of Education shall not tolerate the manufacture, use, possession, sale, distribution or being under the influence of controlled substances, alcoholic beverages or unauthorized prescription medications by district employees on any district property; on any district-approved vehicle used to transport students to and from school or district activities; off district property at any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district; or during any period of time such employee is supervising students on behalf of the school district or is otherwise engaged in school district business.

When it is evident that an employee has consumed alcoholic beverages or controlled substances off school property before or during a district activity, the staff member will not be allowed on school property or to participate in the activity and will be subject to the same disciplinary measures as for possession or consumption on district property.

Staff members will be tested for alcohol and controlled substances if the district has reasonable suspicion that the staff member has violated this policy. In addition, staff members who operate district transportation must submit to alcohol and drug testing as otherwise required by law. All testing will be conducted in accordance with Board policy, administrative procedures and law.

Any employee who violates this policy will be subject to disciplinary action, which may include suspension, termination and referral for prosecution. Employees may be required to satisfactorily participate in rehabilitation programs.

Each employee of this school district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and notify the superintendent or designee of any criminal drug statute conviction for a violation occurring in or on the premises of this school district, or while engaged in regular employment. Such notification must be made by the employee to the superintendent or designee in writing no later than five (5) calendar days after conviction. The superintendent or designee will provide notice in writing of such violation to the United States Department of Education or other appropriate federal agency within ten (10) calendar days after the superintendent or designee receives such notification if the district receives any federal grants directly from such agency, as opposed to federal grants received through the Department of Elementary and Secondary Education (DESE).

The district will take appropriate disciplinary action within 30 days.

The district will institute a drug-free awareness program to inform employees of the dangerous and harmful nature of drug and alcohol abuse in the workplace, of this policy of maintaining a drug-free workplace, of available counseling and rehabilitation, and of the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The Board of Education recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance. Although the district will not assume financial responsibility, an employee who requests assistance shall be referred to a treatment facility or agency in the community if such facility or agency is available.

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

This policy shall be communicated in writing to all present and future employees. Compliance with this policy is mandatory.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: EBBA, Illness and Injury Response and Prevention  
JFCH, Student Alcohol/Drug Abuse

Legal Refs: § 287.120, RSMo.  
Controlled Substances Act, 21 U.S.C. § 812(c)  
21 C.F.R. 1300.11-1308.15  
Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701 - 707

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## **WORKERS' COMPENSATION**

Pursuant to state law, an employee of the Avilla R-XIII 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.

### **Reporting**

An employee must report all injuries immediately to his or her immediate supervisor by completing the district's incident report form. 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 report an injury or illness arising out of and in the course of employment within 30 days of such injury or illness 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 superintendent or designee. The superintendent or designee 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 may 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 a medical provider has been designated by the district and the employee chooses to use his or her own provider, the employee is responsible for all costs associated with the provision of those services.

## **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 nonprescribed controlled substances will result in a reduction or loss of benefits payable under this policy and pursuant to law if the injury was sustained in conjunction with the use of alcohol or nonprescribed controlled substances.

The Board authorizes post-injury testing for nonprescribed 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.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EBBA, Illness and Injury Response and Prevention  
EEA, Student Transportation Services

Legal Refs: Chapter 287, RSMo.

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## STAFF CONDUCT

The 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 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.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
CH, Policy Implementation and Dissemination  
DCB, Political Campaigns  
DJF, Purchasing  
IGDF, Student Fundraising  
JFG, Interrogations, Interviews and Searches  
JO, Student Records  
KI, Public Solicitations/Advertising in District Facilities

Legal Refs: §§ 115.646, 167.166, 168.114, .130, RSMo.

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**STAFF CONFLICT OF INTEREST**  
***(Districts Including No Portion of a First-Class County)***

Employees of the Board will not engage in any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as members of the Avilla R-XIII School District staff and may be disciplined or terminated for doing so. For the purposes of this policy, a "business with which a person is associated" means:

1. A sole proprietorship owned by the employee, his or her spouse or dependent children in the person's custody.
2. A partnership or joint venture in which the employee or spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the employee is an officer or director or of which the employee, spouse or dependent children in the employee's custody, whether singularly or collectively, own more than ten (10) percent of the outstanding shares of any class of stock or partnership units.
3. Any trust in which the employee is the settlor or trustee, or in which the employee, spouse or dependent children, singularly or collectively, are beneficiaries or holders of a reversionary interest of ten (10) percent or more of the corpus of the trust.

The following activities are explicitly prohibited:

1. Except as allowed in this policy, employees or businesses with which they are associated are prohibited from selling or providing personal property to the district.
2. Employees will not participate in any manner, directly or indirectly, in which the employee attempts to influence any decision of the district when the employee knows the result of the decision may be the acceptance of the performance of a service or the sale, rental or lease of any property to the district and the employee, his or her spouse, dependent children in his or her custody or any business with which the employee is associated will benefit financially.
3. An employee will not use his or her position with the district to influence purchases made by students or their parents/guardians resulting in the financial gain of the employee, the employee's spouse, the dependent children of the employee, or businesses or businesses with which they are associated unless authorized by the Board of Education.
4. An employee will not trademark, patent, copyright or claim ownership interest in any inventions, publications, ideas, processes, compositions, programs, images or other intellectual property created by the employee in their capacity as an employee of the district, unless authorized by the Board of Education. The district will not pay royalties, licensing fees or other fees for use of intellectual property an employee creates in his or her capacity as an employee of the district to employees or businesses with which the employee is associated, unless authorized by the Board of Education.



5. An employee will not receive compensation other than the compensation received from the district for tutoring students currently enrolled in a class the employee teaches unless authorized by the Board of Education. Any private tutoring of students for a fee on district property is subject to facility usage policies and procedures.
6. Employees will not accept gifts of substantial value from vendors, students or parents unless authorized by the Board of Education. For the purposes of this policy, a gift has a "substantial value" if it is worth more than \$50.
7. Employee will not use district property, including the district's intellectual property, or confidential information obtained in their capacity as employees of the district to financially benefit themselves or any other person or business unless authorized by the Board of Education.

#### **Administrative or Executive Employees**

In addition to the above-listed requirements, the following restrictions apply to all administrative or executive employees in the school district, in accordance with law. Administrative and executive employees of the district may:

1. Provide services to the district as independent contractors, in addition to the compensation provided for the performance of their official duties. If the compensation for such services exceeds \$500 per transaction or \$5,000 per year, the district must first give public notice and competitively bid the services and the district employee's bid must be the lowest received.
2. Sell, rent or lease personal property to the district. The transaction must be bid and the employee's bid must be the lowest received if the compensation for the property exceeds \$500 per transaction or \$5,000 per year.
3. Sell, rent or lease real estate to the district. Public notice of the transaction must be given prior to execution if the compensation for the property exceeds \$500 per transaction or \$5,000 per year.
4. Not receive compensation or payment for services from any person, firm or corporation, other than the compensation provided by the district for the performance of their official duties, to attempt to influence a decision by the district.
5. Not perform any service for compensation by which they attempt to influence a decision of the district for one (1) year after the termination of their employment with the district.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
DA, Fiscal Responsibility  
DJF, Purchasing  
DN, Surplus School Property  
KG, Community Use of School Facilities

Legal Refs: §§ 105.450 - .458, .462, .466 - .467, .472, 168.126, 171.181, RSMo.

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2. A partnership or joint venture in which the employee or spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the employee is an officer or director or of which the employee, spouse or dependent children in the employee's custody, whether singularly or collectively, own more than ten (10) percent of the outstanding shares of any class of stock or partnership units.
3. Any trust in which the employee is the settlor or trustee, or in which the employee, spouse or dependent children, singularly or collectively, are beneficiaries or holders of a reversionary interest of ten (10) percent or more of the corpus of the trust.

The following activities are explicitly prohibited:

1. In accordance with law, employees or businesses with which they are associated are prohibited from selling or providing to the district personal property, including goods and supplies.
2. Employees will not participate in any manner, directly or indirectly, in which the employee attempts to influence any decision of the district when the employee knows the result of the decision may be the acceptance of the performance of a service or the sale, rental or lease of any property to the district and the employee, his or her spouse, dependent children in his or her custody or any business with which the employee is associated will benefit financially.
3. An employee will not use his or her position with the district to influence purchases made by students or their parents/guardians resulting in the financial gain of the employee, the employee's spouse, the dependent children of the employee or businesses with which the employee is associated unless authorized by the Board of Education.
4. An employee will not trademark, patent, copyright or claim ownership interest in any inventions, publications, ideas, processes, compositions, programs, images or other intellectual property created by the employee in their capacity as an employee of the district, unless authorized by the Board of Education. The district will not pay royalties, licensing fees or other fees for use of intellectual property an employee creates in his or her capacity as an employee of the district to the employee or businesses with which the employee is associated, unless authorized by the Board of Education.
5. An employee will not receive compensation other than the compensation received from the district for tutoring students currently enrolled in a class the employee teaches unless authorized by the Board of Education. Any private tutoring of students for a fee on district property is subject to facility usage policies and procedures.
6. Employees will not accept gifts of substantial value from vendors, students or parents unless authorized by the Board of Education. For the purposes of this policy, a gift has a "substantial value" if it is worth more than \$50.
7. Employees will not use district property, including the district's intellectual property, or confidential information obtained in their capacity as employees of the district to financially benefit themselves or any other person or business unless authorized by the Board of Education.

### **Administrative or Executive Employees**

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1. Provide services to the district as independent contractors, in addition to the compensation provided for the performance of their official duties. If the compensation for such services exceeds \$500 per transaction or \$5,000 per year, the district must first give public notice and competitively bid the services, and the district employee's bid must be the lowest received.
2. Sell, rent or lease real estate to the district. Public notice of the transaction must be given prior to execution if the payment the employee receives exceeds \$500 per transaction or \$5,000 per year.
3. Not receive compensation or payment for services from any person, firm or corporation, other than the compensation provided by the district for the performance of their official duties, to attempt to influence a decision by the district.
4. Not perform any service for compensation by which they attempt to influence a decision of the district for one (1) year after the termination of their employment with the district.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure  
DA, Fiscal Responsibility  
DJF, Purchasing  
DN, Surplus School Property  
KG, Community Use of School Facilities

Legal Refs: §§ 105.450 - .458, .462, .466 - .467, .472, 168.126, 171.181, RSMo.

Avilla R-XIII School District, Avilla, Missouri

### STAFF INVOLVEMENT IN DECISION MAKING

The Board of Education encourages employees to contribute their ideas for the betterment of the school district. Members of both professional and support staff may be asked to assist in developing policies, rules and procedures and establishing the district goals and objectives, budget, and curriculum. The superintendent is authorized to establish any committees viewed as appropriate to recommend policies, rules and procedures for the proper functioning of the district. Staff members should be advised, however, that the final decision on matters on which their advice is requested or received will rest with the Board or with the administrator(s) to whom the Board has delegated responsibility.

The superintendent will establish channels for the intercommunication of ideas among the professional and support staff, the administration and the Board regarding the operation of the schools. In addition, the superintendent shall also weigh with due consideration the counsel given by employees, and especially that given by groups designated to represent large segments of the professional and support staff. The superintendent shall inform the Board of such counsel when presenting reports of administrative action and recommendations for Board action. The superintendent's recommendations may vary from the advice of such counsel when, in his or her judgment, other considerations prevail.

Each building administrator will maintain channels for conferring with both the professional and support staff in establishing building rules and procedures. In addition, professional staff employees will be given opportunity and encouragement to contribute in the development of the curriculum and other policies, rules and procedures pertaining to the instructional program.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AD, School District Mission  
BF, School Board Policy Process  
IF, Curriculum Development

Legal Refs: Education Consolidation and Improvement Act (ECIA), as part of P.L. 97- 35,  
The Omnibus Budget Reconciliation Act of 1981

Avilla R-XIII School District, Avilla, Missouri

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**SECTION I: INSTRUCTION**

<b>IA</b>	Instructional Goals/Priority Objectives
<b>IC</b>	Academic Calendar/Year/Day
<b>IF</b>	Curriculum Development
<b>IGA</b>	Basic Instructional Programs
<b>IGAC</b>	Teaching About Religion
<b>IGAD</b>	Occupational Education
<b>IGAEA</b>	Teaching about Drugs, Alcohol and Tobacco
<b>IGAEB</b>	Teaching about Human Sexuality
<b>IGBA</b>	Programs for Students with Disabilities
<b>IGBB</b>	Programs for Gifted Students
<b>IGBC</b>	Parent/Family Involvement in Instructional and Other Programs
<b>IGBCA</b>	Programs for Homeless Students
<b>IGBCB</b>	Programs for Migrant Students
<b>IGBD</b>	At-Risk Students
<b>IGBG</b>	Homebound Instruction
<b>IGBH</b>	Programs for English Language Learners
<b>IGBI</b>	Home Schooling
<b>IGC</b>	Extended Instructional Programs
<b>IGCE</b>	District-Sponsored Correspondence Courses

<b>IGD</b>	District-Sponsored Organizations	Extracurricular	Activities	and
<b>IGDA</b>	Student-Initiated Group Use of District Facilities			
<b>IGDB</b>	Student Publications			
<b>IGDBA</b>	Distribution of Noncurricular Student Publications			
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<b>IIA</b>	Instructional Materials			
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<b>IIAC-R</b>	Instructional Media Centers/School Libraries - Selection and Reconsideration of Materials			
<b>IICA</b>	Field Trips and Excursions			
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<b>IK</b>	Academic Achievement			
<b>IKE</b>	Promotion, Acceleration and Retention of Students			
<b>IKF</b>	Graduation Requirements			
<b>IKFA</b>	Early Graduation			
<b>IKFB</b>	Graduation Exercises			
<b>IL</b>	Assessment Program			
<b>ILA</b>	Test Security			
<b>IND</b>	School Ceremonies and Observances			

### **SCHOOL CEREMONIES AND OBSERVANCES**

The Board of Education recognizes the value of school-sponsored programs and ceremonies both during school hours and at other appropriate times. Recognizing achievement and talent encourages further learning. School-sponsored programs,



ceremonies and observances also provide an opportunity to involve the community in public education.

### **Programs, Ceremonies and Observances**

1. The flag of the United States of America will be prominently displayed, either on the outside of the building or upon a pole erected in the school yard, at every school in the district during school hours.
2. Pursuant to state law, the Pledge of Allegiance will be recited in at least one (1) scheduled class of every student no less than once a week. However, no student will be required to participate in the recitation.
3. Teachers and students should observe the following days with the appropriate exercises, as required by law:
  - < Bird Appreciation Day (March 21)
  - < Prisoners of War Remembrance Day (April 9)
  - < Patriots' Day (April 19)
  - < Constitution Day and Citizenship Day (September 17, or the preceding or following week if this date falls on a weekend or holiday)
  - < Missouri Day (the third Wednesday of October)
  - < Veterans Day (as closely as possible to November 11)
  - < Pearl Harbor Remembrance Day (December 7)
4. The district may observe the following days and months, as recommended in state statute:
  - < Missouri Lifelong Learning Month (February)
  - < Arbor Day (the first Friday in April)
  - < Jefferson Day (April 13)
  - < Emancipation Day (June 19)
  - < Emergency Services Day (September 11)
  - < POW/MIA Recognition Day (the third Friday of September)
  - < Bill of Rights Day (December 15)
5. The district may host a diploma ceremony on or around Veterans Day for any veteran receiving an honorary diploma from the Department of Elementary and Secondary Education pursuant to "Operation Recognition."

The superintendent or designee will create administrative procedures addressing how ceremonies and observances will be conducted.

### **Religious Content in Programs and Ceremonies**

The schools of the Avilla R-XIII School District, as well as all employees of the district as governmental officials, are required by law to remain neutral and refrain from endorsing any particular religious belief. However, this policy should not be interpreted to preclude the factual and objective teaching about religions, religious holidays and religious differences.

In particular, music, art, literature and drama with religious themes and programs involving religious themes will be permitted if presented in an objective manner without sectarian indoctrination. Religious content included in any student performance or ceremony will be selected on the basis of independent educational merit.

To the extent required by law, school employees or school officials shall not lead attendees of a school-sponsored event in prayer or any other religious ritual, nor shall they direct, whether implicitly or explicitly, a student to lead attendees in a prayer or any other religious ritual. However, this policy shall not be used to deny any student, employee or school official any personal legal right of expression.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: KG, Community Use of School Facilities

Legal Refs: Mo. Const. art. I, §§ 5 - 8, art. IX, § 8  
§§ 9.030, .040, .070, .072, .100, .105, .110, .115, .130, .140, .141, .161,  
160.360, 170.049, 171.021, RSMo.  
U.S. Const. amend. I  
Patriotic and National Observances and Ceremonies, 36 U.S.C. § 106  
*Santa Fe Independent Sch. Dist. v. Doe*, 530 U.S. 290 (2000)

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## **ASSESSMENT PROGRAM**

The district will use assessments as one indication of the success and quality of the district's education program. Further, the Board recognizes its obligation to provide for and administer assessments as required by law. The Board directs the superintendent or designee to create procedures governing assessments consistent with law and Board policy.

In cooperation with the administrative and instructional staff, the Board will annually review student performance data and use this information to evaluate the effectiveness of the district's instructional programs, making adjustments as necessary.

The district will comply with all assessment requirements for students with disabilities mandated by federal and state law, including the Individuals with Disabilities Education Act (IDEA).

### **District Assessment Plan**

The superintendent or designee shall ensure that the district has a written assessment plan that shall test competency in the subject areas of English, reading, language arts, science, mathematics, social studies and civics, as required by law.

The purposes of the districtwide assessment plan are to facilitate and provide information for the following:

1. *Student Achievement* -- To produce information about relative student achievement so that parents/guardians, students and teachers have a baseline against which to monitor academic progress. Within the limitations of group testing instruments, the information should be useful to serve as a validation device for other measures of student progress.
2. *Student Counseling* -- To serve as a tool in the counseling and guidance of students for further direction and for specific academic placement.
3. *Instructional Change* -- To provide data that will assist in the preparation of recommendations for instructional program changes to:
  - a. Help teachers with instructional decisions, plans and changes regarding classroom objectives and program implementation;

- b. Help the professional staff formulate and recommend instructional policy; and
  - c. Help the Board of Education adopt instructional policies.
4. *School and District Evaluation* -- To provide indicators of the progress of the district toward established goals.
5. *Adequate Yearly Progress* -- To determine student progress toward meeting the goals established by the Missouri State Board of Education pursuant to the No Child Left Behind Act.

There shall be broad-based involvement in the development of the assessment program and its implementation. Instructional staff will be given training and responsibilities in coordinating the program. Every effort will be made to ensure that testing contributes to the learning process rather than detracts from it. Efforts shall also be made to incorporate necessary culture-free and culture-fair tests to assure that measurements are reasonably accurate.

### **Reading Assessment**

The district will administer a reading assessment to students in third, fourth, fifth and sixth grades to determine whether additional reading instruction and retention are needed, as required by law. The district will also administer a reading assessment to all students who transfer to the district in grades four, five or six, and to all students attending summer school due to a reading deficiency, as required by law.

The reading assessment will be a recognized method, or combination of methods, of assessing a student's reading ability. Results of assessments will be expressed as reading at a particular grade level. The superintendent or designee will determine which methods of reading assessment the district will utilize.

### **English Proficiency Assessments**

The district will annually assess the English reading, writing and oral language skills of its students with limited English proficiency.

### **Statewide Assessments**

The district will implement the components of the Missouri Assessment Program (MAP) in order to monitor the progress of all students in meeting the Show-Me Standards, as set forth by the Missouri State Board of Education.

The School Board authorizes the superintendent to establish a process designed to encourage the students of this district to give their best efforts on each portion of any

statewide assessment, which may include, but is not limited to, incentives or supplementary work as a consequence of performance.

The district's policy on student participation in statewide assessments shall be provided at the beginning of the school year to each student and the parent, guardian or other person responsible for every student under 18 years of age. The policy will also be kept in the district office and be available for viewing by the public during business hours of the district office.

### **National Assessment of Educational Progress**

If chosen, the district will participate in the National Assessment of Educational Progress (NAEP) as required by law.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JHD, Student Guidance and Counseling  
JO, Student Records  
KB, Public Information Program

Legal Refs: §§ 160.257, .518, .570, 167.645, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g  
No Child Left Behind Act of 2001, P.L. 107-110

Avilla R-XIII School District, Avilla, Missouri

### **TEST SECURITY**

#### **Storage and Access Before Test Administration**

1. All Missouri assessment documents and standardized test booklets are to be stored, immediately upon receipt, in a secured area.
2. When the test documents first arrive at the district the test coordinator will carefully check all materials and sort them in preparation for administration, making a written record of the number of booklets that will be sent to each administration site.
3. The test coordinator or individual responsible for the program will assume responsibility for contacting the appropriate testing coordination site if the order is inaccurate and for providing secured storage of any materials received as a result of this contact.
4. Beyond the initial checking and sorting, test booklets will remain untouched until they are distributed for administration.
5. Only the test coordinator and other designated individuals will have access to test materials.
6. No teacher shall have access to test booklets or be told what is in them before the test is distributed, except special education teachers in accordance with a student's Individualized Education Program (IEP).
7. Teachers will have access to the appropriate documents, including the Test Administration Manual.

### **Instructions for Administration**

1. Prior to the first day of any standardized and/or statewide testing, all staff involved in test administration will be required to participate in an in-service led by the testing coordinator and designed to train test administrators in administration procedures.
2. The in-service will stress the maintenance of test security during test administration. Security issues addressed will include handling materials in a secure manner, providing directions to students, responding to students' questions and monitoring the test setting.
3. Prior to any standardized and/or statewide testing, staff will receive a handout outlining step-by-step procedures to follow in order to administer tests in a secure manner.

### **Test Administration**

1. All standardized and/or statewide tests will be administered in an appropriate manner in compliance with testing guidelines.
2. Test booklets will be delivered to each building before the day of the test and distributed by building staff immediately prior to testing. Students will not receive test booklets until time for testing to begin.
3. Students will be encouraged to use restroom facilities, get drinks, etc., before starting to take the test. If students must leave the room during testing, they will be instructed to place their answer sheets in their test booklets and close these booklets before leaving their seats.
4. All individuals administering tests will strictly follow the procedures outlined in the test administration manual. Test administrators will not leave the testing room the entire time the test is being given.
5. While the test is being given, building administrators and other designated individuals will move between classrooms to help monitor administration and to provide assistance as needed.
6. If a test is to be administered over a series of days, test booklets and answer sheets will be collected each day immediately following testing, counted by the test administrator and stored in a locked facility.

### **Collection and Storage of Test Materials Following Testing**

1. Test booklets will be collected from test administrators immediately following testing, organized according to instructions, and stored in a secure area.
2. Test booklets will be re-counted by the test coordinator and these counts will be documented and checked against preadministration counts.
3. Test booklets will be sorted and packaged, according to directions, by the test coordinator or person who has been designated as responsible and sent for scoring as expediently as possible while allowing for makeups.
4. All test makeups will be scheduled by the test coordinator. Students in each building will be grouped together for testing. A designated individual will administer the test according to specified administration procedures, taking all aforementioned precautions to ensure security. Test materials will be counted.

## Sanctions Against Unfair Practices

The security measures outlined in this document should help prevent unfair practices. Unfair practices include, but are not limited to, the following:

1. Copying any part of a standardized test booklet for any reason.
2. Removal of a test booklet from the secure storage area except during test administration.
3. Failure to return all test booklets following test administration.
4. Directly teaching any test item included on a standardized test.
5. Altering a student's responses to items on an answer sheet.
6. Indicating to students during testing that they have missed items and need to change them; giving students clues or answers to questions; allowing students to give each other answers to questions or to copy off each other's work; or altering test administration procedures in any other way to give students an unfair advantage.
7. Undue pressure or encouragement on the part of administrators for teachers to engage in any of the aforementioned inappropriate or unfair practices.

If a district staff person is suspected of engaging in any unfair practice, an immediate investigation will occur. If allegations are proven, a report will be forwarded to the superintendent, and appropriate disciplinary action will be taken.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri



## ACADEMIC ACHIEVEMENT

The evaluation of the academic achievement of students in the school district is based on the premise that students have diverse capabilities, interests and individual patterns of growth and learning. It is essential that the professional staff have adequate information to assess a student's educational needs, growth patterns and other factors necessary to design instructional plans for the student. Sharing of information among parents/guardians, teachers and students is an integral part of the evaluative process.

Through the district's methods of student evaluation and parent/guardian-student-teacher communications, the district strives to meet the following objectives:

- < Parents/Guardians are to be informed regularly, at least four times a year, as to the progress their children are making in school.
- < Parents/Guardians will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration.
- < Insofar as is possible, distinctions will be made between a student's attitude and academic performance.
- < At comparable levels, the school district will strive for consistency in grading and reporting, except when inappropriate for certain classes or students.
- < When grades are given, the school staff will take particular care to explain the meaning of the marks and symbols to students and parents/guardians.

The issuance of grades on a regular basis serves to promote a process of continuous evaluation of student performance in the school district.

Grading shall not be influenced by pressure from parents/guardians. In addition, grades are not to be used as a disciplinary measure.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBC, Parent/Family Involvement in Instructional and Other Programs

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## **GRADUATION REQUIREMENTS**

The Board of Education for the Avilla R-XIII School District establishes the following graduation policy and instructs the administration to develop all necessary procedures for proper implementation.

### **Requirements**

A student must meet the following requirements in order to graduate from the Avilla R-XIII School District, unless the stated exceptions apply. The student must:

1. Complete a total of \_\_\_ credits, including credits required by the State Board of Education.
2. Pass proficiency exams concerning American History, American Institutions, and the Missouri and the United States Constitutions.
3. Successfully complete a course of instruction of at least one (1) semester in length on the institutions, branches and functions of the government of the state of Missouri, including local governments, the United States government and the electoral process.
4. Have earned credit in the Avilla R-XIII School District's educational program between the ninth and twelfth grades.

### **Exceptions**

1. Graduation requirements for a student with a disability receiving special education services pursuant to the Individuals with Disabilities Education Act (IDEA) may be determined according to the student's Individualized Education Program (IEP).
2. Students transferring from another accredited Missouri school as a junior or senior who cannot reasonably complete the district's requirements may be permitted to graduate based on the successful completion of a program of studies that would

have met the graduation requirements at the school formerly attended, including the requirements of (2) and (3) above.

3. Students who transfer from another state or country or an unaccredited private, public or home school and who are placed in the ninth grade will be required to meet all established graduation requirements. If such a student is placed in the tenth grade or higher, the district will work with the student and the parents/guardians to develop a program of studies that will result in graduation if successfully completed.
4. Eligible students who successfully complete the Missouri Option Program (formerly the GED Option Program) will be awarded a high school diploma.

### **Earning Credit**

1. The superintendent or designee is directed to assign credit values for courses offered by or through the school district and to develop formulas and procedures for awarding credit to transfer students who transfer from a district that uses a different standard for awarding credit.
2. The Avilla R-XIII School District recognizes units of credit obtained through accredited schools, including credits earned through correspondence courses or courses delivered primarily through electronic media, such as satellite video, cable video or computer-driven or online courses. For the purposes of this policy, an "accredited school" is the Missouri Virtual Instruction Program (MoVIP); a private agency where students with disabilities are placed by a public school; or any school accredited by the Missouri Department of Elementary and Secondary Education (DESE), the North Central Association of Colleges and Schools (NCA), the Independent Schools Association of the Central States (ISACS) or the University of Missouri Committee on Accredited Schools Non-Public (CAS). If a school is located in another state or country, that school must be accredited by that state's or country's department of education, NCA, ISACS or the equivalent agencies.
3. Students may earn advanced-standing credit by successfully completing high-school level courses prior to entering the ninth grade. For students in the graduating class of 2010 and beyond, this advanced-standing credit may be counted toward meeting all graduation requirements, including state minimum requirements. Students graduating prior to 2010 may use advanced-standing credit to meet subject-area requirements and district graduation requirements, but may not count the credit toward meeting the minimum number of credits required by the State Board.

4. The district will waive one (1) unit of academic credit in communication arts, math, science or social studies, whichever is most appropriate, for students who successfully complete an eligible three-unit career/technical program.
5. Students may earn credit for a subject that has been embedded into another subject-area course in accordance with guidelines established by DESE.
6. The district will award credit to students who can demonstrate mastery of competencies for a particular course by successfully completing a district-approved mastery assessment tool.
7. Students may earn credit by other means as approved by the Board and in accordance with law.

### **Diplomas**

Students will be awarded either a diploma or certificate of attendance in accordance with this policy and as permitted by law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JECC, Assignment of Students to Grade Levels/Classes

MSIP Refs: 6.3

Legal Refs: " 161.670, 170.011, 171.171, RSMo.  
5 C.S.R. 50-500.010  
5 C.S.R. 60-100.020

Avilla R-XIII School District, Avilla, Missouri

## GRADUATION EXERCISES

When a student completes all graduation requirements, it is an achievement of not only the student but also the community. The Board will recognize the student in a public graduation ceremony to celebrate this accomplishment. The superintendent or designee will plan an appropriate ceremony on the date approved by the Board, with input from the students graduating. If appropriate, the district may hold more than one (1) ceremony or recognition celebration.

Students may only participate in graduation ceremonies if they have successfully completed all graduation requirements or the requirements to receive an alternative diploma or a certificate of attendance in accordance with Board policy. Students seeking to apply credits earned through other accredited schools, as defined in policy IKF, toward graduation requirements must provide the district with verified documentation of the completion of these courses ten (10) working days prior to the graduation ceremony in order to participate in the ceremony. Any student who has otherwise met all requirements for graduation will be granted a diploma, regardless of whether he or she participates in graduation exercises.

Participation in the graduation ceremony is a privilege and not a right. A student must be in good standing in order to participate in graduation exercises.

Elementary, middle and junior high schools may hold promotion exercises, but formal graduation programs will be reserved for students successfully exiting the district's educational program.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs:           JECC, Assignment of Students to Grade Levels/Classes  
                          JG, Student Discipline  
                          KK, Visitors to District Property/Events

Avilla R-XIII School District, Avilla, Missouri

## **EARLY GRADUATION**

Students who wish to graduate early will be required to meet with a guidance counselor and submit written notification to the principal. The guidance counselor will notify the student's parents or guardians of the student's decision if the student is a dependent. The student will receive a diploma if the student has met the Avilla R-XIII School District's graduation requirements.

The student who chooses early graduation will be allowed to participate in the spring graduation ceremonies but will be considered an alumni for all other activities.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

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## **PROMOTION, ACCELERATION AND RETENTION OF STUDENTS**

The Avilla R-XIII School District is committed to the continuous development of students enrolled in the district's schools, and to student achievement of the skills for the current grade assignment for promotion to a higher grade. The superintendent, in cooperation with the professional staff, shall develop administrative procedures for the promotion, acceleration and retention of students.

In evaluating student achievement, each teacher will make use of all available information, including results of teacher-made tests, other measures of skill and content mastery, standardized test results and teacher observation of student performance. The principal will direct and aid teachers in student evaluations and will review grade assignments in order to ensure uniformity of evaluation standards.

Decisions on whether to promote, accelerate or retain a student with disabilities will be made in accordance with the Individuals With Disabilities Education Act (IDEA) and as required by other applicable law.

### **Promotion**

Students will normally progress annually from grade to grade when, in the judgment of the district's professional staff, it is in the best educational interest of the student involved. The final decision to promote a student rests with the school administration.

The district requires remediation as a condition of promotion to the next grade level for any student identified by the district as failing to master skills and competencies established for that particular grade level. The superintendent or designee shall determine which skills and competencies must be mastered, how they are to be assessed and what type of remediation is appropriate.

Remediation may include, but shall not necessarily be limited to, a mandatory summer school program focused on the areas of deficiency or other such alternatives conducted by the district outside of the regular school day. If the district provides remediation in this manner outside the traditional school day, the extra hours of instruction may be counted in the calculation of average daily attendance. Such remediation shall recognize that different students learn differently and shall employ methods designed to help these students achieve at high levels.

The district may require parents or guardians of such students to commit to conduct home-based tutorial activities with their children. Decisions concerning the remedial reading instruction of a student who receives special education services, including the nature of parental involvement consistent with a free appropriate public education, shall be made in accordance with the student's Individualized Education Program (IEP).

### **Acceleration**

The district will assist students so that they progress academically in accordance with their capabilities. While provisions for individual differences should be adequately accomplished within a grade level, it may occasionally be necessary to advance a student to the next grade. Acceleration to a higher grade level should be approached with caution. Capable students may be so advanced, but only after thorough discussion with the student's guidance counselor and with the joint approval of the parents/guardians, the principal and the superintendent.

### **Retention**

Retention may be considered when, in the judgment of the professional staff, it is in the best educational interest of the student involved. Parents/Guardians will receive prior notification and explanation concerning the retention. However, the final decision will rest with the school administration.

State law requires that all students who are reading below a third-grade reading level according to the district's fourth-grade reading assessment shall be retained if the student has not adequately improved by the end of summer school. Further, if a student fails to attend remediation assigned as a condition of promotion, the student will be retained.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: § 167.645, RSMo.  
*Board of Curators, Univ. of Mo. v. Horowitz*, 435 U.S. 78 (1978)

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## **SCHOOL VOLUNTEERS**

The Board of Education recognizes that community and parent volunteers make valuable contributions to the district's schools and encourages volunteer participation in district programs. Further, parent and community involvement are essential components of high student achievement. The Board endorses a volunteer program and expects its professional staff to encourage and strengthen community and parent involvement in the schools.

The superintendent or designee will create appropriate procedures for attracting, screening and training community and parent volunteers. Volunteering in the district is a privilege, not a right. The district will conduct screening and criminal background checks before any volunteer is placed in a position where he or she will be left alone with a student. The district may decline the services of any volunteer for any legal reason. All information collected on volunteers will be considered confidential to the extent allowed



by law and will only be used to protect the students or minimize disruption to the educational environment.

Although volunteers will provide support services, they are not substitutes for the professional building staff. Volunteers will work under the direction and supervision of district staff.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment

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## **FIELD TRIPS AND EXCURSIONS**

The Board believes that field and activity trips often enhance the program of instruction and add much to the education of a student. Trips may be authorized by the superintendent or delegated representative when the activities contribute substantially to the achievement of desirable educational goals. All field trips should be planned with an educational purpose and in relation to a unit of study. To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation of the class and opportunities for students to assimilate the experience during and at the conclusion of the trip. To this end, teachers and principals will be expected to consider the following factors in the selection of field trips:

- < Value of the activity to the particular class group or class groups.
- < Relationship of the field trip activity to a particular aspect of classroom instruction.
- < Suitability of the activity and distance traveled in terms of the age level of students.
- < Mode and availability of transportation.
- < Cost of field trip or excursion.

Due to the increased cost of transportation, all field trips should be carefully scrutinized by the administration.

All parents of students who are eligible to participate in the field trip shall be notified of the activity.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

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## INSTRUCTIONAL MATERIALS

As the governing body of the school district, the Board is legally responsible for the selection of instructional materials. Since the Board is a policy-making body, it delegates to professional personnel of the district the authority for the selection of instructional materials in accordance with Board policies and procedures. Every effort will be made to ensure that instructional materials are distributed equitably among the district's schools so that a balanced distribution of instructional materials will occur. Free textbooks are provided in grades K-12.

Materials for the school classrooms and school libraries will be selected by the appropriate professional personnel, in consultation with the administration. When the budget for the year is approved in final form by the Board, the superintendent or designee shall direct the purchase of books, supplies, equipment and other instructional materials required, within the limits of the adopted budget. The superintendent or designee shall audit all claims and submit to the Board for approval and authorization for payment.

It is the responsibility of the professional staff to select instructional materials of the highest quality that will support the educational curriculum and goals of the district. Consideration should be given to all available textbooks in the content area to provide opportunities for each child to realize his or her greatest potential through education.

The value and impact of any textbook, library or other instructional material will be judged as a whole, taking into account the purpose of the material rather than individual and isolated expressions or incidents of the work. Multi-cultural, disability-aware and gender-fair concepts will be criteria for selection of materials.

The district shall preferentially procure educational materials, including textbooks and collected materials, from vendors who make the materials available in either Braille format or electronic format which is computer-readable in a form approved by the Department of Elementary and Secondary Education, at no greater cost than for regular materials.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: DK, Payment Procedures  
DN, Surplus School Property  
KLB, Public Questions, Comments or Concerns Regarding  
Instructional/Media/Library Materials

Legal Refs: §§ 170.051 - .171, RSMo.

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### **INSTRUCTIONAL MEDIA CENTERS/SCHOOL LIBRARIES** ***(Selection and Reconsideration of Materials)***

The district will obtain materials for the district's media centers and libraries that are current, address the curriculum needs of district instructors and provide the learning resources needed by district students. District librarians, teachers and administrators are responsible for the selection and reconsideration of materials for the district's media

centers and school libraries in accordance with the objectives listed in this regulation. Suggestions for the selection and reconsideration of materials will be reviewed at least annually. The superintendent or designee will adopt procedures as needed to accomplish the goals of this regulation.

### **Objectives for the Selection of Library Materials**

Library materials will be selected in accordance with the following objectives:

1. Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the pupils served.
2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.
3. Provide background information that will enable students to make intelligent judgments in their daily lives.
4. Provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical reading and thinking.
5. Provide materials representative of the contributions to our American heritage from the many religious, ethnic and cultural groups.
6. Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.
7. Use existing special criteria for the selection of all kinds of materials, such as films, CDs, tapes and books, for all subject areas. The general criteria that may be applied to all acquisitions are as follows:
  - < Material should have permanent or timely values.
  - < Information should be accurate.
  - < Material should be presented in a clear manner.
  - < Material should be authoritative.
  - < Material should have significance.

The above-mentioned criteria will also apply to the acceptance of any gift of materials or to the selection of materials purchased with a monetary gift from an individual or group.

### **Reconsideration**

Library materials will be reconsidered and, if necessary, removed from district media centers and libraries in accordance with the following guidelines:

1. The material is outdated or factually incorrect.
2. A more thorough or more complete resource exists.
3. The resource no longer supports the district's curriculum objectives.
4. The resource is not used by either staff or students.
5. The resource is not recommended by district librarians, teachers or administrators.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 182.815 - .817, RSMo.

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## INSTRUCTIONAL MEDIA CENTERS/SCHOOL LIBRARIES

The Board believes that instructional media centers/libraries are a fundamental part of the educational process. The district meets individual learning needs, provides flexible and innovative learning experiences and encourages independent learning by providing sufficient resource options to students and staff.

It is the goal of the Board of Education to provide circulating material, reference resources and electronic media to meet or supplement the needs of the students and teachers in the school system. The district shall strive to meet the school media standards as prescribed by the Missouri Department of Elementary and Secondary Education.

The district librarians, teachers and administrators have the responsibility of recommending and selecting materials for the district, in accordance with state and district guidelines, and reconsidering or reviewing the district's collection as needed. The same criteria used to select new materials for the district will be used to determine whether the district will accept any gift of materials or to determine the selection of materials purchased with a monetary gift from an individual or group.

District librarians will organize and maintain the district's collection and aid students and staff members in locating resources.

The superintendent or designee will create procedures as needed to enforce the district policies and administer the district's media centers and libraries.

### **Intellectual Access**

The library media program serves as a point of access to information and ideas for students as they acquire critical thinking and problem-solving skills. Students and educators served by the library media program should have access to resources and services free of constraints resulting from artificial barriers. Students will have access to library media selected and available in accordance with district policy and library media guidelines.

### **Confidentiality**

Individually identifiable library records will be confidential as required by law. Individually identifiable library records of a student will be considered an education record under federal law and will be released in accordance with Board policy.

Individually identifiable library records of persons other than students will not be released to any person other than the person identified in the record or to district employees who need to know the information to perform their duties for the district. However, these records may be released upon written request by the person identified in the record or in response to a court order upon a finding that the disclosure is necessary to protect the public safety or to prosecute a crime.

As used in this policy, a "library record" is any document, record or other method of storing information retained, received or generated by a library that identifies a person or persons as having requested, used or borrowed library material and all other records identifying the names of library users. The term "library record" does not include nonidentifying material that may be retained for the purpose of studying or evaluating the circulation of library material in general.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: EGAAA, Reproduction of Copyrighted Materials  
JO, Student Records  
KH, Public Gifts to the Schools  
KLB, Public Questions, Comments or Concerns Regarding District  
Instructional/ Media/Library Materials

Legal Refs: §§ 182.815 - .817, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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**DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES  
AND ORGANIZATIONS  
(Districts Not Allowing Noncurricular Groups)**

The Board of Education believes that student activities sponsored by the school district are a vital part of the total educational program and should be used as a means of developing social interactions, as well as knowledge and skills. The Board further recognizes that not all of the district's goals and objectives can be met in formal classroom study. Therefore, the Board authorizes the use of the district's facilities, employees and funds to provide student extracurricular activities or groups.

The Board directs the district's superintendent or designee to administer the district's extracurricular activities and groups in keeping with this policy, and to create administrative procedures to further the district's goals.

**Definitions**

All district-sponsored activities, groups and organizations meeting or occurring during noninstructional time will be referred to as extracurricular. However, extracurricular activities and groups will be further categorized as follows for legal purposes:

*Cocurricular Activity or Group*: A school-sponsored activity or group primarily involving students and occurring outside of academic class time, where

- < The subject matter of the activity or group is or will be taught in a regularly offered class;
- < The subject matter of the activity or group concerns the body of courses as a whole;
- < Participation in the group is a requirement for a course; or
- < Academic credit is granted for participation.

*Noncurriculum-Related Student Group*: School-sponsored activities or groups primarily involving students and meeting outside of academic class time, which are not cocurricular.

### **General**

The district will not sponsor noncurriculum-related student groups, pursuant to the Equal Access Act.

All curriculum-related and extracurricular activities must have a duly-appointed sponsor, advisor or coach who is a district employee. Before assuming the duties of a sponsor, advisor or coach, the district must have on file a recent background check of the employee. It shall be the duty of such individuals to attend all meetings, functions or practices of the various groups, to advise and supervise students, and to keep the building principal informed regarding activities. All district-sponsored extracurricular activities should be included on the school calendar.

All students participating in extracurricular activities or groups are subject to district supervision and discipline. Students must comply with all policies, eligibility requirements, rules and procedures established by the district or established by the Missouri State High School Activities Association (MSHSAA), when applicable.

Unless participation is required for an academic course in which the student is enrolled, participation in all extracurricular activities or groups is voluntary.

Upon the adoption of a resolution by a majority of the entire Board, the district may designate extracurricular activities that the Board believes presents unusual physical hazards to students. The Board may then authorize the expenditure of school funds to purchase medical insurance covering students while engaged in the activity, if the purchase of insurance would constitute a financial hardship to the parent/guardian or student.

### **Exclusion from Activities or Groups**



Students may belong to and take part in all extracurricular activities or groups for which they are qualified, regardless of race, color, sex, religion, national origin, ancestry or disability.

Unless participation in a group or activity is required for a course in which the student is enrolled, participation is a privilege, not a right. Students may be excluded from these groups as a disciplinary action, as a consequence for poor performance in school, or otherwise as determined by district administration. A student and/or his or her parents/guardians are not entitled to a hearing solely because the student has been excluded from an extracurricular activity which is not required for a course in which the student is enrolled.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
JFCF, Hazing and Bullying  
KG, Community Use of School Facilities

Legal Refs: § 162.063, RSMo.  
*Westside Community Bd. of Ed. v. Mergens*, 496 U.S. 226 (1990)  
The Equal Access Act, 20 U.S.C. §4701, 4702

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**DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES  
AND ORGANIZATIONS  
(Districts Allowing Noncurricular Groups)**

The Board of Education believes that student activities sponsored by the school district are a vital part of the total educational program and should be used as a means of developing social interactions, as well as knowledge and skills. The Board further recognizes that not all of the district's goals and objectives can be met in formal classroom study. Therefore,

the Board authorizes the use of the district's facilities, employees and funds to provide student extracurricular activities or groups.

The Board directs the district's superintendent or designee to administer the district's extracurricular activities and groups in keeping with this policy, and to create administrative procedures to further the district's goals.

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*Noncurricular Activity or Group*: School-sponsored activities or groups primarily involving students and meeting outside of academic class time, which are not cocurricular.

## **General**

All extracurricular activities must have a duly-appointed sponsor, advisor or coach who is a district employee. Before assuming the duties of a sponsor, advisor or coach, the district must have on file a recent background check of the employee. It shall be the duty of such individuals to attend all meetings, functions or practices of the various groups, to advise and supervise students, and to keep the building principal informed regarding activities. All district-sponsored extracurricular activities should be included on the school calendar.

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\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
JFCF, Hazing and Bullying  
KG, Community Use of School Facilities

Legal Refs: § 162.063, RSMo.  
*Westside Community Bd. of Ed. v. Mergens*, 496 U.S. 226 (1990)  
The Equal Access Act, 20 U.S.C. §4701, 4702

Avilla R-XIII School District, Avilla, Missouri

**INTERSCHOLASTIC ATHLETICS**  
***(K-8 Districts)***

The Board of Education believes that individual students shall have opportunities to grow physically and intellectually through experience in self-discipline and contribution to a team effort made possible through competitive interscholastic athletics. An interscholastic athletic program shall be conducted in the school district to further the development of students as competitors and spectators through friendly interschool contests. The purpose of the program is to develop leadership, good sportsmanship, personality development, new friendships and a friendly rivalry with other schools.

The Board will provide interscholastic athletic competition for students in a variety of sports. Students will be allowed to participate in the individual sports on the basis of physical condition and desire. Qualified professional staff will be provided for coaching, and for the supervision of all athletic events.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JFCA, Student Dress Code  
JFCF, Hazing and Bullying

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**INTERSCHOLASTIC ATHLETICS**

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Adopted:

Revised:

Cross Refs: JFCA, Student Dress Code  
JFCF, Hazing and Bullying

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## STUDENT FUNDRAISING

### Definition

*District-Sponsored Fundraising* B Any activity that has the purpose of raising funds in support of a student activity or program and that is administered and conducted by school staff or students involved in the activity or program.

### District-Sponsored Fundraisers

The Board prefers that the school district financially support district-sponsored student programs and activities. However, in some cases it may be necessary to raise funds to help support these district endeavors, and the district may involve students in these fundraising activities.

The superintendent and principals will be directly responsible for all district-sponsored fundraising activities conducted in the district or sponsored in any manner by the district. All district-sponsored fundraising activities must first be approved by the building principal and/or the superintendent or designee and must comply with the requirements set out in district policies

and procedures, including the district's wellness program and district funds management rules. All funds collected in a district-sponsored fundraiser will be deposited in district accounts.

### **Student-Initiated Group Fundraisers**

Student-initiated groups are not district sponsored, but these groups have the same access to district facilities, communications channels and fundraising opportunities as other district-sponsored noncurricular groups. These groups may conduct fundraising activities, but must follow the same rules applicable to other district-sponsored noncurricular groups.

### **Fundraising by Other Groups**

For liability and funds management purposes, it is essential that district staff not confuse district-sponsored fundraising with fundraising conducted by booster clubs or other groups not directly controlled by the district. Although the district welcomes community involvement in and support of district programs, the district cannot take responsibility for fundraising or the funds collected by such groups. To avoid confusing parents, students and community members participating in the fundraising efforts, only district-sponsored fundraising subject to district rules may occur during the school day or class time.

A group may only use the name, logo or mascot of the district or of a district school in reference to a fundraiser if the fundraiser has been approved by the superintendent or designee or the School Board and the funds raised go to the district as represented in the advertising.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ADF, District Wellness Program  
DI, Fiscal Accounting and Reporting/Accounting System

Legal Refs: Equal Access Act, 20 U.S.C. " 4071, 4072

Avilla R-XIII School District, Avilla, Missouri

## STUDENT PUBLICATIONS

The Board recognizes creative student expression as an educational benefit of the school experience. One medium of expression is student journalism. Some student publications, such as annual yearbooks, school newspapers and student-created or student-edited web pages, may be educational devices developed as part of the curriculum to benefit primarily those who compile, edit and publish them. Faculty advisers will be assigned to guide students engaged in these activities. Any commercial advertisements in these publications will conform to administrative procedures.

The following school-sponsored student publications at the secondary level are authorized by the Board of Education:

- < School Newspaper and/or Magazine -- A school newspaper and/or magazine will be published under the direction of a faculty sponsor. Its purposes are to promote communication between classes and allow students the opportunity to illustrate their creativity and writing skills. The paper may be distributed for a nominal charge to students.
- < Yearbook -- A yearbook will be published under the direction of a faculty sponsor. Its purpose will be to provide a history of pertinent information and school events for the current school year. The yearbook will be available to students at a cost to be annually determined by the school administration.
- < Web Pages -- Students may be allowed to create or edit web pages under the direction of a designated faculty member. Its purposes are to inform the district staff, students and community of school news and to stimulate creativity and knowledge of new media.

School-sponsored publications and productions are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material which is inconsistent with the district's legitimate educational concerns. All student media shall comply with the ethics and rules of responsible journalism. Information obtained from a student's personally identifiable education records shall not be disclosed in student publications unless the information is Directory Information or the district has received written consent from the parent/guardian or eligible student to release the information.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EHB, Technology Usage  
IGDBA, Distribution of Noncurricular Student Publications  
JO, Student Records

Legal Refs: *Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)

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## DISTRIBUTION OF NONCURRICULAR STUDENT PUBLICATIONS

### I. Guidelines

Students may distribute, at reasonable times and places, unofficial material, including but not limited to petitions, buttons, badges, or other insignia. If the district allows students to use its technology resources for noncurricular purposes, any exchange of unofficial material which is delivered or accessed using district technology resources is also subject to this policy. However, students cannot distribute expressions which:

- A. Are obscene to minors.
- B. Are libelous.
- C. Are pervasively indecent or vulgar (secondary schools)/contain any indecent or vulgar language (elementary schools).
- D. Advertise any product or service not permitted to minors by law.
- E. Constitute insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion or ethnic origin).
- F. Present a clear and present likelihood that, either because of their content or their manner of distribution, will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school procedures.

### II. Procedures



Anyone wishing to distribute unofficial material must first submit for approval a copy of the material to the principal or designee 24 hours in advance of desired distribution time, together with the following information:

- A. Name and phone number of the person submitting request.
- B. Date(s) and time(s) of day of intended distribution.
- C. Location where material will be distributed.
- D. The grade(s) of students to whom the distribution is intended. Within 24 hours of submission, the principal (or his or her designee) will render a decision whether the material violates the Guidelines in Section I or the time, place and manner restrictions in Section III of this policy. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial.

Permission to distribute material does not imply approval of its contents by the school, the administration, the Board, or the individual reviewing the material submitted.

If the person submitting the request does not receive a response within 24 hours of submission, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person. If the person has made this verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in Section III.

If the person is dissatisfied with the decision of the principal (or designee), the person may submit a written request for appeal to the superintendent of schools or his or her secretary.

If the person does not receive a response within three days (not counting Saturdays, Sundays and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.

If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in Section III.

At every level of the process, the person submitting the request shall have the right to appear and present the reasons supported by relevant witnesses and material, as to why distribution of the unofficial material is appropriate.

### III. **Time, Place and Manner of Distribution**

The distribution of unofficial material shall be limited to a reasonable time, place and manner as follows:

- A. No unofficial material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of unofficial material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school or when it disrupts the use of district technology resources.

### IV. **Definitions**

The following definitions apply to the following terms as used in this policy:

- A. "*Obscene to minors*" is defined as:
  - 1. The average person, applying contemporary community standards, would find that the unofficial material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested; and/or
  - 2. The unofficial material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and/or
  - 3. The unofficial material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.
- B. "*Minor*" means any person under the age of 18.
- C. "*Material and substantial disruption*" of a normal school activity is defined as follows:
  - 1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.

2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods), "material and substantial disruption" is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the material in question.

- D. "*School activities*" means any activity of students sponsored by the school and includes -- by way of example, and not by way of limitation -- classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, and in-school lunch periods.
- E. "*Unofficial material*" includes all written or pictorial communications except school publications funded and/or sponsored or authorized by the school. Examples include leaflets, buttons, badges, insignia, brochures, flyers, petitions, placards, underground newspapers, websites, links to websites, and e-mails, whether created by students or others.
- F. "*Libelous*" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation, or to lower him or her in the esteem of the community.
- G. "*Distribution*" means circulation or dissemination of unofficial material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies or delivery via district technology. It includes displaying unofficial material in areas of the school which are generally frequented by students.

#### V. **Disciplinary Action**

Distribution by a student of unofficial material prohibited in Section I or in violation of Section III may be treated as a violation of the student discipline code.

#### VI. **Notice of Policy to Students**

A copy of this policy will be published in student handbooks and posted conspicuously in school buildings.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Ref: EHB, Technology Usage  
JFH, Student Complaints and Grievances  
KI, Public Solicitations/Advertising in District Facilities

Legal Ref: §§ 167.161 - .171, 573.010, RSMo.  
*Bystrom v. Fridley High School Independent School District*, 822 F.2d 747 (8th Cir. 1987)

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**STUDENT-INITIATED GROUP USE OF DISTRICT FACILITIES  
(K-12 Districts - Not Allowing Noncurricular Groups)**

The Avilla R-XIII School District chooses to provide a closed forum environment by allowing only district-sponsored authorized curricular and cocurricular student groups to use district facilities during noninstructional time before, after or during school. Use by noncurriculum-related student groups, regardless of whether the groups are sponsored by the district or are student-initiated, will not be allowed. Community use of school facilities is governed by policy KG.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: KG, Community Use of School Facilities  
KI, Public Solicitations/Advertising in District Facilities  
KKB, Audio and Visual Recording

Legal Refs: The Equal Access Act (1984), 20 U.S.C. §§ 4701, 4702  
"Religious Expression in Public Schools," U.S. Dept. of Education, May,  
1998  
*Westside Community Bd. of Ed. v. Mergens*, 496 U.S. 226 (1990)

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**STUDENT-INITIATED GROUP USE OF DISTRICT FACILITIES**  
***(K-12 Districts - Allowing Noncurricular Groups)***

Pursuant to the Equal Access Act, secondary schools of the district will provide an opportunity for student-initiated, noncurricular groups to conduct meetings or activities on district property to the same extent that the district allows other noncurriculum-related student groups to meet on school premises during noninstructional time. Student-initiated groups will not be denied access on the basis of religious, political, philosophical or other content of speech at such meetings. The superintendent or designee may create administrative procedures to govern the use of school facilities by student-initiated noncurricular groups, for the purpose of this policy. Community use of school facilities is governed by policy KG.

To make use of the school facilities, a student-initiated noncurricular meeting must meet the following criteria:

- < The student-initiated groups must be limited to secondary school students and can only meet at secondary schools.
- < The meetings must be held during noninstructional times.
- < A meeting must be voluntary and student initiated. No student shall be in any way coerced to participate in religious activity.
- < Employees of the district or other adults may not sponsor, promote, or lead student-initiated groups or meetings. However, a teacher, administrator or other school employee may be assigned to the meeting to monitor facility use and student conduct.

- < Employees and agents of the school are to be present solely in a nonparticipatory capacity at any student-initiated religious activity held at school and will strictly observe a policy of official neutrality regarding religious activity.
- < The meeting may not materially and substantially interfere with the orderly conduct of educational activities within the school.
- < Except for incidental building costs, no public funds will be expended for student-initiated noncurriculum-related groups.

### **Student Conduct at Meetings**

Students attending student-initiated groups or activities must follow all school rules and procedures governing student conduct. The school reserves the right to maintain order and discipline, as well as to protect the safety and well-being of students and employees.

### **Access to Communication Channels**

Noncurriculum-related, student-initiated groups at the secondary school level shall have the same access allowed to all other noncurriculum-related student groups to channels of communication for publicizing their meetings, including the public address system, designated bulletin boards, school newspapers and the calendar of events. However, the school may uniformly state in these media that such organizations or their meetings are not sponsored by the school.

\*\*\*\*\*

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Adopted:

Revised:

Cross Refs: KG, Community Use of School Facilities  
KI, Public Solicitations/Advertising in District Facilities  
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## **EXTENDED INSTRUCTIONAL PROGRAMS**

The Avilla R-XIII School District shall attempt to provide continuous progress in education to fit the needs of individuals of the community. In meeting these needs, the district may provide programs beyond those offered during the regular school day. The district will pursue all available state or federal aid for its extended instructional programs.

### **Adult Education**

The Board may provide school facilities for the purpose of maintaining and expanding programs and services for persons interested in adult education. Such programs shall be commensurate with the needs of the community. The Board may provide administrative, ancillary and other supportive services needed to enhance the quality of the adult education program; however, the program shall be provided only out of revenue derived by the school district from sources other than state appropriations.

### **Early Childhood**

The critical importance of the early years in determining the educational development of children is recognized by the Board. Insofar as resources permit, programs designed to help meet the physical, emotional, social and intellectual needs of preschool age children are encouraged.

The district will provide services to students with disabilities beginning at age three (3) in accordance with the Individuals with Disabilities Education Act (IDEA) and as required by other applicable law.

### **Extended School Year**

Extended school year (ESY) services may be necessary to provide a child with a disability a free appropriate public education pursuant to the law of special educational services. A student's Individualized Education Program (IEP) team will determine whether ESY services are necessary and the length, nature and type of services to be provided.

### **Extended-Day Child Care**

The district may establish before- and after-school child care programs for students between the ages of five (5) and 14 and for the children of students. The district may establish such a program directly or with any not-for-profit corporation.

### **Reading Improvement Instruction (Grades K-3)**

The district may provide a program of reading improvement instruction for students in kindergarten through third grade who do not meet the district's objectives for reading. Students receiving such instruction can be counted toward additional average daily attendance for extra hours of instruction falling outside the traditional school day.

### **Reading Improvement Instruction (Grades 3-6)**

The district will design and implement a reading improvement plan with at least 30 hours of additional reading instruction or practice outside the regular school day for students in grades four (4) through six (6) who do not meet minimum standards on the district's reading assessment, as required by law. The district will also design and implement reading improvement plans for students determined prior to the beginning of any school year to have a cognitive ability insufficient to meet minimum reading standards for students in grades three (3) through six (6), as required by law.

### **Remediation as a Condition of Promotion**

The district requires remediation as a condition of promotion to the next grade level for any student identified by the district as failing to master skills and competencies established for that particular grade level. The superintendent or designee shall determine which skills and competencies must be mastered, how they are to be assessed and what remediation is appropriate. The district may operate remediation programs outside the regular school day, including summer school. Such remediation shall recognize that different students learn differently and shall employ methods designed to help those students achieve at high levels. The district will pursue all available state or federal aid for such programs.

### **Summer School**

The district shall establish a summer school program for reading instruction with a minimum of 40 hours of reading instruction and practice for all students with a reading improvement plan. The district may offer a pre-kindergarten summer school to students who will reach the age of five (5) before August 1 of the school year beginning in that calendar year. Summer school may also be utilized for remediation as a condition of promotion.

### **Supplementary Educational Services**

The district may be required to arrange for provision of free supplementary educational services to low-income students who attend a school that has been identified for school improvement as required by law. The district will notify parents of children eligible to receive these services and provide these parents with a list of state-approved service



providers in the area, a description of the services available and, if requested, assist the parents in selecting a provider.

The district, in consultation with the parents and the provider, will develop a plan for improving the student's achievement for every child receiving services. The plan will articulate how progress reports will be shared with the parents and the school. This plan will be consistent with the IEP of any student receiving special services under IDEA.

### **Violence Prevention**

The district may provide a violence prevention instructional program. The program shall instruct students of the negative consequences of membership in or association with criminal street gangs or street gang activity, encourage nonviolent conflict resolution of problems facing youth, present alternative constructive activities for the students and encourage community participation in program instruction. The program shall be administered as appropriate for different grade levels and shall not be offered for academic credit. The district will contact the Department of Elementary and Secondary Education for guidance in establishing a violence prevention instructional program and will apply for any available state or federal aid.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 160.053, .500, 161.650, 167.290 - .310, .645, 171.091, 178.280, .290,  
.693, .695, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
34 C.F.R. Part 300  
No Child Left Behind Act of 2001, P.L. 107-110

Avilla R-XIII School District, Avilla, Missouri

The Avilla R-XIII School District strives to provide a diverse range of courses to meet student needs and interests. If a course is not offered in the district, the district may arrange for the student to enroll and participate in correspondence courses, including courses delivered primarily through electronic media, at the district's expense in accordance with this policy. In addition, the district may arrange for homebound students, students under long-term suspension or other students the district determines to be in need of alternative programming to enroll in correspondence courses at the district's expense and at the district's discretion. The district will only enroll students in correspondence courses offered by the Missouri Virtual Instruction Program (MoVIP), the University of Missouri-Columbia High School or other providers approved by the Board.

In order for the district to enroll a student in a correspondence course under this policy, the student must currently be enrolled in the district and remain enrolled in the district throughout the course until credit is earned. A district counselor must approve the course as academically appropriate for the student and must determine that the course will not hinder the student's progress toward graduation with his or her class. All grades and credits earned through district-sponsored correspondence courses will be accepted as if earned within the district.

While participating in correspondence courses, the student is considered a district student and subject to district discipline. If the student fails to complete a course, drops out without district permission, or is expelled from a course, the student will not be allowed to take another course at district expense.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Legal Refs: ' 161.670, RSMo.  
5 C.S.R. 50-500.010

Avilla R-XIII School District, Avilla, Missouri

## HOME SCHOOLING

In lieu of regular school attendance in the Avilla R-XIII School District, a child may be excused from compulsory school attendance if the child is provided with home schooling as authorized by Missouri law. Any alleged violation of the compulsory education law shall be referred to the prosecuting attorney of the county where the child legally resides.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: 167.031, .042, 210.167, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **PROGRAMS FOR ENGLISH LANGUAGE LEARNERS**

The Board of Education recognizes the need to provide equal educational opportunities for all students in the district. Therefore, if the inability to speak and understand the English language excludes a student from effective participation in the educational programs offered by the district, the district shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs. Identifying students who are English language learners (ELL) and ensuring them equal access to appropriate programs are the first steps to improving their academic achievement levels.

### **Definitions**

*Language Minority (LM)* B Refers to a student whose linguistic background, such as country of birth or home environment, includes languages other than English. Language minority is based solely on the student=s language background and not on proficiency.

*Limited English Proficiency (LEP)* B Proficiency in reading, writing, listening or speaking English that is below grade- and age-level peers. Limited English proficiency is based on the assessment of a student=s English language proficiency.

*English Language Learner* B Refers to an LM student with limited English proficiency.

*English for Speakers of Other Languages (ESOL)* B An instructional approach that can include structured ESOL immersion, content-based ESOL and pull-out ESOL instruction.

1. Structured ESOL immersion involves a bilingual teacher and a self-contained classroom.
2. Content-based ESOL allows the student to remain in the regular classroom and focuses on delivering content in an adapted English format.
3. Pull-out ESOL periodically removes students from the regular classroom for instruction in English.

*Bilingual Education* B An instructional approach that explicitly includes the student's native language in instruction. This approach requires an instructor fluent in the student's native language and proficient in content areas and is often used where many ELL students share the same language and where qualified bilingual teachers are available.

*Child* B Any individual age 3-21.

*Parent* B Parent, legal guardian or person otherwise responsible for the child.

*Language Instruction Education Program* B An instructional course in which an ELL child is placed for the purpose of developing and attaining English proficiency while meeting challenging state academic achievement standards as required by law. The program may make instructional use of both English and a child's native language and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language.

The district's coordinator for ELL programs is \_\_\_\_\_.

The Board directs the coordinator to develop and implement language instruction programs that:

1. Identify language minority students through the use of a Student Home Language survey (see IGBH-AF1). The building administrator will develop procedures to ensure that all new and currently enrolled students complete the Home Language survey.

2. Identify LM students who are also English language learners. Any student who indicates the use of a language other than English will be assessed for English proficiency using the state-provided assessment instrument.
3. Determine the appropriate instructional environment for ELL students.
4. Annually assess the English proficiency of ELL students and monitor the progress of students receiving ESOL or bilingual instruction in order to determine their readiness for the mainstream classroom environment.
5. Provide parents with notice of and information regarding the instructional program as required by law. Parental involvement will be encouraged and parents will be regularly apprised of their child's progress.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
CGC, State and Federal Programs Administration

MSIP Refs: 8.3.1

Legal Refs: Equal Educational Opportunities Act, 20 U.S.C. ' 1703(f)  
English Language Acquisition, Language Enhancement, and Academic  
Achievement Act, 20 U.S.C. " 6811 - 6871  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. ' 2000d  
34 C.F.R. Part 100  
*Plyler v. Doe*, 457 U.S. 202 (1982)  
*Lau v. Nichols*, 414 U.S. 563 (1974)  
*Castaneda v. Pickard*, 648 F.2d 989 (5th Cir.1981)

Avilla R-XIII School District, Avilla, Missouri

## HOMEBOUND INSTRUCTION

The Board of Education authorizes the use of homebound instruction when appropriate. Application for homebound instruction must be made through the school principal and approved by the superintendent or designee. Homebound instruction will be provided to:

1. Any student with a medical condition who district personnel have determined would benefit from homebound instruction. Such determination will be made in consultation with the student's medical provider. The special education director or compliance officer will be notified if appropriate.
2. Any student whose educational needs, as determined by district staff, are most appropriately and effectively met by homebound instruction.
3. Any student with disabilities when the individualized education program (IEP) team or 504 team determines that homebound placement is appropriate.

The amount of instruction or supportive service provided through the homebound program shall be determined in relation to each student's educational needs and health. It will be necessary for the parents/guardians of the student to arrange a suitable place in the home or another location for homebound instruction.

At the time the student is placed on homebound services, the school principal will work with the parents/guardians and district personnel to create an appropriate plan for transition back to onsite services.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri

## AT-RISK STUDENTS

The Board of Education recognizes that academic failure by students can be directly associated with personal, social, emotional or behavioral problems beyond the traditional jurisdiction of the regular classroom. Therefore, the Board is committed to working in conjunction with a committee of faculty members, administrators and community members to implement a program which will serve to increase self-esteem, pride and academic excellence in potential at-risk students. With the understanding that there is no single solution to the at-risk problem, the district's program will be implemented through a series of activities within the classroom, small group counseling, individual counseling, and awareness and prevention efforts.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JEA, Compulsory and Part-Time Attendance  
JFCL, A+ Schools Program

Legal Refs: §§ 167.275, .273, .275, .280, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **PARENT/FAMILY INVOLVEMENT IN INSTRUCTIONAL AND OTHER PROGRAMS**

The Avilla R-XIII School District Board of Education believes that engaging parents/families in the education process is essential to improved academic success for students. The Board recognizes that a student's education is a responsibility shared by the district, parents, families and other members of the community during the entire time a student attends school. The Board believes that the district must create an environment that is conducive to learning and that strong, comprehensive parent/family involvement is an important component. Parent/Family involvement in education requires a cooperative effort with roles for the Department of Elementary and Secondary Education (DESE), the district, parents/families and the community.

## **Parent/Family Involvement Goals and Plan**

The Board of Education recognizes the importance of eliminating barriers that impede parent/family involvement, thereby facilitating an environment that encourages collaboration with parents, families and other members of the community. Therefore, the district will develop and implement a plan to facilitate parent/family involvement that shall include the following six (6) goals:

1. Promote regular, two-way, meaningful communication between home and school.
2. Promote and support responsible parenting.
3. Recognize the fact that parents/families play an integral role in assisting their children to learn.
4. Promote a safe and open atmosphere for parents/families to visit the schools their children attend, and actively solicit parent/family support and assistance for school programs.
5. Include parents as full partners in decisions affecting their children and families.
6. Use available community resources to strengthen and promote school programs, family practices and the achievement of students.

The district's plan for meeting these goals is to:

1. Provide activities that will educate parents regarding the intellectual and developmental needs of their children at all age levels. This will include promoting cooperation between the district and other agencies or school/community groups (such as parent-teacher groups, Head Start, Parents as Teachers, etc.) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development.
2. Implement strategies to involve parents/families in the educational process, including:
  - < Keeping parents/families informed of opportunities for involvement and encouraging participation in various programs.
  - < Providing access to educational resources for parents/families to use together with their children.



- ◁ Keeping parents/families informed of the objectives of district educational programs as well as of their child's participation and progress within these programs.
- 3. Enable families to participate in the education of their children through a variety of roles. For example, parents/family members should be given opportunities to provide input into district policies and volunteer time within the classrooms and school programs.
- 4. Provide professional development opportunities for teachers and staff to enhance their understanding of effective parent/family involvement strategies.
- 5. Perform regular evaluations of parent/family involvement at each school and at the district level.
- 6. Provide access, upon request, to any instructional material used as part of the educational curriculum.
- 7. If practical, provide information in a language understandable to parents.

### **Title I, Migrant Education (MEP) and Limited English Proficiency (LEP) Programs**

The Board also recognizes the special importance of parent/family involvement to the success of its Title I, MEP and LEP programs. Pursuant to federal law, the district and parents will jointly develop and agree upon a written parental involvement policy that will be distributed to parents participating in any of these programs.

#### ***Title I Program Parent Involvement***

The district and parents of children participating in the Title I program will jointly develop and agree upon a written parent involvement policy that will describe how the district will:

1. Involve parents in the joint development of the Title I program plan and in the process of reviewing the implementation of the plan and suggesting improvements.
2. Provide the coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance.
3. Build the schools' and parents' capacity for strong parental involvement.
4. Coordinate and integrate Title I parental involvement strategies with those of other educational programs.

5. Conduct, with the involvement of parents, an annual evaluation of the content of the parental involvement policy and its effectiveness in improving the academic quality of the schools served. This will include identifying barriers to greater participation by parents in activities authorized by law, particularly by parents who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background. The district will use the findings of such evaluation to design strategies for more effective parental involvement and to revise, if necessary, the parental involvement policies.
6. Involve parents in the activities of the schools served.

Each school receiving Title I funds will jointly develop with and distribute to parents of children participating in the Title I program a written parental involvement policy agreed upon by such parents in accordance with the requirements of federal law:

1. The policy must be made available to the local community and updated periodically to meet the changing needs of parents and the school.
2. The policy shall contain a school-parent compact that outlines how parents, the entire school staff and students will share the responsibility of improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children.
3. Each school participating in the Title I program will convene a meeting annually to inform parents about Title I and to involve parents in the planning, review and improvement of Title I programs, including the planning, review and improvement of the school parental involvement policy.

### ***Migrant Education Program Parent Involvement***

Parents of students in the MEP will be involved in and regularly consulted about the development, implementation, operation and evaluation of the Migrant Education Program.

Parents of MEP students will receive instruction regarding their role in improving the academic achievement of their children.

### ***Limited English Proficiency Program Parent Involvement***

Pursuant to federal law, parents of LEP students will be provided notification regarding their child's placement in and information about the district's LEP program.

Parents will be notified of their rights regarding program content and participation.

### **Policy Evaluation**

The district, with parent/family involvement, will review and evaluate the content and effectiveness of this policy and each school-level policy at least annually. The district will revise this policy as necessary to improve or create practices that enhance parent/family involvement.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs:    ADF, District Wellness Program  
                  CGC, State and Federal Programs Administration  
                  JFH, Student Complaints and Grievances  
                  JHC, Student Health Services and Requirements  
                  JHDA, Surveying, Analyzing or Evaluating Students  
                  KI, Public Solicitations/Advertising in District Facilities  
                  KL, Public Complaints

Legal Refs:    § 167.700, RSMo.  
                  Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h  
                  No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 - 7941

Avilla R-XIII School District, Avilla, Missouri

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## **PROGRAMS FOR MIGRANT STUDENTS**

The Board of Education of the Avilla R-XIII School District directs the administration to identify migratory children in the district, as required by law, and to develop written administrative procedures for ensuring that migrant students receive services for which they are eligible. In developing and implementing a program to address the needs of migratory children the district will:

1. Identify migratory students and assess the educational and related health and social needs of each identified student.

2. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, elective classes, fine arts classes, etc.
3. Provide migratory children with the opportunity to meet the same statewide assessment standards that all children are expected to meet.
4. To the extent feasible, provide advocacy and outreach programs to migratory children and their families and professional development for district staff.
5. Provide parents an opportunity for meaningful participation in the program.

If a migrant student is identified by the district, the superintendent or designee will notify the State Director and request assistance if needed.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
CGC, State and Federal Programs Administration  
JEC, School Admissions

Legal Refs: No Child Left Behind Act of 2001, P.L. 107-110  
34 C.F.R. §§ 200.40 - .45

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## PROGRAMS FOR HOMELESS STUDENTS

The Avilla R-XIII School District Board of Education recognizes that homelessness alone should not be sufficient reason to separate students from the mainstream school environment. Therefore, the district, in accordance with state and federal law and the Missouri state plan for education of the homeless, will give special attention to ensure that

homeless students in the school district have access to a free and appropriate public education.

Homeless students are individuals who lack a fixed, regular and adequate nighttime residence and include the following:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
2. Children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
4. Migratory children who meet one (1) of the above-described circumstances.

### **Enrollment/Placement**

The district will consider the best interest of the homeless student, with parental involvement, in determining whether he or she should be enrolled in the school of origin or the school that nonhomeless students who live in the attendance area in which the homeless student is actually living are eligible to attend. To the extent feasible, and in accordance with the homeless student's best interest, the homeless student should continue his or her education in the school of origin, except when contrary to the wishes of the parent or guardian. If the homeless student is unaccompanied by a parent or guardian, the homeless coordinator will consider the views of the homeless student in deciding where he or she will be educated. The choice regarding placement shall be made regardless of whether the homeless student lives with the homeless parents or has been temporarily placed elsewhere.

The school selected shall immediately enroll the homeless student even if he or she is unable to produce records normally required for enrollment, such as previous academic records, immunization records, proof of residency or other documentation. However, the district may require a parent or guardian of a homeless student to submit contact information.

The district must provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, or to the homeless student if unaccompanied, if the district sends him or her to a school other than the school of origin or other than a school requested by the parent or guardian.

If a dispute arises over school selection or enrollment in a school, the homeless student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. The homeless student, parent or guardian shall be referred to the district homeless coordinator, who will carry out the dispute resolution process as expeditiously as possible.

For the purposes of this policy, "school of origin" is defined as the school that the student attended when permanently housed or the school in which the student was last enrolled.

### **Services**

Each homeless student shall be provided services comparable to services offered to other students in the district including, but not limited to, transportation services; educational services for which the student meets the eligibility criteria, such as educational programs for disadvantaged students, students with disabilities and gifted students; vocational programs and technical education; school meals programs; preschool programs; before- and after-school care programs; and programs for students with limited English proficiency. Homeless students will not be segregated in a separate school or in a separate program within a school based on the students' status as homeless.

### **Transportation**

If the homeless student's school of origin and temporary housing are located in the Avilla R-XIII School District, the district will provide transportation to and from the school of origin at the request of the parent, guardian or homeless coordinator, provided it is in the best interest of the student. If the homeless student's school of origin and temporary housing are located in two (2) different school districts, the districts will equally share the responsibility and costs for transporting the student.

### **Records**

Any records ordinarily kept by the school for each homeless student, including immunization records, academic records, birth certificates, guardianship records and evaluations for special services or programs shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made and so that records may be transferred in a timely fashion when a homeless student enters a new school district. Copies of records shall be made available upon request to students or parents in accordance with the Family Educational Rights and Privacy Act (FERPA).

### **Coordinator**

The Board designates the following individual to act as the district's homeless coordinator:

(Title of individual to serve as homeless coordinator or office within the district designated to respond to issues with homeless students)

(Business Address)

(Phone/Fax)

The district shall inform school personnel, service providers and advocates working with homeless families of the duties of the district homeless coordinator. The homeless coordinator will ensure that:

1. Homeless students are identified by school personnel and by other entities and agencies with which the school coordinates activities.
2. Homeless students enroll and have a full and equal opportunity to succeed in schools in the district.
3. Homeless families and students receive educational services for which they are eligible, including Head Start, Even Start and preschool programs administered by the district, as well as referrals to health care services, dental services, mental health services and other appropriate services based on their assessed needs.
4. The parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Public notice of the educational rights of homeless students is disseminated where such students receive services, such as schools, family shelters and soup kitchens.
6. Enrollment disputes are mediated in accordance with law.
7. The parent or guardian of a homeless student and any unaccompanied student is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.
8. Unaccompanied students will be assisted in placement or enrollment decisions, their views will be considered and they will be provided notice of the right to appeal.
9. Students who need to obtain immunizations, or immunization or medical records, will receive assistance.

### **Resolving Grievances**

*Level I* -- A complaint regarding the placement or education of a homeless student shall first be presented orally and informally to the district's homeless coordinator. If the complaint is not promptly resolved, the complainant may present a formal written complaint

(grievance) to the homeless coordinator. The written charge must include the following information: date of filing, description of alleged grievances, the name of the person or persons involved and a recapitulation of the action taken during the informal charge stage. Within five (5) business days after receiving the complaint, the coordinator shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the coordinator will inform the superintendent of the formal complaint and the disposition.

*Level II* -- Within five (5) business days after receiving the decision at Level I, the complainant may appeal the decision to the superintendent by filing a written appeals package. This package shall consist of the complainant's grievance and the decision rendered at Level I. The superintendent will arrange for a personal conference with the complainant at his or her earliest mutual convenience. Within five (5) business days after receiving the complaint, the superintendent shall state a decision in writing to the complainant, with supporting evidence and reasons.

*Level III* -- If a resolution is not reached in Level II, a similar written appeals package shall be directed through the superintendent to the Board of Education requesting a hearing before the Board at the next regularly scheduled or specially called meeting. Within 30 business days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For district purposes, the decision of the Board of Education is final.

*Level IV* -- If the complainant is dissatisfied with the action taken by the Board of Education, a written notice stating the reasons for dissatisfaction may be filed with the State Homeless Coordinator, Federal Discretionary Grants, P. O. Box 480, Jefferson City, MO, 65102-0480. An appeal of this decision can be made within ten (10) days to the Deputy Commissioner of Education.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs:   EEA, Student Transportation Services  
                  JEC, School Admissions  
                  JECA, Admission of Resident Students  
                  JECB, Admission of Nonresident Students  
                  JECC, Assignment of Students to Grade Levels/Classes

Legal Refs:   §§ 167.020, .181, 210.003, RSMo.



19 CSR 20-28.010  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
34 C.F.R. Part 99  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001,  
42 U.S.C. § 11431 *et seq.*

Avilla R-XIII School District, Avilla, Missouri

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### **PROGRAMS FOR GIFTED STUDENTS**

The Board of Education is committed to improving student learning opportunities for all students in the district and authorizes a program for meeting the educational needs of identified gifted students in an educational environment beyond that offered in the regular classroom. The Board of Education will make every effort to provide the level of monetary support necessary to sustain the gifted program.

The program will:

1. Provide a minimum of 150 minutes per week of contact time in which gifted program personnel work exclusively with identified gifted students.
2. Include a systematic process for the identification and selection of gifted students at all grade levels. The identification process will include alternative identification plans designed to identify gifted students who are traditionally underidentified and underserved, such as students with language differences, cultural differences, special educational needs and those from families living in poverty.
3. Utilize instructional personnel with the appropriate certification for the gifted program services they are providing.
4. Have class sizes and caseloads in accordance with Missouri Department of Elementary and Secondary Education (DESE) guidelines.
5. Include activities beyond the level usually provided in regular school programs that particularly contribute toward meeting the identified unmet needs of participating students.

The superintendent will designate a member of the district's professional staff to serve as the coordinator of gifted education. The coordinator is responsible for:

1. Oversight of the gifted education program.

2. Completing and submitting the application for a gifted education program through Core Data in a timely manner.
3. Reporting instructional positions and assignments of gifted program personnel through Core Data in a timely manner.
4. Completing an annual evaluation report before June 30 of each year that will be available in the central office.
5. Maintaining in the central office a description of the program's goals, learner objectives and activities as well as the annual program evaluation report.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

MSIP Refs: 7.2, 7.7, 8.8, 8.10, 8.12

Legal Refs: " 161.031, 162.720, RSMo.  
5 C.S.R. 50-200.010

Avilla R-XIII School District, Avilla, Missouri

### **PROGRAMS FOR STUDENTS WITH DISABILITIES** ***(Districts Served by a Special School District)***

It is the policy of the Board of Education to provide a free and appropriate education for students with disabilities, including those who are in need of special education and related services.

#### **General**

If any person knows or believes that a student has a disability and is in need of accommodation, that person should contact the school's principal or district administration immediately.

All complaints regarding discrimination will be resolved in accordance with policy AC and regulation AC-R. Anyone who has a complaint or suspects discrimination should contact the compliance coordinator identified in policy AC.

The district will notify all parents and students of its obligations under this policy and the law.

Unless the parents of the child have initially consented to the district's offer to provide special education and related services, the district cannot provide special education services pursuant to the Individuals with Disabilities Education Act (IDEA), and the child will not receive the protections of the IDEA.

The Board of Education prohibits the use of audio, video or other recording devices at meetings held pursuant to the IDEA or Section 504 of the Rehabilitation Act of 1973, as well as other meetings between district employees and parents. Exceptions to this prohibition will be made only when otherwise required by law or under unusual circumstances when such recording is necessary to ensure parental rights guaranteed under Part B of the IDEA. Requests for such exceptions must be made within a reasonable period of time prior to scheduled meetings. This prohibition does not apply to conversations held within view of district security cameras.

### **Students Who Are Eligible for Special Education Services under the IDEA**

The district, in cooperation with a special school district, will comply with applicable federal and state laws governing special education services, including the State and Local Plans for the implementation of Part B of the IDEA. However, if the State of Missouri does not receive or accept federal IDEA Part B funds, then nothing in this policy shall be read to require anything, procedurally or substantively, that is not required by the governing law.

### **Students Placed in Private Schools by Their Parents**

The Avilla R-XIII School District will, in cooperation with a special school district, provide special education and related services pursuant to state and federal law to eligible students who are placed in private school by their parents and not enrolled in the district. However, no child with a disability enrolled in a private school by his or her parents has an individual right to receive some or all of the special education and related services the child would receive if enrolled in a public school.

### **Mediation**

The Board of Education authorizes the special education director to legally bind the school district to a mediation agreement developed in accordance with the IDEA and Missouri law. The Board authorizes district staff to contact an attorney for legal advice prior to making any decisions.

### **Special School Children, Subject to Assignment**

A student, once receiving services through a special school district, will only be assigned to a district classroom as required by the Individualized Education Program (IEP) of the student.

### **Accommodation of Students with Disabilities Including Those Not Eligible for Special Education Services under the IDEA**

The district seeks to identify, evaluate and provide free and appropriate educational services in the least restrictive environment to all qualified students with disabilities within the definitions of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district program, including nonacademic services and extracurricular activities.

Students with disabilities may be eligible for accommodation under this policy even though they are not eligible for services pursuant to the IDEA. The district will initiate a referral if a student requiring accommodation is also believed to be a student with a disability under the IDEA. Implementation of an IEP in accordance with the IDEA satisfies the district's obligation to provide a free and appropriate education under Section 504.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
JECC, Assignment of Students to Grade Levels/Classes  
JGE, Discipline of Students with Disabilities  
JHDA, Surveying, Analyzing or Evaluating Students  
JO, Student Records

Legal Refs: §§ 162.670 - .999, RSMo.

Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

Avilla R-XIII School District, Avilla, Missouri

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## **PROGRAMS FOR STUDENTS WITH DISABILITIES**

It is the policy of the Board of Education to provide a free and appropriate education for students with disabilities, including those who are in need of special education and related services.

### **General**

If any person knows or believes that a student has a disability and is in need of accommodation, that person should contact the school's principal or district administration immediately.

All complaints regarding discrimination will be resolved in accordance with policy AC. Anyone who has a complaint or suspects discrimination should contact the compliance coordinator identified in policy AC.

The district will notify all parents and students of its obligations under this policy and the law.

Unless the parents of the child have initially consented to the district's offer to provide special education and related services, the district cannot provide special education services pursuant to the Individuals with Disabilities Education Act (IDEA), and the child will not receive the protections of the IDEA.

The Board of Education prohibits the use of audio, video or other recording devices at meetings held pursuant to the IDEA or Section 504 of the Rehabilitation Act of 1973, as well as other meetings between district employees and parents. Exceptions to this prohibition will be made only when otherwise required by law or under unusual circumstances when such recording is necessary to ensure parental rights guaranteed under Part B of the IDEA. Requests for such exceptions must be made within a reasonable period of time prior to scheduled meetings. This prohibition does not apply to conversations held within view of district security cameras.

### **Students Who Are Eligible for Special Education Services under the IDEA**

The district's programs and services available to meet the needs of students with disabilities will be in accordance with applicable federal and state laws governing special education services, including the State and Local Plans for the implementation of Part B of the IDEA. However, if the State of Missouri does not receive or accept federal IDEA Part B funds, then nothing in this policy shall be read to require anything, procedurally or substantively, that is not required by the governing law.

### **Students Placed in Private Schools by Their Parents**

The Avilla R-XIII School District will provide special education and related services pursuant to state and federal law to eligible students who are placed in private school by their parents and not enrolled in the district. However, no child with a disability enrolled in a private school by his or her parents has an individual right to receive some or all of the special education and related services the child would receive if enrolled in the district.

### **Independent Evaluations**

An Independent Educational Evaluation (IEE) will be provided as required by the IDEA. Applicable procedures, evaluator criteria and cost guidelines governing the IEE process are available through the district's special services office. The Board delegates the authority to make changes to these procedures, evaluator criteria and cost guidelines to the superintendent or designee. These items will adhere to rules published in the State and Local Plans for Compliance with Part B of the IDEA.

### **Extended School Year**

Extended school year (ESY) services may be necessary to provide a child with a disability a free and appropriate public education pursuant to law. The extended school year services will be addressed in each student's Individualized Education Program (IEP). The length, nature and type of ESY services will be determined by the IEP team.

### **Mediation**

The Board of Education authorizes the special education director to legally bind the school district to a mediation agreement developed in accordance with the IDEA and Missouri law. The Board authorizes district staff to contact an attorney for legal advice prior to making any decisions.

### **Accommodation of Students with Disabilities Including Those Not Eligible for Special Education Services under the IDEA**

The district seeks to identify, evaluate and provide free and appropriate educational services in the least restrictive environment to all qualified students with disabilities

within the definitions of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district program, including nonacademic services and extracurricular activities.

Students with disabilities may be eligible for accommodation under this policy even though they are not eligible for services pursuant to the IDEA. The district will initiate a referral if a student requiring accommodation is also believed to be a student with a disability under the IDEA. Implementation of an IEP in accordance with the IDEA satisfies the district's obligation to provide a free and appropriate education under Section 504.

\* \* \* \* \*

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Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
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Legal Refs: §§ 162.670 - .999, RSMo.  
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The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

Avilla R-XIII School District, Avilla, Missouri

The educational program of the Avilla R-XIII School District will provide for both formal studies to meet the general academic needs of students, as well as opportunities for individual students to develop specific talents and interests in the performing arts, practical arts, vocational-technical education and other specialized fields.

The various instructional programs offered by the district will be developed with the view toward maintaining a balanced and sequential curriculum that will serve the educational needs of all school-aged children in the district. The curriculum will also meet requirements established by state law, the Missouri State Board of Education and/or the Missouri Department of Elementary and Secondary Education. A written curriculum guide for all subject areas will be developed by the staff and reviewed and approved by the Board.

The Board of Education is committed to educational excellence through the development of communication and computational skills among the district's students. The Board will adopt specific requirements to ensure that high school graduates are sufficiently competent in these important skills. The instructional program will also provide a planned sequence in the language arts, social studies, the sciences, fine arts, industrial and practical arts, health and safety education, vocational-technical education and physical education. At all levels, provisions will be made for a wide range of individual differences in student abilities and learning rates through the use of a variety of materials, adjustments in programs, and courses adapted to special needs of students.

The ultimate aim of the instructional program will be the development of proficiency in each pupil's ability to read well, write legibly, spell accurately, listen attentively, speak clearly, think critically, use basic mathematical/computational skills, observe carefully, solve problems, participate effectively in groups, keep healthy, enjoy aesthetic experiences, and develop interest in and/or start career development.

Any instructional program which is required by state or federal law will be provided to students, and procedures will be developed to ensure requirements are met.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AD, School District Mission

Legal Refs: §§ 161.102, 167.268, 168.171, 170.011, .015, .041, RSMo.



Mo. Const. art. 1, §§ 5-7

Avilla R-XIII School District, Avilla, Missouri

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### **TEACHING ABOUT HUMAN SEXUALITY**

The Board of Education recognizes that parents/guardians are the primary source of sexuality education for their children. The Board also recognizes that effective sexuality education, taught in concert with parents/guardians, helps students avoid risks to their health and academic success and prepares them to make informed decisions as adults. Therefore, pursuant to requirements of state law, if the district chooses to use any course materials and instruction relating to human sexuality and sexually transmitted diseases the materials and instruction shall be medically and factually accurate and shall:

1. Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried students because it is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity. Students shall be advised that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy.
2. Stress that sexually transmitted diseases are serious, possible health hazards of sexual activity. Students shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases.
3. Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases, or present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law.
4. Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan.
5. Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role playing at appropriate grade levels to

emphasize that the student has the power to control personal behavior. Students shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control and ethical considerations, such as respect for one's self and others. Students shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Students shall be taught to resist unwanted sexual advances and other negative peer pressure.

6. Advise students of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise students of the provisions of chapter 566, RSMo., pertaining to statutory rape.

The district will not permit a person or entity to offer, sponsor or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if the person or entity is a provider of abortion services. District personnel or district agents will not encourage students to have an abortion.

Students may be separated by gender for human sexuality instruction. Instruction in human sexuality is to be appropriate to the age of the students receiving such instruction.

The district is required to notify the parent/guardian of each student enrolled in the district of the basic content of the district's human sexuality instruction to be provided to the student and of the parent's/guardian's right to remove the student from any part of the district's human sexuality instruction. The district is required to make all curriculum materials used in the district's human sexuality instruction available for public inspection as a public record prior to the use of such materials in actual instruction.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

MSIP Refs: 1.1, 1.3

Legal Refs: ' 170.015, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO

The Board of Education believes that effective drug education programs require both the acquisition of knowledge and the development of positive personal values. Both the school and other community agencies must share in the development and direction of programs to alleviate the problems of drug abuse. Therefore, the school district will abide by the following:

1. Establish and maintain a realistic, meaningful drug, alcohol and tobacco education program that will be incorporated into the total educational program.
2. Establish and maintain an ongoing professional development program for school personnel in the areas of drug, alcohol and tobacco use.
3. Cooperate with government and private agencies offering services related to drug, alcohol and tobacco problems.
4. Encourage and support activities that will develop a positive peer influence in the area of drugs, alcohol and tobacco.
5. Create a climate whereby students may seek and receive counseling about drugs, alcohol and tobacco and related problems without fear of reprisal.
6. Follow federal mandates concerning drug, alcohol and tobacco education.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JFCH, Student Alcohol/Drug Abuse

Legal Refs: No Child Left Behind Act of 2001, P.L. 107-110  
20 U.S.C. §§ 111-13

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## **OCCUPATIONAL EDUCATION**

### **Career Education**

The Board recognizes that career education is a developmental process designed to help students prepare for life roles in the family, the community, occupations and avocations. The Board also recognizes that the development of career education enables students of all ages to examine attitudes, interests, aptitudes and abilities in order to relate them to career opportunities, and to make valid decisions regarding further education and future endeavors.

Therefore, the Board will provide career education for students at all levels of instruction. Career education in the elementary schools shall consist of career awareness and the exploration of career opportunities in various fields. At the secondary level, it will incorporate career exploration, career guidance, and vocational training opportunities, with the latter designed to equip students to enter post-secondary training for occupational areas, and/or enter specific occupations directly out of high school.

### **Vocational Education**

Vocational training programs shall be an integral part of the comprehensive high school concept in the school district. Efforts will be made to keep vocational programs relevant to job requirements, and reflective of area needs, as well as being geared to the current and future technological and economic conditions. These programs shall provide students with the basic skills to enter the world of work, to obtain additional vocational skills and/or to continue their formal education. Vocational education, as a core component of comprehensive education, will share with other aspects of the high school curriculum in the development of character, attitudes and work skills.

District vocational programs shall meet all federal and state guidelines and requirements. Advisory councils will be utilized in all vocational programs.

The district will comply with provisions of the Student Right to Know and Campus Security Act for all post-secondary students attending the area vocational-technical school.

Following the concept of area vocational-technical schools as established by the Missouri Department of Elementary and Secondary Education, students from the Avilla R-XIII School District may attend vocational-technical training programs at the area vocational-technical facility.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 178.420 - .560, RSMo.  
The Student Right to Know and Campus Security Act, P.L. 101-542

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Following the concept of area vocational-technical schools as established by the Missouri Department of Elementary and Secondary Education, students from the Avilla R-XIII School District may attend vocational-technical training programs at the Area Vocational-Technical facility.

\* \* \* \* \*

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Adopted:

Revised:

Legal Refs: §§ 178.420 - .560, RSMo.

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## TEACHING ABOUT RELIGION

Pursuant to state and federal law, the Avilla R-XIII School District may teach about religion but may not promote any particular religion or religious belief.

No course or portion of any course taught in the district will have the primary purpose or effect of illegally advancing or inhibiting religion.

Nothing in this policy is to be construed as inhibiting otherwise constitutionally protected religious expression by any individual.

\*\*\*\*\*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: Mo. Const., Art. I, §§ 5-7  
U.S. Const., Art. I

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## CURRICULUM DEVELOPMENT

The Board of Education recognizes that curriculum development provides one of the most effective means of improving the quality of instructional programs and must be adjusted to meet the needs of the students as well as the expectations of the community. The superintendent will initiate a curriculum development program, which will require various administrative and instructional staff participation at building and district levels as well as involvement from parents/guardians, members of the community and students. The Board will review and approve each curriculum guide developed by the district.

The district will provide resources and administrative support for curriculum development, evaluation and revision. A systematic plan will be established whereby each curricular area will be reviewed regularly, based on actual student needs and indications of student mastery. The basic responsibility for this review process will rest with the superintendent, with assistance from the building principals. Individuals who are well qualified in a designated area of study will be appointed by the superintendent or his or her designee to a curriculum review committee for the designated curricular area.

The curriculum review committee will study, revise and/or develop curriculum programs and guides for its specific area of study. During the review process the committee may solicit community and student opinion relative to the content area. The committee should develop a curriculum project that meets the following guidelines:

- < Articulates the curriculum content on a districtwide basis, K-12.
- < Is written in specific terms and can be used by the respective professional staff members.
- < Uses effective methods for presenting the materials to the students.
- < Uses instructional materials that are effectively coordinated with the curriculum guides and programs.
- < Makes use of current supplementary and enrichment materials.

The selection and adoption of instructional materials are primarily based on the programs described in the curriculum guides developed by the individual curriculum review committees. The curriculum review process should be completed the year prior to the fiscal year where funds are allocated to purchase instructional materials related to the curriculum content area developed.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AD, School District Mission  
GBB, Staff Involvement in Decision Making

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### ACADEMIC CALENDAR/YEAR/DAY

State law requires the district to set a district start date and establish an academic calendar that provides for a minimum of 174 days and 1,044 hours of actual pupil attendance between July 1 and June 30.



The Board recognizes the relationship between attendance and student achievement and directs the superintendent to develop an academic calendar designed to improve student achievement, exceeding the minimum requirements if necessary. The academic calendar will include sufficient time for high-quality professional development. The superintendent will present the proposed academic calendar for the next year to the Board in March. The presentation will include an explanation of how the calendar relates to improving student achievement, how the proposed calendar assists the district in meeting its Comprehensive School Improvement Plan (CSIP) goals and the budget recommendations necessary to support the proposed calendar.

In accordance with Missouri law, the Board will post notice of and hold a public meeting to discuss and vote on the district's start date if that proposed date is earlier than ten (10) calendar days prior to the first Monday in September. An affirmative vote of a majority of the Board is required to set a start date more than ten (10) calendar days prior to the first Monday in September. The Board will adopt an academic calendar not later than May 1. Upon Board approval of the academic calendar, the superintendent will distribute copies to the staff and appropriately notify parents/guardians and students.

The academic calendar will include six (6) make-up days for possible loss of attendance due to inclement weather as defined in state law. If the district uses these six (6) make-up days and still does not meet the minimum attendance requirements, it shall be required to make up no more than half the number of days canceled in excess of six (6) days.

Days that the district's schools are closed for reasons other than inclement weather will be made up in accordance with state law, as recommended by the superintendent and approved by the Board.

### **Academic Day**

Unless otherwise exempted by law, the academic day will be at least three (3) but not more than seven (7) hours long. For the purposes of determining the length of an academic day, the district defines an hour as time that students are under the guidance and direction of teachers in the teaching process. The length of the academic day may vary by building or grade level subject to recommendation by the superintendent and approval by the Board. The specific daily opening and closing time for individual schools may vary to facilitate the scheduling of the district's transportation program.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures***

*and/or forms for related information.*

Adopted:

Revised:

Cross Refs: EBC, Emergency Plans/Safety Drills

Legal Refs: " 160.011, .041, 163.021, 171.031, .033, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## **INSTRUCTIONAL GOALS/PRIORITY OBJECTIVES**

The educational goals for the Avilla R-XIII School District focus on the student and address quality in education. The goals are relevant to the lives of students of any age, whether in formal institutions of learning, programs of continuing education or any learning environment. The goals adopted by the school district correspond closely to those that have been established for all Missouri schools by the Missouri Department of Elementary and Secondary Education. The four categories of goals may be related to formalized school experiences or individual attainment. Regardless of the language, responsibility is placed upon both the school and the student. Appropriate outcomes necessitate that citizens, educators and especially the students make wise use of available resources. The goals are intertwined; no one goal stands apart from the rest. These goals help define performance objectives for students, identify tasks to be performed by teachers in giving life to those objectives, and help determine means for evaluating student progress.

### **Intellectual Development**

It is the goal of the district that each individual will have the opportunity to develop intellectual ability to developmental capacity. The development of intellectual ability should include the acquisition of knowledge as well as the creative ability to process and use that knowledge. To acquire the desired knowledge and fundamental intellectual processes, the Board of Education believes that each individual should become proficient in communication, quantitative thinking, social processes, scientific understanding, decision making and aesthetic appreciation.

### **Physical Development**

It is the goal of the district that each individual will have opportunity to develop knowledge, understanding and/or skills in the process of physical growth and maturation, health and recreation to the extent of developmental ability.

### **Social Development**

It is the goal of the district that each individual will have the opportunity to develop social skills to the extent of developmental ability. These skills should be related to the individual's physical and social environment, cultural awareness, governmental institutions, avocational pursuits, and concept of self.

### **Career Development**

It is the goal of the district that each individual be provided systematic and sequential activities at all levels to facilitate educational and occupational decision making appropriate to maturation. Career development should include all aspects necessary in developing a way of life. These activities should be related to the social significance of work, occupational exploration, occupational preparation and adult occupational education.

### **Organization of Instruction**

The organization of instruction is designed to meet the standards established by the Missouri Department of Elementary and Secondary Education.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AD, School District Mission

Avilla R-XIII School District, Avilla, Missouri

**SECTION J: STUDENTS**

<b>JCB</b>	Intradistrict Transfers
<b>JEA</b>	Compulsory and Part-Time Attendance
<b>JEC</b>	School Admissions
<b>JECA</b>	Admission of Resident Students
<b>JECB</b>	Admission of Nonresident Students
<b>JECC</b>	Assignment of Students to Grade Levels/Classes
<b>JED</b>	Student Absences and Excuses
<b>JEDB</b>	Student Dismissal Precautions
<b>JFCA</b>	Student Dress Code
<b>JFCC</b>	Student Conduct on School Transportation
<b>JFCE</b>	Secret Organizations
<b>JFCF</b>	Hazing and Bullying
<b>JFCH</b>	Student Alcohol/Drug Abuse
<b>JFCJ</b>	Weapons in School
<b>JFCL</b>	A+ Schools Program
<b>JFG</b>	Interrogations, Interviews and Searches
<b>JFH</b>	Student Complaints and Grievances
<b>JG</b>	Student Discipline
<b>JG-R</b>	Student Discipline
<b>JGA</b>	Corporal Punishment

<b>JGB</b>	Detention and/or In-School Suspension of Students
<b>JGD</b>	Student Suspension and Expulsion
<b>JGE</b>	Discipline of Students with Disabilities
<b>JGF</b>	Discipline Reporting and Records
<b>JHC</b>	Student Health Services and Requirements
<b>JHCB</b>	Immunization of Students
<b>JHCD</b>	Administration of Medications to Students
<b>JHCE</b>	Do Not Resuscitate (DNR) Orders
<b>JHD</b>	Student Guidance and Counseling
<b>JHDA</b>	Surveying, Analyzing or Evaluating Students
<b>JHG</b>	Reporting and Investigating Child Abuse/Neglect
<b>JO</b>	Student Records

### **STUDENT RECORDS**

In order to provide students with appropriate instruction and educational services, it is necessary for the district to maintain extensive and sometimes personal information about students and families. These records must be kept confidential in accordance with law, but must also be readily available to district personnel who need the records to effectively serve district students.

The superintendent or designee will provide for the proper administration of student records in accordance with law, will develop appropriate procedures for maintaining student records and will standardize procedures for the collection and transmittal of necessary information about individual students throughout the district. The building principal shall assist the superintendent in developing the student records system, maintaining and protecting the records in his or her building and developing protocols for releasing student education records. The superintendent or designee will make arrangements so that all district employees are trained annually on the confidentiality of student education records, as applicable for each employee classification.

### **Health Information**

Student health information is a type of student record that is particularly sensitive and protected by numerous state and federal laws. Student health information shall be

protected from unauthorized, illegal or inappropriate disclosure by adherence to the principles of confidentiality and privacy. The information shall be protected regardless of whether the information is received orally, in writing or electronically and regardless of the type of record or method of storage.

### **Directory Information**

Directory information is 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 designates the following items as directory information:

- < **Students in kindergarten through eighth grade** -- Student's name; parent's name; date and place of birth; grade level; bus assignment; enrollment status (e.g., full-time or part-time); participation in school-based activities and sports; weight and height of members of athletic teams; dates of attendance; honors and awards received; artwork or coursework displayed by the district; most recent previous school attended; and photographs, videotapes, digital images and recorded sound unless such photographs, videotapes, digital images and recorded sound would be considered harmful or an invasion of privacy.
  
- < **High school and vocational school students** -- Student's name; parent's name; address; telephone number; date and place of birth; grade level; bus assignment; enrollment status (e.g., full-time or part-time); participation in school-based activities and sports; weight and height of members of athletic teams; dates of attendance; degrees, honors and awards received; artwork or coursework displayed by the district; most recent previous school attended; and photographs, videotapes, digital images and recorded sound unless such photographs, videotapes, digital images and recorded sound would be considered harmful or an invasion of privacy.

### **Parent and Eligible Student Access**

All parents will have the right to inspect their child's education records as allowed by law. As used in this policy, a "parent" includes a biological or adoptive parent, a guardian or an individual acting as a parent in the absence of a natural parent or guardian. The district will extend the same rights to either parent, regardless of divorce, custody or visitation rights, unless the district is provided with evidence that the parent's rights to inspect records have been legally revoked. The rights of the parent transfer to the student once the student turns 18, or attends an institution of postsecondary education, in accordance with law.

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 created by the superintendent or designee.

The district will annually notify parents and eligible students of their rights in accordance with law.

### **Law Enforcement Access**

The district may report or disclose education records to law enforcement and juvenile justice authorities 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 must comply with applicable restrictions set forth in 20 U.S.C. § 1232g (b)(1)(E).

If the district reports a crime committed by a student with a disability as defined in the Individuals with Disabilities Education Act (IDEA), the district will transmit copies of the special education and disciplinary records to the authorities to whom the district reported the crime.

Law enforcement officials also have access to directory information and may obtain access to student education records in emergency situations as allowed by law. Otherwise, law enforcement officials must obtain a subpoena or consent from the parent or eligible student before a student's education records will be disclosed.

### **Children's Division Access**

The district may disclose education records to representatives of the Children's Division (CD) of the Department of Social Services when reporting child abuse and neglect in accordance with law. Once the CD obtains custody of a student, CD representatives may also have access to education records in accordance with law. CD representatives may also have access to directory information and may obtain access to student education records in emergency situations, as allowed by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EFB, Free and Reduced-Cost Food Services  
EHB, Technology Usage  
GBCB, Staff Conduct  
IGBA, Programs for Students with Disabilities  
IGDB, Student Publications

IIAC, Instructional Media Centers/School Libraries  
IL, Assessment Program  
KB, Public Information Program  
KBA, Public's Right to Know  
KDA, Custodial and Noncustodial Parents  
KI, Public Solicitations/Advertising in District Facilities  
KKB, Audio and Visual Recording  
KNAJ, Relations with Law Enforcement Authorities

Legal Refs: §§ 167.020, .022, .115, .122, .123, 210.115, .865, 452.375, .376, 610.010 –  
.028, RSMo.  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 – 7941  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794

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

### **Public School District Liaison**

The superintendent shall designate a specific person or persons to serve as the public school liaison(s) and forward that information to the local division office of the Children's Division (CD) of the Department of Social Services. The liaison(s) shall develop protocol 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. All written information received by any public school district liaison or the school shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA).

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.

It will be the responsibility of the liaison(s) to arrange for training and information necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Additionally, the



liaison is charged with implementing a planned program of personal safety and awareness education, including methods for preventing sexual abuse, that shall be provided to teachers, students and parents/guardians.

### **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, will immediately make a report to the school principal or designee, including any report of excessive absences that may indicate educational neglect. The school principal or designee will then become responsible for making a report via the Child Abuse Hotline to the CD, as required by law. This policy does not preclude any employee from directly reporting abuse or neglect to the CD. However, the school official or employee must notify the school principal or designee immediately after making a report.

The school principal will make the superintendent aware that a report has been made and will keep him or her aware of the status of the case. If the school principal or designee 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 district, as a mandated reporter, will be entitled, upon request, to information on the general disposition of the report. The district may also receive findings and information concerning the case, if requested. The information should be shared with the staff member who originated the report, but should not be released to anyone else without written authorization from the CD. Parents/Guardians should be referred to the CD for information regarding the investigation. Parents or guardians have access to the CD records after the investigation is completed, except that the identity of the reporter is not released.

Any person who in good faith participates in the making of such reports, or in any judicial proceeding resulting therefrom, will be immune from civil or criminal liability. It shall not be the responsibility of the school official or employee who initiated the report to prove that the child has been neglected or abused.

### **Investigating Child Abuse/Neglect**

When the CD receives a child abuse report alleging that an employee of a school district has abused a student, the report is 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 report relates to a spanking by a certificated school employee administered pursuant to written district policy or if it is determined that the sole purpose of the report is to harass a school employee, the superintendent, Board president or the Board president's designee will jointly investigate the matter with the juvenile officer or a law enforcement officer designated by the juvenile officer. The superintendent and Board president are authorized to contact and utilize the district's attorney to assist in the investigation. Findings and conclusions will be issued as required by law.

All other reports of any nature will be immediately returned to the CD for investigation, and the superintendent will take no further action. The superintendent and/or School Board president will be considered a member of the multidisciplinary team and as such will be involved in the investigation and have access to appropriate information, including the outcome of the investigation.

The superintendent will prepare and implement procedures as necessary to accomplish the intent of this policy and of the law.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GBH, Staff/Student Relations

Legal Refs: §§ 160.261, 210.110 - .165, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

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## STUDENT GUIDANCE AND COUNSELING

The district's comprehensive guidance program provides important benefits to all students at all grade levels by addressing their personal, social, academic and career development needs. The program is implemented in each attendance area and is considered an integral part of each school's educational program. It is implemented by certified school counselors

with the support of teachers, administrators and students. The Avilla R-XIII School District guidance program will adhere to the standards of the Missouri Comprehensive Guidance Program and strive to meet the program goals in each of the following areas:

### **Personal and Social Development**

1. Assist students in gaining an understanding of self as an individual and as a member of diverse local and global communities by emphasizing knowledge that leads to the recognition and understanding of the interrelationship of thoughts, feelings and actions in students' daily lives.
2. Provide students with a solid foundation for interacting with others in ways that respect individual and group differences.
3. Aid students in learning to apply physical and psychological safety and promoting the student's ability to advocate for him- or herself.

### **Academic Development**

1. Guide students to apply the skills needed for educational achievement by focusing on self-management, study and test-taking skills.
2. Teach students skills to aid them as they transition between grade levels or schools.
3. Focus on developing and monitoring personal education plans, emphasizing the understanding, knowledge and skills students need to develop meaningful personal plans of study. Personal plans of study will be initiated for all students no later than eighth grade.

### **Career Development**

1. Enable students to apply career exploration and planning skills in the achievement of life career goals.
2. Educate students about where and how to obtain information about the world of work and postsecondary training and education.
3. Provide students the opportunity to learn employment readiness skills and skills for on-the-job success, including responsibility, dependability, punctuality, integrity, self-management and effort.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: IL, Assessment Program

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## **SURVEYING, ANALYZING OR EVALUATING STUDENTS**

### **Inspection**

Any parent may inspect, upon request, any instructional material used as part of the educational curriculum and all instructional materials, including teachers' manuals, films, tapes or other supplementary material, that will be used in connection with any survey, analysis or evaluation as part of any applicable program. Further, a parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to a student. The term "instructional material" does not include academic tests or academic assessments.

In general, the district will not collect, disclose or use personal student information for the purpose of marketing or selling that information or otherwise providing the information to others for that purpose. In the rare case where the district may collect information from students for the purpose of marketing or selling that information, parents may inspect any instrument used before the instrument is administered or distributed to a student, upon request and in accordance with Board policy.

### **Consent Required**

In accordance with law, no student, as part of any program wholly or partially funded by the U.S. Department of Education, shall be required to submit to a survey, analysis or evaluation (hereafter referred to as "protected information survey") that reveals any of the following information without written consent of a parent:

1. Political affiliations or beliefs of the student or the student's parent.
2. Mental or psychological problems of the student or the student's family.

3. Sex behavior or attitudes.
4. Illegal, antisocial, self-incriminating or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers.
7. Religious practices, affiliations or beliefs of the student or the student's parent.
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

### Notice and Opportunity to Opt Out

In accordance with law, parents will receive prior notice and an opportunity to opt a student out of:

1. Any other protected information survey, as defined above, regardless of the funding source.
2. Any nonemergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent and not necessary to protect the immediate health and safety of a student, or any physical exam or screening permitted or required under state law, except for hearing, vision or scoliosis screenings.
3. Activities involving the collection, disclosure or use of personal information obtained from students for marketing, selling or otherwise distributing information to others.

The district will directly notify parents at the beginning of the school year of the specific or approximate dates during the school year when the above-listed activities will occur or are expected to be scheduled.

### Notification of Policy and Privacy

In accordance with law, parents will be directly notified of this policy at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

The district will take measures to protect the identification and privacy of the students participating in a protected information survey, regardless of the source of funding. These measures may include limiting access to the completed surveys and the survey results as allowed by law. All student educational records will be protected in accordance with law and Board policy JO.

The provisions of this policy applicable to parents will transfer to a student who is 18 years old or emancipated.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBA, Programs for Students with Disabilities  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
KI, Public Solicitation/Advertising in District Facilities

Legal Refs: §§ 610.010 - .028, RSMo.  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h

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## **STUDENT HEALTH SERVICES AND REQUIREMENTS**

The Board of Education will provide for the health and physical well-being of students by establishing a districtwide coordinated student health services program. The district nursing staff has oversight of the coordinated student health services program and will work with the School Health Advisory Council (SHAC). The SHAC shall be composed of a school nurse, a counselor and appropriate members of the community. Meetings, records and votes of the SHAC will adhere to the requirements of the Missouri Sunshine Law.

Nurses employed to staff the health services program shall serve under the direction of the school principal and, if necessary, under the supervision of qualified medical personnel. The nurse or designee will be responsible for all notifications to parents/guardians regarding health services. The services provided by the nursing staff will include:

1. Administration of laws that protect the health of children attending public schools in Missouri, including:
  - a. Ensuring compliance with immunization requirements.
  - b. Excluding from attendance students who have contagious diseases.
  - c. Reporting the presence or suspected presence of diseases mandated for reporting by law.
2. Emergency first aid treatment for injury or illness occurring during the school day.
3. The administration of medication, pursuant to Board policy, including training unlicensed personnel in the administration of medications. A qualified member of the nursing staff is responsible for developing procedures for the training of

unlicensed personnel as well as devising protocols for the administration of medications by unlicensed personnel.

4. Assistance in carrying out the district's responsibilities outlined in Section 504 plans, Individualized Health Plans (IHPs) or Individualized Education Programs (IEPs).
5. Guidance and counseling concerning health problems of students.
6. Maintenance of student health records, including the maintenance of emergency information forms for each student. The nurse will ensure that the school principal has access to all student health records. The nurse will store health records in a secure location, and any health information provided orally will be reduced to writing and stored appropriately. District employees shall not share information regarding a student's health in front of other students or staff members who do not have a need to know the information. Student records will be stored and disclosed in accordance with Board policy.
7. Age-appropriate health education in the district's instructional program, including information about the prevention and control of communicable diseases and the use of universal precautions, in accordance with Missouri School Improvement Program Standards.
8. Screening for health conditions in accordance with Board policy and administrative procedures.
9. Notification of the school principal if informed of a condition that could require accommodation under federal law.
10. Maintenance of copies of the Material Safety Data Sheet (MSDS) for all pesticides used in the district.
11. Development and annual review of a Health Services Plan.
12. Training staff as necessary to implement the district's health and safety program.
13. Such other services as assigned by the supervising principal or superintendent.

### **Contraceptives**

The district and its agents may not provide contraceptive devices or contraceptive drugs. Referral to the family practitioner for such devices or drugs will only be in accordance with the parental notification checklist requirements of state law.

### **Physical Examinations and Screenings**



"Screening" is the use of a procedure to examine a large population to determine the presence of a health condition or risk factor in order to identify those who need further evaluation. Screening tests for various health conditions (such as vision, hearing and scoliosis) will be conducted in accordance with administrative procedures. Students may also be weighed and measured. Parents/Guardians will receive a written notice of any screening result that indicates a condition that might interfere with a student's progress or health.

In general, the school district will not conduct physical examinations of a student without parental consent to do so unless the health or safety of the student or others is in question or unless by court order.

Further, parents will be notified of the specific or approximate dates during the school year when any nonemergency, invasive physical examination or screening administered by the district is conducted that is:

1. Required as a condition of attendance.
2. Administered by the school and scheduled by the school in advance.
3. Not necessary to protect the immediate health and safety of the student or other students.

As used in this policy, the term "invasive physical examination" means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision, head lice or scoliosis screening.

Parents or eligible students will be given the opportunity to opt out of the above-described nonemergency, invasive physical examination or screening.

Students who wish to participate in certain extracurricular activities may be required to submit to a physical examination to verify their ability to participate in the activity. Students participating in activities governed by the Missouri State High School Activities Association will be required to follow the rules of that organization.

All parents will be notified at least at the beginning of the school year of the district's policy on physical examinations and screening of students. Parents will also be notified within a reasonable period of time after any substantive change in the policy.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: EBB, Communicable Diseases  
EBBA, Illness and Injury Response and Prevention  
IGBC, Parent/Family Involvement in Instructional and Other Programs

Legal Refs: §§ 167.181 - .191, .611, 170.015(2), RSMo.  
Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h(b)  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

Avilla R-XIII School District, Avilla, Missouri

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### **DO NOT RESUSCITATE (DNR) ORDERS**

Each request for the district to honor a do not resuscitate order (DNR) will be dealt with individually.

The district will develop an individualized health plan (IHP), or modify an existing IHP, for any student subject to a DNR. The IHP will be developed in conjunction with the parents; the student if appropriate; a school nurse and other appropriate staff; the student's physician; emergency medical personnel, if possible; and other specialists as needed. If the student is receiving special education services pursuant to the Individuals with Disabilities Education Act (IDEA) or accommodations pursuant to Section 504 of the Rehabilitation Act of 1973, the Individualized Education Program (IEP) team or 504 team will be involved in the development of the IHP.

In addition to the usual contents of an IHP, the IHP of a student with a DNR order will specify which life-sustaining procedures will be used by district personnel in the case of an emergency. Emergency medical personnel will be summoned in all emergency situations as required in Board policy. A copy of the DNR will be attached to the IHP and provided to emergency medical personnel.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Legal Refs: Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

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## ADMINISTRATION OF MEDICATIONS TO STUDENTS

### Definitions

*Medications* B For the purposes of this policy, medications include prescription drugs and over-the-counter drugs, including herbal preparations and vitamins. Medications also include substances that claim or purport to be medicinal or performance enhancing.

*Authorized Prescriber* B Includes a health care provider licensed or otherwise authorized by state law to prescribe medication.

### General

The Avilla R-XIII School District is not legally obligated to administer medication to students unless specifically included in a Section 504 Accommodation Plan or an Individualized Education Program (IEP). However, the Board recognizes that some students may require medication for chronic or short-term illness to enable them to remain in school and participate in the district's educational services. Further, the district prohibits students from possessing or self-administering medications while on district grounds, on district transportation or during district activities unless explicitly authorized in accordance with this policy. Therefore, the superintendent, in collaboration with the district nursing staff, will establish administrative procedures for storing and administering medications in compliance with this policy and pursuant to state and federal law. Medications will only be administered at school when it is not possible or not effective for the student to receive the medication at home.

The administration of medications is a nursing activity that must be performed by or under the supervision of a registered professional nurse. A registered professional nurse may delegate the administration of medication to a licensed practical nurse or unlicensed personnel who are trained by the nurse to administer medications. The registered professional nurse is responsible for developing written procedures for training unlicensed personnel in the administration of medications and for supervising the administration of medication by others. The nurse or designee must maintain thorough documentation of all medications administered to students.

Nurses must use reasonable and prudent judgment to determine whether to administer particular medications to students while also working in collaboration with parents/guardians and school administration. In carrying out their legal duty to protect the health, welfare and safety of students, nurses will, when necessary, clarify authorized prescriber orders and respond in accordance with such clarifications.

The district shall not knowingly administer medications in an amount exceeding the recommended daily dosage listed in the *Physician's Desk Reference (PDR)* or other recognized medical or pharmaceutical text. The district will not administer the first dose of any medication. Parents/Guardians are encouraged to arrange to administer prescription medications themselves when possible.

### **Over-the-Counter Medications**

The district may administer over-the-counter medication to a student upon receipt of a written request and permission to do so by a parent/guardian. All over-the-counter medications must be delivered to the school principal or designee in the manufacturer's original packaging and will only be administered in accordance with the manufacturer's label.

### **Prescription Medications**

The parent/guardian must provide the district with written permission to administer the medication before the district will administer the prescription medication to the student. The prescription label will be considered the equivalent of a prescriber's written direction, and a separate document is not needed.

### **Self-Administered Medications**

An authorized prescriber or a student's IEP or 504 team may recommend that an individual student with a chronic health condition assume responsibility for his or her own medication as part of learning self-care. The district will allow students to self-administer medication for the treatment of asthma and anaphylaxis in accordance with this policy and law. The district may allow students to self-administer other medications in accordance with law. The district will not allow any student to self-administer medications unless:

1. The medication was prescribed or ordered by the student's physician.
2. The physician has provided a written treatment plan for the condition for which the medication was prescribed or authorized that includes a certification that the student is capable of and has been instructed in the correct and responsible use of the medication and has demonstrated to the physician or the physician's designee the skill level necessary to use the medication.
3. The student has demonstrated proper self-administration technique to the school nurse.
4. The student's parents have signed a statement authorizing self-administration and acknowledging that the district and its employees or agents will incur no liability as a result of any injury arising from the self-administration of such medication unless such injury is a result of negligence on the part of the district or its employees or agents.

### **Possession of Self-Administered Medications**

An authorized prescriber may recommend that an individual student with a chronic health condition be allowed to be in possession of his or her medication on district property for the purposes of self-administration. The district will permit possession of medication for the treatment of asthma or anaphylaxis on district property, at district-sponsored activities and in transit to and from school or activities in accordance with law. The district will also permit the possession of other medications for the purposes of self-administration as required by the student's 504 plan or IEP. The district may otherwise permit the possession of medications for self-administration in accordance with law. No student will be permitted to possess any medication unless the parent/guardian has submitted all required authorizations and releases in accordance with this policy.

### **Emergency Medication**

All student-occupied buildings in this district are equipped with prefilled epinephrine auto syringes that can be administered by the school nurse when the nurse believes, based on his or her training, that a student is having a life threatening anaphylactic reaction. Epinephrine will only be administered in accordance with written protocols provided by an authorized prescriber. The Board will purchase an adequate number of prefilled epinephrine auto syringes based on the recommendation of the school nurse, who will be responsible for maintaining an adequate supply. The school principal will maintain a list of students who cannot, according to their parents/guardians, receive epinephrine. A current copy of the list will be kept with the devices at all times.

### **Consequences**

Students who possess or consume medications in violation of this policy while on district grounds, on district transportation or during a district activity may be disciplined up to and including suspension or expulsion. Employees who violate this policy may be disciplined up to and including termination. District administrators will notify law enforcement when they believe a crime has occurred.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EBB, Communicable Diseases  
EBBA, Illness and Injury Response and Prevention

Legal Refs: " 167.627, .630, 335.016, .066, 338.059, 577.625, .628, RSMo.  
*Davis v. Francis Howell Sch. Dist.*, 138 F.3d 754 (8th Cir. 1998)  
*DeBord v. Board of Educ. of Ferguson-Florissant Sch. Dist.*, 126 F.3d 1102 (8th Cir. 1997)

Avilla R-XIII School District, Avilla, Missouri

## IMMUNIZATION OF STUDENTS

It is the policy of the Avilla R-XIII School District that all students attending the district schools shall be immunized in accordance with law.

The district will not allow a student to attend school until the district has satisfactory evidence on file that the student has been immunized, that the immunization process has begun and satisfactory progress is being accomplished or that the student is exempted from obtaining immunizations in accordance with law.

A student is exempted from obtaining immunizations if the district has on file the completed forms necessary to prove that the student will not be immunized for religious or medical reasons. An exemption for medical reasons requires certification by a licensed

doctor of medicine or doctor of osteopathy that either the immunization would seriously endanger the child's health or life or that the child has documentation of laboratory evidence of immunity to the disease. An exemption for religious reasons requires written certification from one (1) parent or guardian that immunization of the student violates his or her religious beliefs.

Homeless students who cannot provide proof of immunization will be immediately enrolled, and the district's homeless coordinator will work with the students to obtain the necessary immunizations as soon as possible.

The district will exclude from school all students who are not immunized or exempted as required by law. When immunization is in progress, failure to meet the next scheduled appointment constitutes noncompliance with the immunization law, and the student should be excluded from school immediately.

The district must report to the Department of Health and Senior Services the names of any parent or guardian who neglects or refuses to permit a nonexempted student to be immunized. The district will also report to the Children's Division (CD) of the Department of Social Services any instance of educational or medical neglect.

The superintendent or designee shall institute procedures for the maintenance of health records, which are to show the immunization status of every child enrolled or attending in the district, and for the completion of all necessary reports in accordance with guidelines prepared by the Department of Health and Senior Services.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBCA, Programs for Homeless Students

Legal Refs: §§ 167.181 - .191, RSMo.  
19 C.S.R. 20-28.010

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 - 7941

Avilla R-XIII School District, Avilla, Missouri

## **STUDENT DISCIPLINE**

The Student Code of Conduct is designed to foster student responsibility, respect for others, and to provide for the orderly operation of district schools. No code can be expected to list each and every offense that may result in disciplinary action. However, it is the purpose of this code to list certain offenses which, if committed by a student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, or an aggravated circumstance of any offense or an action involving a combination of offenses may result in disciplinary consequences that extend beyond this code of conduct as determined by the principal, superintendent and/or Board of Education. In extraordinary circumstances where the minimum consequence is judged by the superintendent or designee to be manifestly unfair or not in the interest of the district, the superintendent or designee may reduce the consequences listed in this policy, as allowed by law. This code includes, but is not necessarily limited to, acts of students on school property, including playgrounds, parking lots and school transportation, or at a school activity, whether on or off school property.

### **Reporting to Law Enforcement**

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

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

1. First or second degree murder under " 565.020, .021, RSMo.
2. Voluntary or involuntary manslaughter under ' 565.024, RSMo.
3. Kidnapping under ' 565.110, RSMo.
4. First, second or third degree assault under " 565.050, .060, .070, RSMo.
5. Sexual assault or deviate sexual assault under " 566.040, .070, RSMo.
6. Forcible rape or sodomy under " 566.030, .060, RSMo.
7. Burglary in the first or second degree under " 569.160, .170, RSMo.
8. Robbery in the first degree under ' 569.020, RSMo.
9. Possession of a weapon under chapter 571, RSMo.
10. Distribution of drugs under " 195.211, .212, RSMo.
11. Arson in the first degree under ' 569.040, RSMo.
12. Felonious restraint under ' 565.120, RSMo.
13. Property damage in the first degree under ' 569.100, RSMo.
14. Child molestation in the first degree pursuant to ' 566.067, RSMo.



15. Sexual misconduct involving a child pursuant to ' 566.083, RSMo.
16. Sexual abuse pursuant to ' 566.100, RSMo.

The principal shall also notify the appropriate law enforcement agency and superintendent if a student is discovered to possess a controlled substance or weapon in violation of the district's policy.

In addition, the superintendent shall notify the appropriate division of the juvenile or family court upon suspension for more than ten (10) days or expulsion of any student who the district is aware is under the jurisdiction of the court.

### **Documentation in Student's Discipline Record**

The principal, designee or other administrators or school staff will maintain all discipline records as deemed necessary for the orderly operation of the schools. In addition, any offense that constitutes a "serious violation of the district's discipline policy" must be documented in the student's discipline record in accordance with law. Policy JGF defines a "serious violation of the district's discipline policy" as one (1) or more of the following acts if committed by a student enrolled in the district:

1. Any act of school violence or violent behavior.
2. Any offense that occurs on school property, on school transportation or at any school activity and that is required by law to be reported to law enforcement officials.
3. Any offense that results in an out-of-school suspension for more than ten (10) school days.

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

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

Any student who is suspended for any offenses listed in ' 160.261, RSMo., or any act of violence or drug-related activity defined by policy JGF as a serious violation of school discipline shall not be allowed to be within 1,000 feet of any public school in the district unless one (1) of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian or custodian.

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

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

### Prohibited Conduct

The following are descriptions of prohibited conduct as well as potential consequences for violation. In addition to the consequences specified here, school officials will notify law enforcement and document violations in the student's discipline file pursuant to law and Board policy.

1. **Arson**--Starting or attempting to start a fire or causing or attempting to cause an explosion.

First Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion. Restitution if appropriate.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion. Restitution if appropriate.

2. **Assault**

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

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

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

First Offense:	Expulsion.
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3. **Automobile/Vehicle Misuse**--Uncourteous or unsafe driving on or around school property, unregistered parking, failure to move vehicle at the request of school officials, failure to follow directions given by school officials or failure to follow established rules for parking or driving on school property.

First Offense:	Suspension or revocation of parking privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Revocation of parking privileges, detention, in-school suspension, or 1-180 days out-of-school suspension.

4. **Bullying (see Board policy JFCF)**--Repeated and systematic intimidation, harassment and attacks on a student or multiple students, perpetuated by individuals or groups. Bullying includes, but is not limited to: physical violence, verbal taunts, name-calling and put-downs, threats, extortion or theft, damaging property, and exclusion from a peer group.

First Offense:	Detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

5. **Bus or Transportation Misconduct (see Board policy JFCC)**--Any offense committed by a student on transportation provided by or through the district shall be punished in the same manner as if the offense had been committed at the student's assigned school. In addition, transportation privileges may be suspended or revoked.

6. **Dishonesty**--Any act of lying, whether verbal or written, including forgery.

First Offense:	Nullification of forged document. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Nullification of forged document. Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

7. **Disrespectful or Disruptive Conduct or Speech (see Board policy AC if illegal harassment or discrimination is involved)**--Verbal, written, pictorial or symbolic language or gesture that is directed at any person and that is rude, vulgar, defiant, in violation of district policy or considered inappropriate in educational settings or that materially and substantially disrupts classroom work, school activities or school functions. Students will not be disciplined for speech in situations where it is protected by law.

First Offense:	Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

8. **Drugs/Alcohol (see Board policies JFCH and JHCD)**

- a. Possession, sale, purchase or distribution of any over-the-counter drug, herbal preparation or imitation drug or herbal preparation.

First Offense:	In-school suspension or 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

- b. Possession of or attendance while under the influence of or soon after consuming any unauthorized prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances or drug-related paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202 of the Controlled Substances Act.

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First Offense:	In-school suspension, 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

- c. Sale, purchase or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances or drug-related paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202 of the Controlled Substances Act.

First Offense:	1-180 days out-of-school suspension or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion

9. **Extortion**--Threatening or intimidating any person for the purpose of obtaining money or anything of value.

First Offense:	Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

10. **Failure to Meet Conditions of Suspension**--Coming within 1,000 feet of any public school in the district while on suspension for an offense that requires reporting to law enforcement or for an act of school violence or drug-related activity defined by district policy as a serious violation of the district's discipline policy. See section of this regulation entitled, "Prohibition against Being on or near School Property during Suspension."

In determining whether to suspend or expel a student, consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether the student's presence within 1,000 feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy.

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First Offense:	Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

11. **False Alarms (see also "Threats or Verbal Assault")**--Tampering with emergency equipment, setting off false alarms, making false reports; communicating a threat or false report for the purpose of frightening, disturbing, disrupting or causing the evacuation or closure of school property.

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

12. **Fighting (see also, "Assault")**--Mutual combat in which both parties have contributed to the conflict either verbally or by physical action.

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

13. **Hazing (see Board policy JFCF)**--Any activity that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or school-sponsored activity. Hazing may occur even when all students involved are willing participants.

First Offense:	In-school suspension or 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

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

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

15. **Sexual Harassment (see Board policy AC)**

- a. Use of unwelcome verbal, written or symbolic language based on gender or of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational environment or creates an intimidating, hostile or offensive educational environment. Examples of sexual harassment include, but are not limited to, sexual jokes or comments, requests for sexual favors and other unwelcome sexual advances.

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

- b. Unwelcome physical contact based on gender or of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment. Examples include, but are not limited to, touching or fondling of the genital areas, breasts or undergarments, regardless of whether or not the touching occurred through or under clothing.

First Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

16. **Technology Misconduct (see Board policy EHB and procedure EHB-AP)**

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



First Offense:	Restitution. Principal/Student conference, loss of user privileges, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

- b. Using, displaying or turning on pagers, phones, personal digital assistants, personal laptops or any other electronic communication devices during the regular school day, including instructional class time, class change time, breakfast or lunch.

First Offense:	Confiscation, principal/student conference, detention, or in-school suspension.
Subsequent Offense:	Confiscation, principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

- c. Violation other than those listed in "a," "b," or of Board policy EHB and procedure EHB-AP.

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

17. **Theft**--Theft, attempted theft or knowing possession of stolen property.

First Offense:	Return of or restitution for property. Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Return of or restitution for property. 1-180 days out-of-school suspension or expulsion.

18. **Threats or Verbal Assault**--Verbal, written, pictorial or symbolic language or gestures that create a reasonable fear of physical injury or property damage.

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

19. **Tobacco**

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

First Offense:	Confiscation of tobacco product. Principal/Student conference, detention, or in-school suspension.
Subsequent Offense:	Confiscation of tobacco product. Detention, in-school suspension, or 1-10 days out-of-school suspension.

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

First Offense:	Confiscation of tobacco product. Principal/Student conference, detention, in-school suspension, or 1-3 days out-of-school suspension.
Subsequent Offense:	Confiscation of tobacco product. In-school suspension or 1-10 days out-of-school suspension.

20. **Truancy (see Board policy JED and procedures JED-AP1 and JED-AP2)**--Absence from school without the knowledge and consent of parents/guardians and/or the school administration; excessive non-justifiable absences, even with the consent of parents/guardians.

First Offense:	Principal/Student conference, detention, or 1-3 days in-school suspension.
Subsequent Offense:	Detention or 3-10 days in-school suspension.

21. **Unauthorized Entry**--Entering or assisting any other person to enter a district facility, office, locker, or other area that is locked or not open to the general public; entering or assisting any other person to enter a district facility through an unauthorized entrance; assisting unauthorized persons to enter a district facility through any entrance.

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

22. **Vandalism (see Board policy ECA)**--Willful damage or the attempt to cause damage to real or personal property belonging to the school, staff or students.

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

23. **Weapons (see Board policy JFC)**

- a. Possession or use of any instrument or device, other than those defined in 18 U.S.C. ' 921, 18 U.S.C. ' 930(g)(2) or ' 571.010, RSMo., which is customarily used for attack or defense against another person; any instrument or device used to inflict physical injury to another person.

First Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

- b. Possession or use of a firearm as defined in 18 U.S.C. ' 921 or any instrument or device defined in ' 571.010, RSMo., or any instrument or device defined as a dangerous weapon in 18 U.S.C. ' 930(g)(2).

First	One (1) calendar year suspension or expulsion, unless
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Offense:	modified by the Board upon recommendation by the superintendent.
Subsequent Offense:	Expulsion.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Avilla R-XIII School District, Avilla, Missouri

## STUDENT DISCIPLINE

It is essential that the district maintain a classroom environment that allows teachers to communicate effectively with all students in the class and allows all students in the class to learn. To assist district staff in maintaining the necessary classroom environment, the Board of Education has created a discipline code that addresses the consequences, including suspension or expulsion, for students whose conduct is prejudicial to good order and discipline in the schools or impairs the morale or good conduct of other students. The Board authorizes the immediate removal of a student upon a finding by a principal or superintendent that the student poses a threat of harm to self or others, as evidenced by the prior conduct of such student. Any such removal will be subject to the appropriate due process procedures and in accordance with law.

These policies, regulations and procedures will apply to all students in attendance in district instructional and support programs as well as at school-sponsored activities. All district staff are required to enforce these policies, regulations and procedures in a manner that is fair and developmentally appropriate and that considers the student and the individual circumstances involved.

Off-campus misconduct that adversely affects the educational climate will also be subject to these policies, regulations and procedures. Students who have been charged, convicted or

pled guilty in a court of general jurisdiction for commission of a felony may be suspended in accordance with law.

Building principals are responsible for the development of additional regulations and procedures regarding student conduct needed to maintain proper behavior in schools under their supervision.

Teachers have the authority and responsibility to make and enforce necessary rules for internal governance in the classroom, subject to review by the building principal. The Board expects each teacher to maintain a satisfactory standard of conduct in the classroom.

All employees of the district shall annually receive instruction related to the specific contents of the district's discipline policy and any interpretations necessary to implement the provisions of the policy in the course of their duties including, but not limited to, approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

The comprehensive discipline policy of the district is composed of this policy and includes, but is not limited to, the following policies, procedures and regulations: JG-R, JGA, JGB, JGD, JGE and JGF. A copy of the district's comprehensive discipline policy will be provided to every student and parent or guardian of every student at the beginning of each school year and will be available in the superintendent's office during normal business hours.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
ECD, Traffic and Parking Controls  
EGAAA, Reproduction of Copyrighted Materials  
GBH, Staff/Student Relations  
IKFB, Graduation Exercises

Legal Refs: §§ 160.261, 167.161, .171, 171.011, RSMo.  
Safe and Drug-Free Schools and Communities Act, P.L. 107-110  
*Beussink v. Woodland R-IV School District*, 30 F.Supp.2d 1175 (E.D. Mo.  
1998)

Avilla R-XIII School District, Avilla, Missouri

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## **DISCIPLINE REPORTING AND RECORDS**

In compliance with state law, the Board of Education establishes explicit channels of communication between teachers, administrators, law enforcement officials and other schools concerning acts of school violence and other behaviors that endanger the welfare or safety of students, staff and/or patrons of the district. The purpose of this policy is to designate specific actions committed by students that must be reported to teachers, administrators and/or law enforcement officials as well as those actions that must be documented in a student's discipline record.

### **Definitions**

The following definitions and terms apply to this policy:

1. *Act of School Violence/Violent Behavior* -- The exertion of physical force by a student with the intent to do serious physical injury to another person while on school property, including while on school transportation in service on behalf of the district, or while involved in school activities.
2. *Serious Physical Injury* -- Physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of any part of the body.
3. *Serious Violation of District's Discipline Policy* -- One (1) or more of the following acts if committed by a student enrolled in the district:
  - Any act of school violence/violent behavior.
  - Any offense that occurs on school property, on school transportation or at any school activity and that is required by law to be reported to law enforcement officials.
  - Any offense that results in an out-of-school suspension for more than ten (10) school days.
4. *Need to Know* -- Relates to school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties.

5. *School Property* -- Property utilized, supervised, rented, leased or controlled by the school district including, but not limited to, school playgrounds, parking lots, designated bus stops, school transportation and any property on which any school activity takes place.

### **Reporting to School Staff**

School administrators shall report acts of school violence to teachers and other school district employees with a need to know the information to adequately supervise the students and to protect themselves or others. In addition, any portion of a student's Individualized Education Program (IEP) that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other district employees with a need to know the information.

Teachers and other school district employees who have a need to know will also be informed by the superintendent or designee of any act committed or allegedly committed by a student in the district that is reported to the district by a juvenile officer or an employee of the Children's Division (CD) of the Department of Social Services, sheriff, chief of police or other appropriate law enforcement authority in accordance with state law. Such reports shall not be used as the sole basis for denying educational services to a student.

### **Reporting to Law Enforcement Officials**

Any felony listed in this section, or any act that if committed by an adult would be a felony listed in this section, that is committed on school property, on any school transportation or at any school activity must be reported by the appropriate school administrator to the appropriate law enforcement agency as soon as reasonably practical. The following acts are subject to this reporting requirement:

1. First or second degree murder under §§ 565.020, .021, RSMo.
2. Voluntary or involuntary manslaughter under § 565.024, RSMo.
3. Kidnapping under § 565.110, RSMo.
4. First, second or third degree assault under §§ 565.050, .060, .070, RSMo.
5. Sexual assault or deviate sexual assault under §§ 566.040, .070, RSMo.
6. Forcible rape or sodomy under §§ 566.030, .060, RSMo.
7. Burglary in the first or second degree under §§ 569.160, .170, RSMo.
8. Robbery in the first degree under § 569.020, RSMo.
9. Possession of a weapon under chapter 571, RSMo.
10. Distribution of drugs under §§ 195.211, .212, RSMo.
11. Arson in the first degree under § 569.040, RSMo.
12. Felonious restraint under § 565.120, RSMo.
13. Property damage in the first degree under § 569.100, RSMo.
14. Child molestation in the first degree pursuant to § 566.067, RSMo.
15. Sexual misconduct involving a child pursuant to § 566.083, RSMo.

16. Sexual abuse pursuant to § 566.100, RSMo.

In addition, the superintendent shall notify the appropriate division of the juvenile or family court upon suspension for more than ten (10) days or expulsion of any student who the school district is aware is under the jurisdiction of the court.

Any teacher or other employee who is aware of an incident in which a person is believed to have committed an act that if committed by an adult would be first, second or third degree assault, sexual assault or deviate sexual assault against a student or school employee, while on school property, school transportation or at school activities shall immediately report such incident to the principal. The employee shall also inform the principal if a student is discovered to possess a controlled substance or weapon in violation of the district's policy. The principal shall immediately report these offenses to the appropriate law enforcement agency and the superintendent.

A written agreement may be developed between the superintendent and the appropriate local law enforcement agency as to the procedure for reporting any incident in which a student is believed to have committed an act that if committed by an adult would be third degree assault. If such an agreement exists in the district, the principal shall report third degree assaults to the appropriate local law enforcement agency in accordance with such agreement.

School districts may report or disclose education records to law enforcement and juvenile justice authorities 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 must comply with applicable restrictions set forth in state and federal law.

### **Student Discipline Records**

The Board of Education directs the superintendent or designee to compile and maintain records of any serious violation of the district's discipline policy for each student enrolled in the district. Such records shall be made available to teachers and other school district employees with a need to know, and shall be provided within five (5) business days of receiving the request, in accordance with state law, to any school district in which the student subsequently attempts to enroll. If a student is placed in another school by the CD, the records will be transferred to the new school within two (2) business days after notification by the CD. Personally identifiable student records will only be released or destroyed in accordance with state and federal law.

Rates and durations of, and reasons for, suspensions of ten (10) days or longer and expulsions of students shall be reported pursuant to Department of Elementary and Secondary Education (DESE) data reporting requirements.



## **Confidentiality**

Any information received by a school district employee relating to the conduct of a student shall be received in confidence and used for the limited purpose of assuring that good order and discipline are maintained in the schools.

## **Liability**

Teachers and authorized district personnel, including volunteers selected with reasonable care by the district, shall not be civilly liable when acting in accordance with the Board's discipline policies or when reporting to the appropriate supervisor or other person acts of school violence or threatened acts of school violence, pursuant to law and district policy.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Legal Refs: §§ 160.261, .522, 167.020, .115 - .117, .122, 210.865, 211.032, 565.002,  
RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **DISCIPLINE OF STUDENTS WITH DISABILITIES**

It is the goal of the Avilla R-XIII School District to provide a safe and productive learning environment for all students. The district does not believe in a double standard for misbehavior and holds the welfare and safety of all persons in the district in highest regard. Students with disabilities will be disciplined in accordance with the district's discipline code applicable to all students, subject to the modifications mandated by law. All students, including those with disabilities, will be referred for law enforcement action when required by law and when their conduct constitutes a crime.

The district will comply with all state and federal laws governing the discipline of students with disabilities, including the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, applicable regulations and state and local plans for compliance with the law. In addition to the process outlined in special education law, students with disabilities will receive the same due process afforded other students.

The Board delegates to the superintendent or designee the authority to seek the removal of a student with a disability as allowed by federal or state law to an alternative educational setting through the state hearing process or to seek a court injunction ordering removal or a different educational placement.

The superintendent or designee will provide all district employees training on violence prevention, the district's discipline code and the legal requirements for disciplining students with disabilities. The Board delegates to the superintendent or designee the authority to contact the district's legal counsel for legal advice or training on the district's responsibilities.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBA, Programs for Students with Disabilities

Legal Refs: §§ 160.261, 162.680, .955 - .963, 167.161 - .171, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
34 C.F.R. Part 104  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
28 C.F.R. Part 35  
21 U.S.C. § 812(c); 18 U.S.C. § 930  
*Honig v. Doe*, 484 U.S. 305 (1988)  
*Light v. Parkway C-2 Sch. Dist.*, 41 F.3d 1223 (8th Cir. 1994)

Avilla R-XIII School District, Avilla, Missouri

## **STUDENT SUSPENSION AND EXPULSION**

The following procedures apply to all students. However, additional procedures for discipline for students with disabilities are sometimes required, as discussed in policy JGE, Discipline of Students with Disabilities.

The Board of Education believes that the right of a child to attend free public schools carries with it the responsibility of the child to attend school regularly and to comply with the lawful policies, rules and procedures of the school district. This observance of school policies, rules and procedures is essential for permitting others to learn at school.

Therefore, the administration may exclude a student from school because of violation of school rules and procedures, conduct which materially or substantially disrupts the rights of others to an education, or conduct which endangers the student, other students or the property of the school. Furthermore, if a student poses a threat to self or others, as evidenced by the prior conduct of such student, the administration may immediately remove the student from school. Such actions will be taken in accordance with due process and with due regard for the welfare of both the student and the school.

The terms "suspension" and "removal" refer to an exclusion from school that will not exceed a specific period of time and shall be subject to the due process procedures set forth for "suspensions" in this policy. The term "expulsion" refers to exclusion for an indefinite period.

The district may honor suspensions and expulsions from another in-state or out-of-state school district including a private, charter or parochial school or school district pursuant to law and policy JEC, Student Admissions. Before making any decision to honor such suspensions or expulsions, the superintendent or designee will consider whether the student has received the due process required by law.

### **Suspensions**

In Missouri, a principal may suspend a student for up to ten (10) school days. A superintendent may suspend a student for up to 180 school days. Procedures for suspending a student are outlined below.

1. Before suspending a student, a principal or superintendent must (a) tell the student, either orally or in writing, what misconduct he or she is accused of; (b) if the student denies the accusation, explain, either orally or in writing, the facts that form the basis of the proposed suspension; and (c) give the student an opportunity to present his or her version of the incident.

2. If the principal or superintendent concludes that the student has engaged in misconduct punishable by suspension, the procedures described below apply. If the student has a disability as defined in the Individuals with Disabilities Education Act (IDEA) as amended or Section 504 of the Rehabilitation Act, additional procedural safeguards described in the policy dealing with the discipline of students with disabilities apply.
3. The principal or superintendent should determine whether the student should be suspended or whether less drastic alternative measures would be appropriate. In many cases, the principal or superintendent may decide not to suspend a student unless conferences (between the teacher, student and principal and/or between the parent, student and principal) have been held and have failed to change the student's behavior.
4. If suspension is imposed, the student's parents or guardians must be promptly notified of the suspension and the reasons for the action.
5. Any suspension by a principal must be reported, immediately and in writing, to the superintendent, who may revoke the suspension, either part or in full, at any time.
6. If a student is suspended for more than ten (10) school days, the following rules also apply:
  - a. The student, his or her parents, guardians or others having custodial care have a right to appeal the superintendent's decision to the Board or a committee of the Board appointed by the Board president.
  - b. If the student gives notice that he or she wishes to appeal the suspension to the Board, the suspension shall be stayed until the Board renders its decision, unless in the superintendent's judgment, the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process.
  - c. All notices of appeal shall be transmitted, either by the appealing party or by the superintendent, to the secretary of the Board. Oral notices, if made to the superintendent, shall be reduced to writing and communicated to the secretary of the Board.
  - d. The superintendent, when notified of an appeal, shall promptly transmit to the Board a full written report of the facts relating to the suspension, the action taken by the superintendent, and the reasons for the action.
  - e. Upon receipt of a notice of appeal, the Board will schedule a hearing and within a reasonable time in advance of the scheduled date, will notify, by certified mail, the appealing party of the date, time and place of the hearing

and of the right to counsel, to call witnesses, and to present evidence at the hearing.

- f. Hearings of appealed suspensions will be conducted as described in the section of this policy dealing with student disciplinary hearings.

### **Suspensions For More Than 180 School Days and Expulsions**

Only the Board may expel a student or suspend a student for more than 180 school days. The applicable procedures are outlined below.

1. Before recommending to the Board that a student be expelled or suspended for more than 180 school days, the superintendent must (a) tell the student, either orally or in writing, what misconduct he or she is accused of; (b) if the student denies the accusation, explain, either orally or in writing, the facts that form the basis of the proposed suspension/expulsion; and (c) give the student an opportunity to present his or her version of the incident.
2. If the superintendent concludes that the student has engaged in misconduct and should be expelled or suspended for more than 180 school days, the procedures described below apply unless the student has a disability. (In the case of a student with a disability, the procedures described in the policy dealing with the discipline of students with disabilities shall apply.)
  - a. The superintendent will recommend to the Board that the student be expelled or suspended for more than 180 school days. The superintendent may also immediately suspend the student for up to 180 school days.
  - b. Upon receipt of the superintendent's recommendation, the Board will follow the procedures described in the section of this policy dealing with student disciplinary hearings.
3. If the student is expelled, he or she may later apply to the Board for readmission. Only the Board can readmit an expelled student.

### **Student Discipline Hearings**

The Board of Education may originate student discipline hearings upon recommendation of the superintendent. In such cases, the Board of Education will review the superintendent's report and determine whether to conduct a discipline hearing. In addition, student discipline hearings also will be held upon written request of the student or the student's parents, to consider appeals from student suspensions in excess of ten (10) school days. A

discipline hearing will always be held in cases of suspensions in excess of 180 school days or expulsions, unless after meeting with the superintendent or designee, the parent or guardian waives, in writing, the right to an expulsion hearing.

In all hearings, whether initiated by the Board of Education or by appeal, the following procedures will be adhered to:

1. The student and the parents/guardians will be advised of the charges against the student; their right to a Board hearing; the date, time and place of the hearing; their right to counsel; and their procedural rights to call witnesses, enter exhibits and cross-examine adverse witnesses. All such notifications will be made by certified mail, addressed to the student's parents or guardians. The Board shall make a good-faith effort to have the parents or guardians present at the hearing.
2. Prior to the Board hearing, the student and the student's parents/guardians will be advised of the identity of the witnesses to be called by the administration and advised of the nature of their testimony. In addition, the student and the student's parents/guardians will be provided with copies of the documents to be introduced at the hearing by the administration.
3. The hearing will be closed unless the Board decides otherwise. The hearing will only be open with parental consent. At the hearing, the administration or their counsel will present the charges and such testimony and evidence to support such charges. The student, his or her parents/guardians or their counsel shall have the right to present witnesses, introduce exhibits, and to cross-examine witnesses called in support of the charges.
4. At the conclusion of the hearing, the Board of Education shall deliberate in executive session and shall render a decision to dismiss the charges; to suspend the student for a specified period of time; or to expel the student from the schools of the district. The administration or its counsel, by direction of the Board of Education, shall promptly prepare and transmit to the parents/guardians written notice of the decision.

### **Remedial Conference**

Prior to the readmission or enrollment of any student who has been suspended out of school or expelled in accordance with this policy for any "act of school violence" as defined in §160.261.2, RSMo., and Board policy JGF, a conference must be held to review the student's conduct that resulted in the suspension or expulsion and any remedial actions needed to prevent future occurrences of such conduct or related conduct. The conference shall include the appropriate school officials including any teacher directly involved with the conduct that resulted in the suspension or expulsion, the student, and the parent or guardian of the student or any agency having legal jurisdiction, care, custody or control of the student. The Board of Education shall notify, in writing, the parents or guardians and

all other parties of the time, place and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. This requirement applies to enrolling students transferring from another school as well, regardless of whether the "act of school violence" was committed at a public school or at a private school in Missouri, provided that such act shall have resulted in the suspension or expulsion of such student in the case of a private school.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: ECA, Building and Grounds Security  
JFCH, Student Alcohol/Drug Abuse  
JG, Student Discipline  
JGE, Discipline of Students With Disabilities  
JGF, Discipline Reporting and Records

Legal Refs §§ 160.261, 162.955 - .963, 167.161 - .171, RSMo.  
Chapter 536, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487

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## **DETENTION AND/OR IN-SCHOOL SUSPENSION OF STUDENTS**

The provisions of detention or an in-school suspension program for student violations of policies, rules and procedures shall provide principals with an additional alternative for dealing with disciplinary problems that occur in the schools. When this alternative is appropriate, students will be assigned to serve a specified time period in the in-school suspension program. These assignments, and the determination of the time period for them, shall be determined by the principal, or his or her designee.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: JG, Student Discipline

Legal Refs: § 160.261, RSMo

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**CORPORAL PUNISHMENT**  
***(Prohibited)***

No person employed by or volunteering on behalf of the Avilla R-XIII School District shall administer or cause to be administered corporal punishment upon a student attending district schools.

A staff member may, however, use reasonable physical force against a student without advance notice to the principal, if it is essential for self-defense, the preservation of order, or for the protection of other persons or the property of the school district.

\*\*\*\*\*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: JG, Student Discipline  
JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: §§ 160.261, 171.011, 563.061, RSMo.



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### **CORPORAL PUNISHMENT**

Corporal punishment, as a measure of correction or of maintaining discipline and order in schools, is permitted. However, it shall be used only when all other alternative means of discipline have failed, and then only in reasonable form and upon the recommendation of the principal. If found necessary, it should be administered preferably by the principal in the presence of the teacher. It should never be inflicted in the presence of other pupils, nor without a witness.

Corporal punishment shall be administered only by swatting the buttocks with a paddle. When it becomes necessary to use corporal punishment, it shall be administered so that there can be no chance of bodily injury or harm. Striking a student on the head or face is not permitted.

The teacher or principal shall submit a report to the superintendent, explaining the reason for the use of corporal punishment as well as the details of the administration of the same.

A staff member may, however, use reasonable physical force against a student without advance notice to the principal, if it is essential for self-defense, the preservation of order, or for the protection of other persons or the property of the school district.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JG, Student Discipline  
JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: §§ 160.261, 171.011, 563.061, RSMo.

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## STUDENT COMPLAINTS AND GRIEVANCES

Alleged acts of unfairness or any decision made by school personnel, except as otherwise provided for under student suspension and expulsion, which students and/or parents/guardians believe to be unjust or in violation of pertinent policies of the Board or individual school rules, may be appealed to the school principal or a designated representative.

The following guidelines are established for the presentation of student complaints and grievances:

- < The principals shall schedule a conference with the student and any staff members involved to attempt to resolve the problem. Parents/Guardians may be involved in the conference, or a later conference for parents/guardians may be scheduled at the discretion of the principal.
- < If the problem is not resolved to the satisfaction of the student and/or parents/guardians, a request may be submitted for a conference with the superintendent of schools. The superintendent shall arrange a conference to consider the problem, and to inform participants of the action that will be taken.
- < If the student and/or parents/guardians are not satisfied with the action of the superintendent, they may submit a written request to appear before the Board of Education. Unless required by law, a hearing will be at the discretion of the Board. The decision of the Board shall be final.

All persons are assured that they may utilize this procedure without reprisal.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBC, Parent/Family Involvement in Instructional and Other Programs

IGBCA, Programs for Homeless Students  
IGDBA, Distribution of Noncurricular Student Publications  
KL, Public Complaints

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## **INTERROGATIONS, INTERVIEWS AND SEARCHES**

### **Searches by School Personnel**

School lockers, desks and other district property are provided for the convenience of students and, as such, are subject to periodic inspection without notice.

Student property may be searched based on reasonable suspicion of a violation of district rules, policy or law. Reasonable suspicion must be based on facts known to the administration, credible information or reasonable inference drawn from such facts or information. Searches of student property shall be limited in scope based on the original justification of the search. The privacy and dignity of students shall be respected. Searches shall be carried out in the presence of adult witnesses and not in front of other students, unless exigent circumstances exist.

It is a privilege, not a right, to park on school grounds. The school retains the authority to conduct routine patrols of any vehicle parked on school grounds. The interior of a student's automobile on school premises may be searched if the school authority has reasonable suspicion to believe that such a search will produce evidence that the student has violated or is violating either the law or district policy.

The administration will contact law enforcement officials to perform a search if the administration reasonably suspects that a student is concealing controlled substances, drug paraphernalia, weapons, stolen goods or evidence of a crime beneath his or her clothing and the student refuses to surrender such items. Law enforcement officials may be contacted for assistance in performing a search in any case in which a student refuses to allow a search or in which the search cannot safely be conducted.

School employees and volunteers, 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. If a student is strip searched, as defined in state law, by a school employee or a commissioned law enforcement officer, the district will attempt to notify the student's parents/guardians as soon as possible.

During an examination, and if reasonable under the circumstances, school employees may require students to empty pockets or remove jackets, coats, shoes and other articles of exterior clothing that when removed do not expose underwear. Employees may also remove student clothing to investigate the potential abuse or neglect of a student, give medical attention to a student, provide health services to a student or screen a student for medical conditions.

### **School Resource Officers**

The school resource officer (SRO) may interview or question students regarding an alleged violation of law. A school resource officer may also accompany school officials executing a search or may perform searches under the direction of school officials.

### **Interview with Police or Juvenile Officers/Other Law Enforcement Officials**

Law enforcement officials may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Such interviews and interrogations are discouraged during class time, except when law enforcement officials have a warrant or other court order or when an emergency or other exigent circumstances exist. It is the responsibility of the principal or designee to take reasonable steps to prevent disruption of school operations while at the same time cooperating with law enforcement efforts.

When law enforcement officials find it necessary to question students during the school day or during periods of extracurricular activities, the school principal or designee will be present and the interview will be conducted in private. The principal will verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school. The principal ordinarily will make reasonable efforts to notify the student's parents/guardians unless the interviewer raises a valid objection to the notification.

### **Removal of Students from School by Law Enforcement Officials**

Before a student at school is arrested or taken into custody by a law enforcement official or other legally authorized person, the principal will verify the official's identity. To the best of his or her ability, the principal will verify the official's authority to take custody of the student. The school principal will attempt to notify the student's parents/guardians that the student is being removed from school.

### **Interview with the Children's Division**

Representatives of the Children's Division (CD) of the Department of Social Services may meet with students on campus. The district liaison will work with CD to arrange such meetings so they are minimally disruptive to the student's schedule. If the student is an alleged victim of abuse or neglect, CD may not meet with the student in any school building

or child care facility where the abuse of the student allegedly occurred. The principal will verify and record the identity of any CD representatives who request to meet with or take custody of a student.

### **Contacts by Guardian Ad Litem and Court-Appointed Special Advocate**

When a court-appointed guardian ad litem or special advocate finds it necessary to interview a student during the school day or during periods of extracurricular activities, the school principal or designee must be notified. The principal will verify and record the identity of the individual through the court order that appoints him or her. The interview must be conducted in a private setting and with the least disruption to the student's schedule.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ECD, Traffic and Parking Controls  
KNAJ, Relations with Law Enforcement Authorities

Legal Refs: §§ 167.166, 210.145, 544.193, RSMo.  
*New Jersey vs. T.L.O.*, 469 U.S. 325 (1985)

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### **A+ SCHOOLS PROGRAM**

The Avilla R-XIII School District shall participate in Missouri's A+ Schools Program. The State Board of Education has designated the \_\_\_\_\_ [name of designated high school] High School as an A+ school so that participating students may qualify for state-paid tuition reimbursement to attend any public community college or career/technical school in Missouri.

The district will follow the requirements as established by the Department of Elementary and Secondary Education (DESE) for the implementation and administration of and participation in

the A+ Schools Program. The district shall employ an A+ Schools Program coordinator no less than half time, as required by law.

### **Program Goals**

The Avilla R-XIII School District has established the following goals and performance standards:

1. All students graduate from high school.  
    < \_\_\_\_\_ [Measurable districtwide performance standard]
2. All students complete a selection of high school studies that is challenging and for which there are identified learning expectations.  
    < \_\_\_\_\_ [Measurable districtwide performance standard]
3. All students proceed from high school graduation to a college, postsecondary career-technical school or high-wage job with workplace skill development opportunities.  
    < \_\_\_\_\_ [Measurable districtwide performance standard]

### **Citizenship Component**

An important component of the A+ Schools Program is the fostering of good citizenship in our district's students. A student demonstrates good citizenship by showing respect for self, law, property and the rights of others. Students have not demonstrated good citizenship if they have:

1. Pled guilty or *nolo contendere* (no contest) to, received a suspended imposition of sentence or suspended execution of sentence for, or been convicted or found guilty of a misdemeanor or felony.
2. Unlawfully used or possessed drugs, drug paraphernalia or alcohol on or off school property during the three-year period immediately prior to graduation.
3. Had an out-of-school suspension during the three-year period immediately prior to graduation.
4. Violated the district's rules governing academic dishonesty (plagiarism, cheating, etc.).

### **Participation Agreement, Discipline and Appeal**

All students wishing to participate in the A+ program must submit a completed A+ participation agreement. If the coordinator determines that a student who has submitted a participation agreement has violated the terms of that agreement or district policies or procedures regarding A+ participation, the coordinator will notify the student in writing and may put the student on probation or expel the student from the program. The student or the student's parents/guardians may appeal expulsions from this program, in accordance with written district procedures, to the Board of Education or to a committee of Board members appointed by the president of the Board and given the authority to act for the Board. The Board or the Board's committee will hear the student's appeal in closed session and will notify the student of its decision.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Cross Refs: IGBD, At-Risk Students

Legal Refs: ' 160.545, RSMo.  
5 C.S.R. 50-350.040

Avilla R-XIII School District, Avilla, Missouri

## **WEAPONS IN SCHOOL**

The Board recognizes the importance of preserving a safe educational environment for students, employees and patrons of the district. In order to maintain the safety of the educational community, the district will strictly enforce the necessary disciplinary consequences resulting from the use or possession of weapons on school property. No student may possess a weapon on school property at any time, except as specifically authorized during a school-sponsored or school-sanctioned activity permitting weapons. The school district will provide secured storage of student firearms if necessary.

School property is defined as: Property utilized, supervised, rented, leased, or controlled by the school district including but not limited to school playgrounds, parking lots and school buses, and any property on which any school activity takes place.

A weapon is defined to mean one or more of the following:

1. A firearm as defined in 18 U.S.C. § 921.
2. A blackjack, concealable firearm, firearm, firearm silencer, explosive weapon, gas gun, knife, knuckles, machine gun, projectile weapon, rifle, shotgun, spring gun, switchblade knife, as these terms are defined in § 571.010, RSMo.
3. A dangerous weapon as defined in 18 U.S.C. § 930(g)(2).
4. All knives and any other instrument or device used or designed to be used to threaten or assault, whether for attack or defense.
5. Any object designed to look like or imitate a device as described in 1-4.

Pursuant to the Missouri Safe Schools Act and the federal Gun-Free Schools Act of 1994, any student who brings or possesses a weapon as defined in #1 or #2 above on school property will be suspended from school for at least one (1) calendar year or expelled and will be referred to the appropriate legal authorities. The suspension or expulsion may be modified on a case-by-case basis upon recommendation by the superintendent to the Board of Education. Students who bring or possess weapons as defined in #3, #4 and #5 and not otherwise included in #1 and #2, will also be subject to suspension and/or expulsion from school and may be referred to the appropriate legal authorities.

Students with disabilities who violate this policy will be disciplined in accordance with policy JGE.

This policy will be submitted annually to the state Department of Elementary and Secondary Education along with a report indicating any suspensions or expulsions resulting from the possession or use of a firearm as defined in 18 U.S.C. § 921. The report will include the name of the school in which the incidents occurred, the number of students suspended or expelled and the types of weapons involved.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:



Cross Refs: ECA, Building and Grounds Security  
JG, Student Discipline  
JGD, Student Suspension and Expulsion  
JGE, Discipline of Students with Disabilities

Legal Refs: §§ 160.261, 571.010, .030, RSMo  
18 U.S.C. § 921  
Elementary and Secondary Education Act of 1965 as amended by the Gun-  
Free Schools Act of 1994  
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 - 1487

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### **STUDENT ALCOHOL/DRUG ABUSE**

The Avilla R-XIII School District is concerned with the health, welfare and safety of its students. Therefore, use, sale, transfer, distribution, possession or being under the influence of unauthorized prescription drugs, alcohol, narcotic substances, unauthorized inhalants, controlled substances, illegal drugs, counterfeit substances and imitation controlled substances is prohibited on any district property, in any district-owned vehicle or in any other district-approved vehicle used to transport students to and from school or district activities. This prohibition also applies to any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district. The use, sale, transfer or possession of drug-related paraphernalia is also prohibited.

For the purpose of this policy a controlled substance shall include any controlled substance, counterfeit substance or imitation controlled substance as defined in the Narcotic Drug Act, § 195.010, RSMo., and in schedules I, II, III, IV and V in section 202(c) of the Controlled Substances Act, 21 U.S.C. § 812(c).

Students may only be in possession of medication as detailed in Board policy JHCD. Searches of persons reasonably suspected to be in violation of this policy will be conducted in accordance with Board policy.

Any student who is found by the administration to be in violation of this policy shall be referred for prosecution and subject to disciplinary action up to and including suspension, expulsion or other discipline in accordance with the district's discipline policy. Strict compliance is mandatory. The school principal shall immediately report all incidents involving a controlled substance to the appropriate local law enforcement agency and the superintendent. All controlled substances shall be turned over to local law enforcement.

Students with disabilities who violate this policy will be disciplined in accordance with policy JGE.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: GBEB, Drug-Free Workplace  
IGAEA, Teaching about Drugs, Alcohol and Tobacco

Legal Refs: §§ 167.115, .117, .161, .171, 195.010, .017, 577.625, .628, 578.250 - .265,  
RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C §§ 1400 - 1487  
34 C.F.R. § 300.520  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101 - 7165  
Controlled Substances Act, 21 U.S.C. § 812(c)

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## HAZING AND BULLYING

### General

In order to promote a safe learning environment for all students, the Avilla R-XIII School District prohibits all forms of hazing, bullying and student intimidation. Students participating in or encouraging inappropriate conduct will be disciplined in accordance with JG-R. Such discipline may include, but is not limited to, suspension or expulsion from school and removal from participation in activities. Students who have been subjected to hazing or bullying are instructed to promptly report such incidents to a school official.

In addition, district staff, coaches, sponsors and volunteers shall not permit, condone or tolerate any form of hazing or bullying or plan, direct, encourage, assist, engage or participate in any activity that involves hazing or bullying. District staff will report incidents of hazing and bullying to the building principal. The principal shall promptly investigate all complaints of

hazing and bullying and shall administer appropriate discipline to all individuals who violate this policy. District staff who violate this policy may be disciplined or terminated.

The superintendent will provide for appropriate training designed to assist staff, coaches, sponsors and volunteers in identifying, preventing and responding to incidents of hazing and bullying.

The district shall annually inform students, parents, district staff and volunteers that hazing and bullying is prohibited. This notification may occur through the distribution of the written policy, publication in handbooks, presentations at assemblies or verbal instructions by the coach or sponsor at the start of the season or program.

### **Definitions**

*Hazing* B For purposes of this policy, hazing is defined as any activity, on or off school grounds, that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or school-sponsored activity.

Hazing may include those actions that subject a student to extreme mental stress including, but not limited to, sleep deprivation, physical confinement, forced conduct that could result in extreme embarrassment or criminal activity, or other stress-inducing activities. Hazing may also include, but is not limited to: acts of physical brutality; whipping; beating; branding; exposing to the elements; forcing consumption of any food, liquor, drug or other substance; forcing inhalation or ingestion of tobacco products; or any other forced physical activity that could adversely affect the physical health or safety of an individual.

Hazing may occur even when all students involved are willing participants. Hazing does not occur when a student is required to audition or try out for an organization when the criteria are reasonable, approved by the district and legitimately related to the purpose of the organization.

*Bullying* B For purposes of this policy, bullying is defined as intimidation or harassment of a student or multiple students perpetuated by individuals or groups. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or damaging property; oral or written taunts, including name-calling, put-downs, extortion, or threats; or threats of retaliation for reporting such acts. Bullying may also include cyberbullying or cyberthreats. Cyberbullying is sending or posting harmful or cruel text or images using the Internet or other digital communication devices. Cyberthreats are online materials that threaten or raise concerns about violence against others, suicide or self-harm.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
GCPD, Suspension of Professional Staff Members  
GCPE, Termination of Professional Staff Members  
GDPD, Nonrenewal, Suspension and Termination of Support Staff Members  
IGD, District-Sponsored Extracurricular Activities  
IGDJ, Interscholastic Athletics

Legal Refs: ' 160.775, RSMo.

Avilla R-XIII School District, Avilla, Missouri

### SECRET ORGANIZATIONS

The Board of Education prohibits the organization of school-sponsored fraternities, sororities or secret organizations wherein membership is determined by members themselves rather than on the basis of free choice. The Board considers those organizations or memberships in those organizations detrimental to the good conduct and discipline of the school. Interference with the instructional program of the Avilla R-XIII School District by those groups will not be condoned, and no organizational activities are permitted under the sponsorship of the school district or its personnel.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Legal Refs: § 171.141, RSMo.

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### **STUDENT CONDUCT ON SCHOOL TRANSPORTATION**

Students, parents/guardians, bus drivers and school officials must work together to provide for the safe transportation of students. The school buses, bus stops, and all other forms of transportation provided by the district or provided incidental to a school activity are considered school property. Students are subject to district authority and discipline while waiting for, entering and riding district transportation. The superintendent or designee will create and enforce administrative procedures detailing the conduct expected of students and will make that information available to students and parents.

Students who fail to observe district rules or fail to contribute to a safe transportation environment will be subject to disciplinary action including, but not limited to, suspension of the privilege of riding the bus. Students with disabilities will be disciplined in accordance with their Individualized Education Program (IEP) or applicable law. The bus driver or other authorized personnel shall report all misbehavior or dangerous situations to the principal as soon as possible.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EEA, Student Transportation Services  
JG, Student Discipline  
JGF, Discipline Reporting and Records

Legal Refs: §§ 160.261, 571.030, RSMo.  
Individuals with Disabilities Education Act, 20 U.S.C. § 1400 - 1487  
34 C.F.R. Part 300

Avilla R-XIII School District, Avilla, Missouri

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### STUDENT DRESS CODE

The Board of Education recognizes the value of allowing individual student expression as well as the necessity of protecting student health and safety and maintaining an atmosphere conducive to education. Student dress code procedures must be designed with the goal of balancing these competing interests.

All dress code procedures will adhere to health and safety codes and comply with applicable law. Dress that materially disrupts the educational environment will be prohibited. No procedure will impose dress and grooming rules based on gender in violation of Title IX. District procedures will specifically define ambiguous terms, and examples will be provided when practicable.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: EBBA, Illness and Injury Response and Prevention  
IGDJ, Interscholastic Athletics

Legal Refs: § 167.166, RSMo.  
*Stephenson v. Davenport Comm. Sch. Dist.*, 110 F.3d 1303 (8th Cir. 1997)  
*Bishop v. Colaw*, 450 F.2d 1069 (8th Cir. 1971)  
Title IX of the Education Amendments of 1992, 20 U.S.C. § 1681  
*Tinker v. Des Moines Indep. Comm. Sch. Dist.*, 393 U.S. 503 (1969)

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## **STUDENT ABSENCES AND EXCUSES**

The Board recognizes the importance of regular student attendance to a successful learning experience. Research supports the fact that attendance is crucial to improving student achievement. At least one (1) study identified attendance as the single greatest indicator of student achievement. The Board further recognizes that:

1. Frequent absences of students from regular classroom learning experiences disrupt the continuity of the instructional process.
2. The benefits of classroom instruction, once lost, cannot be entirely regained.
3. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences and study in order to meet the district's student achievement goals.
4. Holding students and their parents/guardians responsible for attendance is part of the district's larger mission to train students to be productive citizens and employees.
5. State law reflects the importance of regular attendance by establishing compulsory school attendance and charging this Board to enforce that law.
6. State law authorizes school boards to make all needful rules for organization and government in the district.

Therefore, regular and punctual patterns of attendance will be expected of each student enrolled in the Avilla R-XIII School District.

### **Development of Rules and Procedures**

The superintendent, with the assistance of building-level administrators and other administrative and professional staff, shall establish rules and procedures for student attendance within the district. The primary purpose of the district's attendance rules and procedures shall be to change behavior, not to punish students. Such rules and procedures shall be published on the district's website and in appropriate handbooks and shall be subject to review by the Board of Education. The administration will develop rules and procedures that minimally include:

1. Clear and reasonable attendance standards with consistently enforced consequences for violating those standards.
2. Early intervention strategies for students in primary and elementary grades.
3. Targeted intervention strategies.
4. Strategies to increase engagement with students and families.

In developing these rules and procedures, the administration will collect data to determine why students are absent. Data collected will include, but not be limited to:

1. Reasons for student absences.
2. Family attitudes toward school attendance.
3. The extent to which frequently absent students feel engaged with the school.
4. The extent to which family members of students who are frequently absent feel engaged in student learning.
5. Academic needs of frequently absent students.
6. Nonacademic service needs of frequently absent students.

In response to the data collected, the superintendent or designee will implement one (1) or more of the following strategies:

1. Academic support programs for students and families.
2. Use of alternative educational methods, such as distance learning and homebound instruction.
3. Use of available, appropriate community resources.
4. Staff-Student advisory or mentoring programs designed to increase student engagement with the school.
5. Procedures for student and family contact when students are absent.

No rule or procedure will preclude a student from making up work missed due to any type of absence, including absences due to suspension. Procedures and rules must include a due



process component that includes notice before consequences are imposed and that allows students and their parents/guardians to appeal any imposed consequence to the superintendent. The Board will not hear appeals of consequences for excessive absences.

The district will maintain a comprehensive system of attendance records for each student. Each teacher is responsible for the accurate reporting of daily attendance in the classroom. The building principal is responsible for supplying information to parents/guardians about student absences and for submitting attendance information to the superintendent's office.

The district will contact the Children's Division (CD) of the Department of Social Services or the local prosecutor in cases where the district has a reasonable suspicion that a student's lack of attendance constitutes educational neglect on the part of the parents/guardians or that parents/guardians are in violation of the compulsory attendance law. No such action will be taken unless other strategies and interventions have been implemented and proven ineffective.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

MSIP Refs: 6.3, 6.5, 7.7, 8.6, 8.7, 9.6

Legal Refs: " 167.031 - .111, 171.011, .053, .151, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## STUDENT DISMISSAL PRECAUTIONS

It is the goal of the Avilla R-XIII School District to provide a safe environment for students. The district recognizes that rules regarding the dismissal of students are a necessary part of the district's safety program. District administrators will publicize this policy to parents and create procedures regarding the dismissal of students.

## **Dismissal from School**

District administrators will create student dismissal procedures that protect the safety of students while also addressing the necessary flow of traffic to and from school. These procedures may vary depending on the age of the student. District personnel will monitor the parking lot and other locations where students board the district's transportation or meet parents or others. At the request of a parent, school personnel will verify the identity of a parent or other authorized person before releasing the student. District staff may refuse to release a student and will notify the principal if they have concerns regarding the student's safety or whether a person is authorized to transport the student. Otherwise the district will assume that the student knows with whom he or she may leave.

## **Early Dismissal**

Students shall not be excused into any person's custody without the direct prior approval and knowledge of the building principal or designee. Each building principal will establish procedures to validate requests for early dismissal to assure that students are released only for proper reasons and only to authorized persons.

Procedures must adhere to the following rules:

- < Students will only be released to the parent, guardian or designee of the parent or guardian or to other individuals or agencies as permitted or required by law.
- < The district will release a student to either parent unless the district has a valid court order directing otherwise or unless the parent requesting release is only entitled to supervised visitation. If district staff have concerns about releasing the student to a parent, the student may be held while additional precautions are taken, including, but not limited to, verifying custody orders, contacting the other parent or contacting appropriate authorities.
- < Students who are 17 years old and living independently and students 18 or older must validate their own attendance and dismissal.
- < Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's parent or guardian.
- < Any person requesting release of a student must present proper identification prior to release of the student.

For the purposes of this policy, a parent is defined as a biological or adoptive parent, including parents who are unmarried; a guardian; or an individual acting as a parent in the absence of the parent or guardian.

## Dismissal from School Activities

If an activity occurs immediately after school, the district will follow the same procedures used for dismissing students from the regular school day. Otherwise, students are expected to return from activities with the student's parents or the same person(s) who transported them to the activity. If the district provides the student transportation to an activity, the student is expected to return using district transportation. However, district administrators may develop procedures for releasing students from a school activity to parents or other authorized persons, keeping the safety of students in mind.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: KDA, Custodial and Noncustodial Parents  
KK, Visitors to District Property/Events

Avilla R-XIII School District, Avilla, Missouri

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## SCHOOL ADMISSIONS

### Student Admission

The Board of Education shall provide free public education to all students who are residents of the school district and who are between the ages of five (5) and 21 years and who otherwise qualify for admission under Missouri law unless otherwise required by federal law. Federal law also requires the district to provide services to resident students qualifying for special education services between the ages of three (3) and 21. Any senior qualifying for graduation at the end of the school semester and attaining age 21 during the course of the semester may complete that particular semester tuition free.

Persons seeking admission to the district and its instructional programs must satisfactorily meet all residency, academic, age, immunization, discipline and other eligibility prerequisites as established by Board policy and law. Students enrolling in kindergarten or

first grade must provide proof of a comprehensive vision examination by January 1 of the first year in the district, in accordance with law. Students who are homeless will be admitted in accordance with Board policy and law.

Students who transfer to the district from another district will be placed in accordance with Board policy.

### **Entrance Age**

To be admitted to the Avilla R-XIII School District, a child must be five (5) years old before August 1 of the school year in which he or she plans to enroll for purposes of kindergarten and summer school prior to a kindergarten school term. Students eligible to attend who have previously attended a kindergarten program or otherwise demonstrate to the satisfaction of the district that they are socially and academically ready to progress may be placed in first grade or another appropriate grade that would best meet the student's educational needs, after consultation with the student's parent/guardian. Likewise, students who demonstrate to the district that they are not socially or academically ready to enter kindergarten may be placed in a preschool or other appropriate program offered by the district, after consultation with the student's parent/guardian.

A student who does not meet the entrance age requirements for attendance pursuant to Missouri law but who transfers from another state where the student was enrolled in a kindergarten program will be enrolled in the district's kindergarten program. Any transfer student who wishes to enroll in this district after having started the school year or the summer school prior to a kindergarten school term in the St. Louis School District or the Kansas City School District will be exempt from the entrance age requirement as allowed by law.

Students who are entering kindergarten or first grade are encouraged to preregister in the spring prior to the fall semester in which they are to begin attendance. Students entering the schools in the district will be required to present a birth certificate or other acceptable proof of age if necessary to determine whether the student is eligible to attend school.

### **Requests for Student Records**

Within two (2) business days of enrolling a student, the school official enrolling the student shall request those records required by district policy for student transfer, including discipline records, from all schools previously attended by the student within the last 12 months.

Within 48 hours of enrolling a nonresident student placed in the district pursuant to " 210.481 - .536, RSMo., via foster homes, residential care facilities or child-placing agencies, the school official enrolling the student shall request those records required by district policy for student transfer, including discipline records, from all schools and facilities previously attended by the student; the Department of Social Services; the Department of Mental Health; the Department of Elementary and Secondary Education; and any entity involved with the placement of the student within the last 24 months.

### **Statement of Prior Suspension, Expulsion or Criminal Offense**

The Board of Education requires the parent, guardian or other person having control or charge of a child of school age to provide upon enrollment a signed statement indicating whether the student has been suspended or expelled from a public or private school in this state or any other state for an offense in violation of Board policies. In addition, the person enrolling the student must affirm that the student has not been convicted of or charged with an act listed in the "Admission Restriction" section of this policy. This registration document shall be maintained as a part of the student's scholastic record.

### **Students Suspended or Expelled from Another District**

Without the superintendent's or designee's permission, no student may enroll in a school in the district during a suspension or expulsion from another in-state or out-of-state school district, including a private, charter or parochial school or school district, if it is determined upon attempt to enroll that the student's conduct would have resulted in a suspension or expulsion in this district. The parent/guardian or student may request a conference with the superintendent or designee to consider if the conduct of the student would have resulted in a suspension or expulsion in this district. The superintendent or designee may make such suspension or expulsion from another district effective if it is determined that such conduct would have resulted in a suspension or expulsion in this district. If it is determined that such conduct would not have resulted in a suspension or expulsion in this district, the superintendent or designee shall not make such suspension or expulsion from another school or district effective. The superintendent or designee will consider whether the student has received the due process required by law before making any decision.

A remedial conference will be held in accordance with Board policy prior to enrollment of any student following a suspension or expulsion from another school for an act of school violence as defined in ' 160.261.2, RSMo. The remedial conference will be held regardless of whether such act was committed at a public or private school in this state, provided that such act shall have resulted in the suspension or expulsion of such student in the case of a private school.

### Admission Restriction

In accordance with ' 167.171, RSMo., no student may be readmitted or enrolled to a regular program of instruction in the school district who has been convicted of or charged with an act that if committed by an adult would be one (1) of the following:

1. First degree murder under ' 565.020, RSMo.
2. Second degree murder under ' 565.021, RSMo.
3. First degree assault under ' 565.050, RSMo.
4. Forcible rape under ' 566.030, RSMo.
5. Forcible sodomy under ' 566.060, RSMo.
6. Statutory rape under ' 566.032, RSMo.
7. Statutory sodomy under ' 566.062, RSMo.
8. Robbery in the first degree under ' 569.020, RSMo.
9. Distribution of drugs to a minor under ' 195.212, RSMo.
10. Arson in the first degree under ' 569.040, RSMo.
11. Kidnapping, when classified as a class A felony under ' 565.110, RSMo.

Nothing in this section shall prohibit the readmittance or enrollment of any student if a charge has been dismissed or when a student has been acquitted of any of the above acts. This section does not apply to a student with a disability, as identified under state eligibility criteria, who is convicted as a result of an action related to the student=s disability. If the district maintains an alternative education program, and the district determines that the placement is appropriate, a student subject to these admissions restrictions may be admitted to such an alternative education program.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBCA, Programs for Homeless Students  
IGBCB, Programs for Migrant Students

Legal Refs: " 43.408, 160.051 - .053, .055, .261, 167.020, .022 - .023, .101, .122, .161, .171, .194, 195.212, 565.020 - .021, .050, .110, 566.030, .060, 569.020, .040, RSMo.  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. " 11431 - 11435

Avilla R-XIII School District, Avilla, Missouri

### **ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES** *(K-8 Districts)*

The Board believes that a student should be placed in the grade level and classes that best meet the student's academic needs, after consultation with the student's parent/guardian. A student's social and emotional needs will also be considered, to the extent that they affect academic progress. Although the district will first consider placing students in grade levels or classes with students of similar age, age will not necessarily be the determining factor. Further, any student's placement may be adjusted by the school principal or designee as needed, after consultation with the student's parent/guardian. The district's administrative staff will make the final decision regarding assignment of students to grade levels or classes. Students receiving special education services will be placed in accordance with law.

#### **Transfers from Accredited Schools**

For the purposes of this policy, an "accredited school" is the Missouri Virtual Instruction Program (MoVIP); a private agency where students with disabilities are placed by a public school; or any school accredited by the Missouri Department of Elementary and Secondary Education (DESE), the North Central Association of Colleges and Schools (NCA), the Independent Schools Association of the Central States (ISACS) or the University of Missouri Committee on Accredited Schools Non-Public (CAS). If a school is located in another state or country, that school must be accredited by that state's or country's department of education, NCA, ISACS or the equivalent agencies.

In general, if a student transfers to the Avilla R-XIII School District from an accredited school, this district will rely on the grade-level placement in the previous school to the extent that it coincides with the district's program. However, the district may adjust the student's placement as needed to meet his or her educational needs, after consultation with the student's parent/guardian.

#### **Transfers from Unaccredited Schools**

For the purposes of this policy an "unaccredited school" is any public, private or home school that does not meet the definition of "accredited" above.

In general, if a student transfers to the Avilla R-XIII School District from an unaccredited school, the school principal or designee will examine a number of criteria to determine grade-level or class placement including age, achievement tests or other performance data, transcripts, course descriptions, textbooks used and home-schooling logs. If necessary, the district will administer additional tests to aid placement decisions. Once placed, the district may further adjust the student's placement to meet his or her educational needs, after consultation with the student's parent/guardian.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBA, Programs for Students with Disabilities  
IGBCA, Programs for Homeless Students  
IKF, Graduation Requirements

Legal Refs: " 161.670, 167.031, 171.171, RSMo.  
5 C.S.R. 50-500.010

Avilla R-XIII School District, Avilla, Missouri

## ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES

The Board believes that a student should be placed in the grade level and classes that best meet the student's academic needs, after consultation with the student's parent/guardian. A student's social and emotional needs will also be considered, to the extent that they affect academic progress. Although the district will first consider placing students in grade levels or classes with students of similar age, age will not necessarily be the determining factor. Further, any student's placement may be adjusted by the school principal or designee as needed, after consultation with the student's parent/guardian. The district's administrative staff will make the final decision



regarding assignment of students to grade levels or classes. Students receiving special education services will be placed in accordance with law.

### **Transfers from Accredited Schools**

For the purposes of this policy, an "accredited school" is the Missouri Virtual Instruction Program (MoVIP); a private agency where students with disabilities are placed by a public school; or any school accredited by the Missouri Department of Elementary and Secondary Education (DESE), the North Central Association of Colleges and Schools (NCA), the Independent Schools Association of the Central States (ISACS) or the University of Missouri Committee on Accredited Schools Non-Public (CAS). If a school is located in another state or country, that school must be accredited by that state's or country's department of education, NCA, ISACS or the equivalent agencies.

In general, if a student transfers to the Avilla R-XIII School District from an accredited school, this district will accept the units of credit completed in the previous school and rely on the grade-level placement in the previous school to the extent that it coincides with the district's program. However, the district may adjust the student's placement as needed to meet his or her educational needs, after consultation with the student's parent/guardian.

All credits must be equated to the Carnegie Unit as defined in Missouri. Only credits that correspond to course offerings accepted by the Missouri State Board of Education or by the Avilla R-XIII School District may be accepted to meet graduation requirements.

### **Transfers from Unaccredited Schools**

For the purposes of this policy an "unaccredited school" is any public, private or home school that does not meet the definition of "accredited" above.

In general, if a student transfers to the Avilla R-XIII School District from an unaccredited school, the school principal or designee will examine a number of criteria to determine grade-level or class placement including age, achievement tests or other performance data, transcripts, course descriptions, textbooks used and home-schooling logs. If necessary, the district will administer additional tests to aid placement decisions. Once placed, the district may further adjust the student's placement to meet his or her educational needs, after consultation with the student's parent/guardian.

The district will attempt to award credit for classes completed in previous schools if there is sufficient evidence of achievement. All credits must be equated to the Carnegie Unit as defined in Missouri. Only credits that correspond to course offerings accepted by the Missouri State Board of Education or by the Avilla R-XIII School District may be accepted to meet graduation requirements.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: IGBA, Programs for Students with Disabilities  
IGBCA, Programs for Homeless Students  
IKF, Graduation Requirements  
IKFB, Graduation Exercises

Legal Refs: " 161.670, 167.031, 171.171, RSMo.  
5 C.S.R. 50-500.010

Avilla R-XIII School District, Avilla, Missouri

**ADMISSION OF NONRESIDENT STUDENTS  
(Districts NOT Accepting Nonresident Students)**

Unless otherwise required by law, this district does not accept nonresident students. A nonresident student shall be defined as a student who does not meet the requirements to be a resident student of the Avilla R-XIII School District, as defined in Board policies and the law. Nonresident students admitted pursuant to the following exceptions or as otherwise mandated by law will not be required to file for a waiver of residency.

1. The following nonresident students will be admitted and are exempt from complete or partial tuition charges:
  - < Children placed by the department of mental health, the department of social services or by court order in facilities or programs located within the district will be admitted even if the child's domicile is in another district.

The district is entitled to local tax effort from each student's domiciliary district. The district may, if such funds are available and pursuant to law,

receive payment from the Department of Elementary and Secondary Education (DESE) for such students in lieu of the local tax effort payments from the domiciliary district.

- < Orphaned children, as defined by the courts, who have a permanent or temporary home within the school district may attend school without paying tuition.
  - < Children with only one (1) living parent who have a permanent or temporary home within the school district may attend school without paying tuition.
  - < Children whose parents do not contribute anything to their support and are unable to pay tuition, and who have a permanent or temporary home within the school district, may attend school without paying tuition.
  - < Children whose parents or guardians pay school taxes on property in the school district but do not live in the district may attend school in the district and pay tuition on a tuition/tax credit basis. School taxes paid to the school district by the parents or guardians of nonresident students shall be deducted from the tuition charge applicable to the school term or fractional part thereof, concurrent with the calendar year in which the taxes are paid. The deduction will be prorated among the number of students per family attending the district's schools. A tax statement must be submitted to the appropriate administrator before a student can be admitted.
  - < Children whose parents or guardians own real estate of which 80 acres or more are used for agricultural purposes and upon which their residence is situated may attend school, without paying tuition, in any district in which a part of such real estate, contiguous to that upon which his or her residence is situated, lies, provided that 35 percent of the real estate is located in the district of choice. Such parents or guardians are required to send notification by June 30 to all school districts involved specifying which district their children will attend. If notification is not received, such children shall attend the school in which the majority of the parent or guardian's property lies. Attendance at any other district will require the payment of tuition.
2. The district may admit nonresident students pursuant to a contractual arrangement, the Enrollment Option Act or as otherwise permitted by law. A nonresident student enrolled pursuant to an enrollment option program shall be counted as a resident pupil for the purposes of determining state aid.
  3. In the event the Board allows nonresident teachers employed by the district to send their children to the district, such children will be considered resident students for the purpose of determining average daily attendance. The Board shall not solicit or receive money from a teacher employed by the district for the purpose of paying tuition or any other expenses of the operation of schools. Furthermore, the Board

may allow nonresident regular employees of the district to send their children to the district and consider them resident students for the purposes of determining average daily attendance.

4. Foreign exchange students living within the boundaries of the school district who have obtained a J-1 visa and who are sponsored by an organization listed on the Council on Standards for International Educational Travel (CSIET) Advisory List will be allowed to enroll in the school district. Such enrollment will be conditioned upon approval of the superintendent and in accordance with procedures set forth by the superintendent or designee. The Board of Education reserves the right to limit the number of foreign exchange students enrolled in a given year. Attendance by foreign exchange students is a privilege, not a right.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBCA, Programs for Homeless Students

Legal Refs: §§ 162.1040 - .1059, 163.011, 167.121 - .151, 168.151, RSMo.  
8 U.S.C. §§ 1101, 1372

Avilla R-XIII School District, Avilla, Missouri

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### **ADMISSION OF NONRESIDENT STUDENTS (Districts Accepting Nonresident Students)**

Nonresident students will be permitted to attend the district's schools upon payment of tuition as established by the Board unless exempt from payment of tuition as allowed by law. Tuition rates shall be determined annually on the basis of the per-pupil cost for the preceding year for the operation, maintenance and debt service of the schools, as prescribed by state law. A nonresident student shall be defined as a student who does not

meet the requirements to be a resident student of the Avilla R-XIII School District, as defined in Board policies and law.

Nonresident students admitted pursuant to the following exceptions or as otherwise mandated by law will not be required to file for a waiver of residency.

1. The following nonresident students will be admitted and are exempt from complete or partial tuition charges:

- ◁ Children placed by the department of mental health, the department of social services or by court order in facilities or programs located within the district will be admitted even if the child's domicile is in another district.

The district is entitled to local tax effort from each student's domiciliary district. The district may, if such funds are available and pursuant to law, receive payment from the Department of Elementary and Secondary Education (DESE) for such students in lieu of the local tax effort payments from the domiciliary district.

- ◁ Orphaned children, as defined by the courts, who have a permanent or temporary home within the school district may attend school without paying tuition.
- ◁ Children with only one (1) living parent who have a permanent or temporary home within the school district may attend school without paying tuition.
- ◁ Children whose parents do not contribute anything to their support and are unable to pay tuition, and who have a permanent or temporary home within the school district, may attend school without paying tuition.
- ◁ Children whose parents or guardians pay school taxes on property in the school district but do not live in the district may attend school in the district and pay tuition on a tuition/tax credit basis. School taxes paid to the school district by the parents or guardians of nonresident students shall be deducted from the tuition charge applicable to the school term or fractional part thereof, concurrent with the calendar year in which the taxes are paid. The deduction will be prorated among the number of students per family attending the district's schools. A tax statement must be submitted to the appropriate administrator before a student can be admitted.
- ◁ Children whose parents or guardians own real estate of which 80 acres or more are used for agricultural purposes and upon which their residence is situated may attend school, without paying tuition, in any district in which a part of such real estate, contiguous to that upon which his or her residence is situated, lies, provided that 35 percent of the real estate is located in the district of choice. Such parents or guardians are required to send notification by June 30 to all school districts involved specifying which district their children will attend. If

notification is not received, such children shall attend the school in which the majority of the parent or guardian's property lies. Attendance at any other district will require the payment of tuition.

2. Children residing in institutions located within the district that provide a place of residence for three (3) or more such children whose domicile is not in the state of Missouri may be admitted pursuant to a contractual arrangement, provided that the school district, its taxpayers, the state of Missouri or its political subdivisions bear no financial burden as a result of the placement.
3. In the event the Board allows nonresident teachers employed by the district to send their children to the district, such children will be considered resident students for the purpose of determining average daily attendance. The Board shall not solicit or receive money from a teacher employed by the district for the purposes of paying tuition or any other expenses of the operation of schools. Furthermore, the Board may allow nonresident regular employees of the district to send their children to the district and consider them resident students for the purposes of determining average daily attendance.
4. Foreign exchange students living within the boundaries of the school district who have obtained a J-1 visa and who are sponsored by an organization listed on the Council on Standards for International Educational Travel (CSIET) Advisory List will be allowed to enroll in the school district. Such enrollment will be conditioned upon approval of the superintendent and in accordance with procedures set forth by the superintendent or designee. The Board of Education reserves the right to limit the number of foreign exchange students enrolled in a given year. Attendance by foreign exchange students is a privilege, not a right.
5. The district may admit nonresident students pursuant to a contractual arrangement, the Enrollment Option Act or as otherwise permitted by law. A nonresident student enrolled pursuant to an enrollment option program shall be counted as a resident pupil for the purposes of determining state aid.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBCA, Programs for Homeless Students

Legal Refs: §§ 162.1040 - .1059, 163.011, 167.121 - .151, 168.151, RSMo.  
8 U.S.C. §§ 1101, 1372

Avilla R-XIII School District, Avilla, Missouri

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### **ADMISSION OF RESIDENT STUDENTS**

In order to register a student, the parent, legal guardian, military guardian, person acting as a parent or the student shall provide proof of residency or request a waiver of proof of residency as outlined below and shall complete all admission requirements as determined by Board policies, regulations and procedures. Students who do not meet the residency requirements and are not eligible for a waiver of proof of residency may only apply for admission in accordance with Board policy JECB, Admission of Nonresident Students.

A student is a "resident" student if he or she meets at least one (1) of the following criteria:

1. The student physically resides and is domiciled in the district. The domicile of a minor child shall be the domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed legal guardian. A "power of attorney" document alone is insufficient to satisfy the "court-appointed legal guardian" requirement.
2. The student physically resides in the district for reasons other than obtaining access to the district's schools, regardless of with whom the student is living, and has a waiver of proof of residency on file.
3. The student is otherwise legally entitled to attend school in the district including, but not limited to: a student who is a homeless child; a student attending a school not in the student's district of residence as a participant in an interdistrict transfer program established under a court-ordered desegregation program; a student who is a ward of the state and has been placed in a residential care facility by state officials; a student who has been placed in a residential care facility due to a mental illness or developmental disability; a student attending a school pursuant to §§ 167.121 and 167.151, RSMo.; a student placed in a residential facility by a juvenile court; a student with a disability identified under state eligibility criteria if the student is in the district for reasons other than accessing the district's educational program; a student attending a regional or cooperative alternative education program; or a student attending an alternative education program on a contractual basis.

### **Waiver of Proof of Residency**

In cases where a student living in the district wishes to register but the student does not live with a parent, military guardian or court-appointed guardian in the district, the student, parent, military guardian, legal guardian or person acting as a parent must request a waiver of proof of residency. Waiver of proof of residency may only be granted on the basis of hardship or good cause. Good cause shall include situations where the student is living in the district for reasons other than attending school in the district. Under no circumstances shall athletic ability be a valid basis of hardship or good cause for the issuance of a waiver.

The Board delegates to the superintendent or designee the responsibility of bringing to the Board's attention any application for a waiver in which the student is not clearly entitled to attend school in the district. All other applications will be accepted and granted on behalf of the Board. Once an application for a waiver has been identified for Board review, the Board shall convene a hearing to consider the request as soon as possible, but no later than 45 days after the receipt of the waiver request, or else the waiver shall be granted. The Board president may appoint a committee of the Board to act in lieu of the Board to consider waiver requests.

Once a waiver of proof of residency has been requested, the student may be permitted to register and attend school until such time as the Board decides to grant or deny the waiver request. If the Board grants the waiver request, the student will be allowed to continue attending school in the district. If the Board denies the waiver request, the student shall not be allowed to continue attending school in the district.

In instances where there is reason to suspect that admission of the student will create an immediate danger to the safety of other students and employees of the district, the superintendent or designee may convene a hearing within five (5) working days of the registration request to determine whether the student may register.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBCA, Programs for Homeless Students

Legal Refs: §§ 167.020, .121, .126, .151, 452.375, 475.060, RSMo.  
*Martinez v. Bynum*, 461 U.S. 321 (1983)  
*Horton v. Marshall Public Sch.*, 769 F.2d 1323 (8th Cir. 1985)



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## **COMPULSORY AND PART-TIME ATTENDANCE**

The Avilla R-XIII School District exists to improve lives through education. The district seeks to enroll and educate all resident children in the community, as required by law.

### **Compulsory Attendance**

The law requires all children between 7 and 16 years of age to regularly attend a public, private, parochial, parish, home school or a combination of such schools for the duration of the entire school term. Parents, guardians or other persons having legal custody of a student may obtain a court order requiring students to attend school until the student receives a high school diploma or its equivalent, or reaches the age of 18. In addition, the Avilla R-XIII School District provides educational programming for all students between the ages of five (5) and seven (7) and beginning at the age of three (3) for students qualified for special education services. The district may also provide preschool and adult education programs.

Once enrolled in the district, the district expects the student to attend regularly and for the student's parents/guardians or other adults having charge, control or custody of the student to communicate regularly and honestly with the district regarding the student's absences. Because the Avilla R-XIII School District Board and district staff strongly believe that regular attendance is important in gaining the most from the educational experience and because state law requires district staff to report all instances of abuse and neglect, including educational neglect, the district will make every effort to ensure students are attending school as required by law. These efforts include, but are not limited to: accurately recording attendance, creating procedures for regular communication with parents regarding attendance, investigating truancy, and reporting suspected incidences of educational neglect to the Children's Division (CD) of the Department of Social Services.

### **Part-Time Attendance**

Although the district believes that all students will benefit from attending the Avilla R-XIII School District full-time, state law allows students to attend public school part-time, as long as their total educational experience meets the requirements of the state compulsory education law and the student is not already enrolled full-time in another public school. The superintendent or designee will create procedures on enrollment of part-time students to ensure that such enrollments do not jeopardize the discipline, health and academic standards of the district. The Board also directs the superintendent to annually analyze the number of students attending school part-time and to create vocational, dual-credit, advanced placement or other programs and incentives to encourage these students to attend school full-time.

## Students Withdrawing from or Dropping Out of School

Once enrolled, the student will be considered a district student until the district is directed to withdraw the student or until multiple unsuccessful attempts have been made to contact the parents/guardians or student to confirm continued enrollment after several absences. The district will encourage all families and students to consult with district staff prior to withdrawing a student.

Any student age 16 years or older who drops out of school for any reason other than to attend another school, college or university, or to enlist in the armed services, shall be reported to the state literacy hotline office.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: IGBD, At-Risk Students

Legal Refs: " 161.670, 163.011 - .012, 167.031 - .111, .275, 211.034, RSMo.  
5 C.S.R. 50-340.060, .070

Avilla R-XIII School District, Avilla, Missouri

## INTRADISTRICT TRANSFERS

All students must transfer between district schools when their residence changes to a different attendance area, unless exempted by the superintendent or designee. Further, the district maintains the ability to transfer students between schools as needed.

- ◁ Students with disabilities may be assigned to attend a school outside the student=s attendance area by the 504 team or pursuant to the student=s Individualized Education Program (IEP). Administrators participating in these decisions will notify the admissions office as soon as the decision is made to place a student outside his or her attendance area.

- < The superintendent or designee may direct the intradistrict transfer of students for the health, safety or welfare of the student, to maintain discipline and safety in the schools, to better meet the educational needs of the student or to address overcrowding in school.

### **Voluntary Transfers to Schools Outside Attendance Areas**

Students enrolled in a school identified for school improvement or identified as persistently dangerous pursuant to federal and state law may transfer to another public school within the district that has not been so identified. A student who has been a victim of a violent criminal offense on school property as defined by state regulation may, upon request, transfer to another public school in the district. The transfer will be allowed in accordance with law.

Otherwise, students may request to transfer to a different district school subject to available space and eligibility as determined by the district. Once a student has begun attendance at a school he or she cannot transfer to another school until the next semester begins, unless the student's residence changes to a new attendance area or unless otherwise allowed by law. The parents or guardians must submit their request to transfer to the district school prior to the beginning of the new semester. Transportation will not be provided to students transferring to schools outside the student's attendance area, unless required by law.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: FC, School Closings, Consolidations and Reorganizations  
IGBA, Programs for Students with Disabilities

Legal Refs: § 162.1190, RSMo.  
5 C.S.R. 50-355.100  
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213  
No Child Left Behind Act of 2001, P.L. 107-110  
34 C.F.R. Part 104  
34 C.F.R. Part 300

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**SECTION K: SCHOOL-COMMUNITY RELATIONS**

<b>KB</b>	Public Information Program
<b>KBA</b>	Public=s Right to Know
<b>KC</b>	Community Involvement in Decision Making
<b>KDA</b>	Custodial and Noncustodial Parents
<b>KG</b>	Community Use of School Facilities
<b>KH</b>	Public Gifts to the Schools
<b>KI</b>	Public Solicitations/Advertising in District Facilities
<b>KK</b>	Visitors to District Property/Events
<b>KKB</b>	Audio and Visual Recording
<b>KL</b>	Public Complaints
<b>KLB</b>	Public Questions, Comments or Concerns Regarding District Instructional/Media/ Library Materials
<b>KNAJ</b>	Relations with Law Enforcement Authorities

**RELATIONS WITH LAW ENFORCEMENT AUTHORITIES**

It shall be the policy of the school district to cooperate with law enforcement agencies in the interest of the larger welfare of all citizens of the community and for the welfare of the student population.

Relationships between the schools and officials of law enforcement agencies in investigative matters concerning pupils will take into consideration the respective roles of the schools and law enforcement agencies in assisting and protecting the interests of the community, and ensuring the rights of all concerned.

Districts may work with local law enforcement agencies to develop drug and alcohol use prevention and drug and alcohol trafficking suppression programs. School staff

will fully cooperate in the prosecution of any crime or threat affecting the school district, to the extent allowed by law.

School districts may report or disclose education records to law enforcement and juvenile justice authorities 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 must comply with applicable restrictions set forth in 20 U.S.C. § 1232g (b)(1)(E).

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: JFG, Interrogations, Interviews and Searches  
JO, Student Records

Legal Refs: §§ 161.504, 167.020, .115, RSMo.

Avilla R-XIII School District, Avilla, Missouri

## PUBLIC COMPLAINTS

The Board recognizes that situations of concern to parents/guardians or the public may arise in the operation of the district. Such concerns are best resolved by addressing them at the level where the concern originated through communication with the appropriate staff members. The administration has developed procedures for addressing those issues, copies of which are available at each building. Any concern regarding federal programs administered by the Missouri Department of Elementary and Secondary Education (DESE) may also be appealed to DESE or the United States Department of Education as permitted or required by law.

If a complaint has been made and appealed in accordance with administrative procedures, the parent/guardian or member of the public may appeal the issue to the Board by submitting a written request to the superintendent or the secretary of the Board. The Board will address the complaint in an appropriate and timely manner.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDDH, Public Participation at Board Meetings  
GBM, Staff Complaints and Grievances  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
IGBCA, Programs for Homeless Students  
JFH, Student Complaints and Grievances

Legal Refs: No Child Left Behind Act of 2001, P.L. 107-110

Avilla R-XIII School District, Avilla, Missouri

**PUBLIC QUESTIONS, COMMENTS OR CONCERNS REGARDING  
DISTRICT INSTRUCTIONAL/MEDIA/LIBRARY MATERIALS**

The Avilla R-XIII School District Board of Education has the ultimate responsibility for establishing the curriculum and for purchasing instructional, media and library materials to be used by the district. However, the Board recognizes that its authority to remove or censor materials because of ideological or religious content may be limited pursuant to state and federal law.

The Board encourages community input and comments regarding the district's instructional, media and library materials and directs the district staff to answer all questions regarding the selection of the materials. The superintendent or designee will create procedures to efficiently address community member questions or concerns and to provide for an adequate review of the materials, if necessary.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDDH, Public Participation at Board Meetings  
IIA, Instructional Materials  
IIAC, Instructional Media Centers/School Libraries

Legal Refs: *Board of Education, Island Trees Union Free School District v. Pico*, 457  
U.S. 853, 871 (1982)

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## VISITORS TO DISTRICT PROPERTY/EVENTS

### **District Property**

Parents and patrons of the district are welcome to visit district schools and attend district events. However, all visitors during the regular school day, including Board members, shall sign or check in at the building office prior to proceeding elsewhere in the building. The district discourages parents or others from using the school as a site for visiting students and may refuse the use of the school for that purpose.

The Board and administration will not tolerate any person or persons whose presence disturbs classes or district activities or hinders the instructional process. Visitors to district property may not possess weapons, including concealed weapons, on district property, on district transportation or at any district function or activity sponsored or sanctioned by the district unless the visitor is an authorized law enforcement official or is otherwise authorized by Board policy.

### **Appropriate Behavior**

The Board believes that district events are a vital part of the total educational program and should be used as a means for developing positive social interaction, good sportsmanship and appropriate behavior, in addition to knowledge and skills. Well-organized and well-conducted programs contribute to the morale of the student body and strengthen school-community relations.

To this end, the Board encourages district patrons to exhibit good sportsmanship, citizenship, ethics and integrity at all district events and at all times while on district grounds. The district will work with the Missouri State High School Activities Association (MSHSAA) and other organizations to promote good behavior by the patrons at athletic and other events. The Board will work with parents, alumni associations and local service organizations to keep appropriate behavior a top priority. The superintendent will establish procedures for crowd control at district events consistent with this policy.

### **Persons Prohibited on or Near District Property or Transportation**

The district prohibits all persons who have pled guilty or *nolo contendere* to or have been convicted of or found guilty of violating the following provisions from being on or within 500 feet of any school building, district property, district activity or any vehicle used to transport students:

1. Any of the provisions in Chapter 566 of the Missouri Revised Statutes.
2. Incest, ' 568.020, RSMo.

3. Endangering the welfare of a child in the first degree, ' 568.045, RSMo.
4. Use of a child in a sexual performance, ' 568.080, RSMo.
5. Promoting a sexual performance by a child, ' 573.090, RSMo.
6. Sexual exploitation of a minor, ' 573.023, RSMo.
7. Promoting child pornography in the first degree, ' 573.025, RSMo.
8. Furnishing pornographic material to minors, ' 573.040, RSMo.

Despite the prohibition in this section, the superintendent may grant permission for a parent, guardian or custodian of a student to be on district property for the limited purpose of attending meetings with district staff or other events. Permission will be granted sparingly, if ever, and only in situations where the parent, guardian, or custodian will be supervised at all times. If permission is not granted, the parent, guardian or custodian may seek permission from the Board. The superintendent will inform the principal and other relevant district staff of the scope of the permission granted.

### **Registered Sex Offenders**

Sex offenders required to be listed on the Missouri Highway Patrol's sex offender registry, or who have pled guilty, pled *nolo contendere* or been convicted of crimes for which the law currently requires offenders to be listed, regardless of when those crimes were committed, are not allowed on district property or at district activities held on district property except to attend meetings of a public governmental body. The superintendent may also make exceptions for parents, guardians or custodians of students enrolled in the district if the person's presence is necessary to transport the student, may benefit the student educationally, or in situations where the parent, guardian, or custodian will be supervised at all times. This section may not apply to a student entitled by law to be on school grounds for educational services if the student's presence is necessary to obtain those services. This section does not apply if the person is otherwise prohibited or banned from district property by other sections of this policy.

### **Disruptive Conduct**

If a visitor's conduct becomes disruptive, threatening or violent, the superintendent, building principal or designee may require the visitor to leave. In extreme situations, the superintendent or designee may inform the visitor that he or she is not welcome back on district property or at district events indefinitely or for a specific period of time. During any period of prohibition, the visitor will not be allowed on district property except to attend a meeting of a public governmental body. The superintendent may make exceptions for parents, guardians or custodians of students enrolled in the district if the person's presence is necessary to transport the student, may benefit the student educationally, or in situations where the parent, guardian, or custodian will be supervised at all times. This paragraph does not apply if the person is otherwise prohibited or banned from district property by other sections of this policy.

## Enforcement

If a visitor prohibited from district property or events under this policy is on district property, district staff will contact law enforcement and/or escort the person from district grounds and inform the person of the district policy prohibiting his or her presence.

The superintendent, building principal or designee may file a report or sign a complaint with law enforcement on behalf of the district. The Board grants the superintendent or designee the authority to consult an attorney for guidance or to seek a court order banning the visitor from district property. A visitor denied access to district property may request to address the Board on the matter in accordance with Board policy.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AC, Prohibition Against Illegal Discrimination and Harassment  
BDDH, Public Participation at Board Meetings  
ECA, Building and Grounds Security  
IKFB, Graduation Exercises  
JEDB, Student Dismissal Precautions

Legal Refs: " 566.149, 589.400, RSMo.  
Mo. Const. art. IX, ' 1(a)  
*U.S. Postal Service v. Greenburgh Civil Ass'ns.*, 453 U.S. 114 (1981)  
*Embry v. Lewis*, 215 F.3d 884 (8th Cir. 2000)  
*Lovern v. Edwards*, 190 F.3d 648 (4th Cir. 1999)  
*Vukadinovich v. Bd. of Sch. Trustees of Mich. City*, 978 F.2d 403 (7th Cir. 1992)

Avilla R-XIII School District, Avilla, Missouri

## **AUDIO AND VISUAL RECORDING**

The district has established limits on the use of recording equipment in order to minimize disruption and protect instructional time essential to improving student achievement. Any recording activity, even activity permitted under this policy, will be prohibited if the activity creates a disruption to the education process.

### **Definitions**

*Visual Recording* B Registering visual images on film, tape, digitally or by other mechanical or electronic means.

*Audio Recording* B Registering sounds on tape, digitally or by other mechanical or electronic means.

*Outside Entity* B Any individual, group, organization or corporation other than the administration, officers, staff or students of the Avilla R-XIII School District or individuals authorized to act for the district.

### **Recording by Outside Entities**

The Avilla R-XIII School District prohibits the use of video or audio recording equipment on district property or at district activities by outside entities without permission from the superintendent or designee unless otherwise authorized by law. This prohibition shall not apply to:

1. Performances or activities to which the general public is invited such as athletic competitions, concerts and plays.
2. Recording of staff for the sole purpose of professional training or development.
3. Open meetings of the Avilla R-XIII School District Board of Education or committees appointed by or at the direction of the Board.
4. Outside entities, including student-initiated groups, using or renting district facilities in accordance with Board policies and established administrative procedures.

### **Recording by District Personnel**

The district may make audio or visual recordings to provide security, to maintain order, for professional staff development use or for other purposes related to furthering the educational mission of the district. This may include the use of video equipment in school buildings and on district transportation. No recording equipment will be placed in areas of the building where the occupant would have a reasonable expectation of privacy, such as restroom facilities or locker rooms. Recordings by or on behalf of district personnel that include students will be considered student records and will be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and other applicable laws.

### **Recording by Students**

The Avilla R-XIII School District prohibits the use of video or audio recording equipment on district property or at district activities by students except:

1. If required by a school-sponsored class or activity.
2. At performances or activities to which the general public is invited such as athletic competitions, concerts and plays.
3. At open meetings of the Board of Education or committees appointed by or at the direction of the Board.
4. As otherwise permitted by the building principal.

### **Recording of Meetings**

The Board of Education prohibits the use of audio, video or other recording devices at meetings held pursuant to the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, as well as other meetings between district employees and parents/guardians. Exceptions to this prohibition will be made only in accordance with Board policy and law. Requests for such exceptions must be made within a reasonable period of time prior to the scheduled meetings. This prohibition does not apply to conversations held within view of district security cameras.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDA, Board Meetings  
BDC, Closed Meetings, Records and Votes  
BDDL, Release of Information  
ECA, Buildings and Grounds Security  
IGDA, Student-Initiated Group Use of District Facilities  
JO, Student Records

Legal Refs: " 610.010 - .035, RSMo.  
The Individuals with Disabilities Education Act, 20 U.S.C. " 1400 - 1487  
34 C.F.R. Part 300  
The Family Educational Rights and Privacy Act, 20 U.S.C. ' 1232g  
34 C.F.R. Part 99

Avilla R-XIII School District, Avilla, Missouri

## **PUBLIC SOLICITATIONS/ADVERTISING IN DISTRICT FACILITIES**

It is the intent of the district to operate a nonpublic forum and, except as allowed in this policy, advertisement is prohibited on district property. For the purposes of this policy, advertisement includes, but is not limited to, in-person solicitation; signage; verbal announcements using communication equipment; pamphlets; handouts; distribution through district technology; other distribution of information regarding products or services available or for sale; or the solicitation of information including, but not limited to, political campaigning. This policy does not prohibit speech in circumstances where it is protected by law.

### **General Rule**

The district may control the content of advertising as allowed by law. Minimally, advertisement on district property or at district events may not include information or materials that:

1. Are obscene to minors.
2. Are libelous.
3. Are pervasively indecent or vulgar (secondary schools) or contain any indecent or vulgar language (elementary schools).
4. Advertise any product or service not permitted to minors by law.
5. Constitute insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion or ethnic origin).
6. Present a clear and present likelihood that, either because of their content or their manner of distribution, they will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities or will cause the commission of unlawful acts or the violation of lawful school procedures.

### **District-Sponsored Advertisement**

This policy is not intended to limit the use of district resources or forums by district personnel to distribute district-sponsored information or advertisements. District-sponsored groups may distribute advertisement to employees and students as determined appropriate by the superintendent or designee and school principal. Materials from

extracurricular organizations or professional groups created by the district are considered district sponsored.

### **Groups Affiliated with the District**

The district may allow groups affiliated with the district to advertise on district property in the same manner and to the same extent that district-sponsored groups are allowed to advertise. For the purpose of this policy, a group is affiliated with the district if it is recognized by the Board and 1) working collaboratively with the district, such as a business partner, or 2) is a group that is created solely to work with the district, its staff, students and parents and to raise funds for district activities such as parent-teacher associations or booster clubs.

### **Curriculum-Related Advertisement**

District staff may use resources with reasonable advertising content when such resources are consistent with and related to the district's curriculum and compliant with the district's wellness policy and procedures. District staff may distribute advertisements regarding programs, events, contests and other activities that are not sponsored by the district when those events are consistent with and related to the district's curriculum. District staff may invite companies, organizations or individuals to advertise during school hours or school events if the school principal determines that the information provided is consistent with and related to the district's curriculum.

### **Distribution Directly to Students**

Only curriculum-related advertisement, district-sponsored advertisement and advertisement by groups affiliated with the district may be distributed directly to students by placing the item in the student's backpack, folder or other conveyance; handing the material to students; placing the material at the student's assigned place; or instructing the student to pick up material at a designated location. Placing items in a designated location where they are available to students is not direct distribution if students are not instructed to pick up the materials.

### **Distribution to Staff**

The district's intercampus mail, staff mailboxes and district e-mail are reserved for communication between employees regarding district business or for distribution of district-sponsored advertisement or advertisement from groups affiliated with the district.

Advertising from any other person or group will be made available to staff by placement in staff work areas or on designated bulletin boards not easily accessible to students. Such advertising must be provided first to the school principal and must clearly state that the district does not sponsor or endorse the information. School principals may establish uniform rules about the length of time an advertisement will be available and may limit the number of advertisements available at one (1) time.



### **Distribution by Students**

Students may distribute district-sponsored advertisements on district property during noninstructional time as allowed by the school principal and group sponsor. Students may distribute noncurricular student publications and other advertisements not sponsored by the district during noninstructional time only in accordance with Board policy IGDBA.

### **Distribution by Student-Initiated Noncurricular Groups**

Student-initiated noncurricular groups that meet in district facilities shall have the same access to district communication tools and media, including publications, websites and intercom, and are subject to the same provisions on the distribution and content of materials as district-sponsored noncurricular groups. The district may require these groups to clearly state on any advertisement or information that the group is not sponsored by the district.

### **Advertisement in Designated Locations**

School principals may designate a bulletin board, table or other specific location where information regarding nonprofit community events targeting students and parents may be posted or otherwise advertised. All groups fitting this description will be allowed to submit advertising to be placed at the designated location. Such advertising must be provided to the school principal first and must clearly state that the district does not sponsor or endorse the information. School principals may establish uniform rules about the length of time an advertisement will be available and may limit the number of advertisements available at one (1) time.

### **Distribution at District Events**

Only district-sponsored advertisement and advertisement from groups affiliated with the district may be distributed at district events, unless the district sells advertisement opportunities as described below.

### **Groups Using District Facilities**

Boy Scouts, Girl Scouts and other Title 36 youth groups and their official affiliates who meet in district facilities pursuant to the Board's policy on use of facilities may distribute advertising during any meeting, activity or event held in accordance with that policy and applicable procedures but otherwise have no greater ability to advertise or distribute information in schools than groups not using district facilities.

### **Revenue-Generating Advertising on District Property or in District Publications**

The district may accept or solicit advertising for use on the district's website and in gymnasiums, athletic fields and other facilities primarily used for extracurricular activities. Any such advertising will be limited to the name, address, phone number, Internet address and logo of the advertiser.

The district may accept or solicit advertising on extracurricular activity schedules, programs, newspapers, yearbooks or other district-sponsored publications at the discretion of the principal of the school involved. Advertising generally will be limited to the name, address, phone number, Internet address and logo of the advertiser except that publications may also provide the advertiser with a selection of greetings, phrases or graphics that can be included if the advertiser so chooses.

Student publications and the advertising in those publications are district-sponsored speech subject to editorial control over content in accordance with law.

All such advertising must be compliant with the district's wellness policy and procedures.

### **Collecting, Disclosing or Using Information for Marketing**

In general, the district will not collect, disclose or use personal information from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose unless required by law. For the purposes of this policy, "personal information" means individually identifiable information, including a student's or parent's first and last name, a home or other physical address, a telephone number and Social Security number.

In the rare case where the district may collect or disclose students' personal information or allow another group or entity to collect or disclose students' personal information for the purpose of marketing or selling that information, the district will directly notify the parents/guardians in accordance with law at least annually at the beginning of the school year of the specific or approximate dates when such information will be collected. Parents/Guardians, upon request, may inspect any instrument used to collect personal information for the purpose of marketing or selling that information before the instrument is administered or distributed to a student. All parents/guardians and students of appropriate age may decline to provide the information requested.

This portion of the policy does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions, to the extent allowed by law and Board policy.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted:

Revised:

Cross Refs: ADF, District Wellness Program  
DCB, Political Campaigns  
GBCB, Staff Conduct  
IGBC, Parent/Family Involvement in Instructional and Other Programs  
IGDA, Student-Initiated Group Use of District Facilities  
IGDBA, Distribution of Noncurricular Student Publications  
JHDA, Surveying, Analyzing or Evaluating Students  
JO, Student Records

Legal Refs: " 610.010 - .028, RSMo.  
Family Educational Rights and Privacy Act, 20 U.S.C. ' 1232g  
Protection of Pupil Rights Amendment, 20 U.S.C. ' 1232h  
Boy Scouts of America Equal Access Act, 20 U.S.C. ' 7905  
34 C.F.R. " 108.1 - 108.9  
Patriotic and National Observances, Ceremonies and Organizations, 36 U.S.C.,  
Subtitle II, Part B  
*Embry v. Lewis*, 215 F.3d 884 (8th Cir. 2000)

Avilla R-XIII School District, Avilla, Missouri

## **PUBLIC GIFTS TO THE SCHOOLS**

### **Gifts, Donations and Bequests to the District Foundation**

The Board of Education encourages the community to direct all gifts, donations or bequests ("gifts") to foundations created to support the district. Gifts, donations and bequests made to foundations are not considered public funds, which allows the district greater flexibility in using the funds. Further, a foundation is eligible for grants and gifts not otherwise available to governmental entities.

### **Gifts, Donations and Bequests to the District**

All gifts accepted by the district will become the property of the district, to be expended or used at the discretion of the Board of Education and in accordance with Board policies and law for the benefit of the district as a whole. In general, the superintendent or designee is authorized to accept gifts to the school district, but the Board must take action to accept all contributions that require ongoing annual service, a maintenance fee, significant personnel time, initial or continuing financial commitments from the district or gifts of real property.

In deciding whether to accept a gift, the superintendent, the Board or its designee will minimally consider whether the contribution will further the goals of the district, whether it will be used, whether it is appropriate for the school environment and whether it will unequally distribute resources in the district. No gift will be accepted without verification that there are no encumbrances against the gift.

All gifts accepted will be reported to the Board of Education, publicly announced and appropriately acknowledged. The donor will be officially thanked in the district's name.

### **Memorials**

Memorials are a special type of gift given in memory of a deceased individual. The district recognizes the following as appropriate forms of memorialization:

1. *Memorial scholarship* B Application and award guidelines should be finalized prior to the scholarship being announced. A typed copy of the application and award guidelines along with the timeline for the scholarship implementation is to be kept on file at the office of the building principal or designee. If desired, the Avilla R-XIII School District Foundation may be used as a resource to establish and administer the scholarship.

2. *Purchase of library books, educational CD-ROMs, school supplies and equipment* B The district will maintain a "wish list" of these items from which a person establishing a memorial may choose. Books may include a book plate, and equipment/supplies (if applicable) may include an engraved plate. Wording on each plate must be limited to "donated in memory of" or "in memory of," along with the memorialized individual's name and dates of birth and death. All engraved plates may be removed at the end of ten (10) years and offered to the nearest relative.
3. *Funds designated for a particular school activity or department* B The use of such funds must be approved in writing by the building principal and forwarded to the superintendent or designee for final approval.

Memorials such as plantings or benches are accepted in accordance with the district's policies on buildings and grounds.

As with all gifts, items received as memorials become the property of the Avilla R-XIII School District.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ECB, Building and Grounds Maintenance  
FFA, Memorials on Facilities and Grounds  
IIAC, Instructional Media Centers/School Libraries

Avilla R-XIII School District, Avilla, Missouri

## COMMUNITY USE OF SCHOOL FACILITIES

As a service to the community and in accordance with state law, the Board of Education may allow the use of public school facilities by individuals, groups and associations for educational, recreational, social, civic, philanthropic and other similar purposes as the Board deems are for the best interests of the community.

Permission to use school facilities will be granted to community organizations and residents by the superintendent, or his or her designee, in keeping with the policies, rules and procedures adopted by the Board. However, such use will not interfere in any way with the regular programs and activities of the school district.

A nominal rental fee to cover operational costs (heat, lights, etc.) and custodial service will be charged in accordance with a schedule recommended by the superintendent and approved by the Board. The fee will not be charged to any school-related organization. The Board may consider waiving the fee for special public programs.

The use of playgrounds and buildings during the summer months for recreational purposes shall be governed by the superintendent according to the Board policies, rules and procedures.

Where possible, a certificate of insurance or hold-harmless agreement shall be provided by the persons or organizations using school facilities.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: ECA, Building and Grounds Security  
EF, Food Services Management  
IGD, District-Sponsored Extracurricular Activities and Organizations  
IGDA, Student-Initiated Group Use of District Facilities  
IND, School Ceremonies and Observances

Legal Refs: § 177.031, RSMo.

Avilla R-XIII School District, Avilla, Missouri

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## **CUSTODIAL AND NONCUSTODIAL PARENTS**

The Avilla R-XIII School District Board of Education encourages parents to be actively involved in their child's education. Further, Missouri law states a preference for continuing and meaningful contact with both parents. Therefore, in accordance with Board policy, the district will not prohibit parents from accessing records, attending activities or participating in conferences pertaining to their child unless otherwise required by court order or law.

### **Definitions**

*Parent* -- A biological or adoptive parent, including parents who are unmarried; a guardian; or an individual acting as a parent in the absence of the parent or guardian.

*Joint Legal Custody* -- Parents share decision-making rights, responsibilities and authority relating to the health, education and welfare of the child.

*Joint Physical Custody* -- Each parent has periods of time, not necessarily equal, during which the child resides with or is under the care or supervision of that parent.

### **Visitation Schedules**

Visitation schedules and parenting plans are agreements between parents and are not binding on the district. The district will release a student to either parent in accordance with Board policy unless otherwise directed by a valid court order.

### **Court Appearances**

The district discourages parents from involving district staff in disputes over custody, visitation schedules, child support and other such issues. Staff members must stay focused on providing students an education. To do so, they must maintain good relationships with both parents and should not be asked to support one (1) parent over another. District employees will not testify or otherwise participate in a custody dispute in their capacities as district employees unless served with a subpoena. Often, student records can provide the same information as the testimony of a staff member, and parents have access to student records by law. Parents are encouraged to use records rather than staff testimony in resolving disputes over their child.

### **Student Records**



A parent will have access to all records and information pertaining to his or her child unless that parent has been denied custody or visitation rights. The district will provide access to all such records unless a court order showing the denial of legal custody or visitation is provided to the district. A court may also order that such records not include the address of the custodial parent or child. A copy of any court order received by the district pertaining to a student will be forwarded to the principal of the building where the student attends.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDC, Closed Meetings, Records and Votes  
JEDB, Student Dismissal Precautions  
JO, Student Records

Legal Refs: §§ 452.375, .376, 610.010, .021, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g

Avilla R-XIII School District, Avilla, Missouri

## COMMUNITY INVOLVEMENT IN DECISION MAKING

Patrons of the district are encouraged to express ideas, concerns and comments about school programs through written correspondence, service on citizen advisory committees and responses to surveys authorized by the Board, in accordance with Board policies and procedures for receiving public complaints and public participation at Board meetings, and as otherwise authorized or required for district participation in state and federal programs.

The Board is mindful that it is accountable to the patrons of the district and shall give substantial weight to the advice it receives from individuals and community groups interested in the district's schools. The district is also mindful that it must take into account its responsibility for the welfare of the entire district in arriving at decisions.

The Board recognizes that many residents of the district may be specially qualified to assist and advise the district because of their training, experience or personal characteristics, and the Board encourages them to take an active part in school affairs.

The Board also recognizes that community involvement is not only important at the district level but is often most effective at the school level. Each school in the district will advise patrons about any avenues for providing input unique to that school and will encourage them to take advantage of those opportunities.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: AD, School District Mission  
BCE, Board Committees/Advisory Committees to the Board  
BDDH, Public Participation at Board Meetings  
BF, School Board Policy Process

Avilla R-XIII School District, Avilla, Missouri

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## **PUBLIC INFORMATION PROGRAM**

Open communication with the district's students, parents, patrons and the public in general is essential for the school district to operate effectively. The district will make a systematic effort to communicate with the public using newsletters, student handbooks, local media and the district's website.

Board policies and related documents, including current versions of district handbooks, will be posted on the district's website. School building and district report cards may be posted on the district website and will be distributed to the public as determined by the superintendent or designee. Other public information will be available in the district's buildings or administrative offices for viewing by the public during the office's normal business hours, as required by law and in accordance with policy BDDL.

The district will utilize the local radio, newspapers and other media to publicize the district's legal obligations as required by the Individuals with Disabilities Education Act (IDEA) and by other applicable law. Notice of district meetings will be made to representatives of the news media, if requested.

The superintendent or designee may adopt administrative procedures to further the goals of this policy.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDDL, Release of Information  
CH, Policy Implementation and Dissemination  
DCB, Political Campaigns  
EFB, Free and Reduced-Cost Food Services  
EHB, Technology Usage  
IL, Assessment Program  
JO, Student Records

Legal Refs: §§ 160.522, 162.1120, 167.645, RSMo.  
5 C.S.R. 30-4.040, 50-340.200

Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1487  
34 C.F.R. Part 300  
The Rehabilitation Act of 1973, Section 504  
Americans with Disabilities Act, 42 U.S.C. §§ 12101 – 12213

Avilla R-XIII School District, Avilla, Missouri

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## PUBLIC'S RIGHT TO KNOW

The Avilla R-XIII School District will make district records available to the public in accordance with law. Any person wishing to access records shall make a request to the custodian of records during regular business hours. Anyone requesting a copy of a public record will be charged fees for search and duplication in accordance with Board policy on the release of public information.

Not all district records are available to the public. If the opportunity to inspect or copy a record is denied, the custodian of records will provide a written statement explaining why the request was denied in accordance with law if such an explanation is requested.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted:

Revised:

Cross Refs: BDC, Closed Meetings, Records and Votes  
BDDG, Minutes  
BDDL, Release of Information  
GBL, Personnel Records  
JO, Student Records

Legal Refs: §§ 160.261.9, 167.020.7, 610.010 - .028, RSMo.  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
34 C.F.R. Part 99  
29 C.F.R. § 1630.14 (Medical Information of Employees)

Avilla R-XIII School District, Avilla, Missouri

## **SECTION L: EDUCATION AGENCY RELATIONS**

THERE ARE CURRENTLY NO POLICIES IN THIS SECTION. PLEASE RETAIN THE TAB FOR POSSIBLE FUTURE USE.

