

BOARD POLICIES

FAMILY AND MEDICAL LEAVE

The district will administer leave that qualifies for Family and Medical Leave Act (FMLA) protection in accordance with federal law. This policy is intended for guidance and shall not be interpreted to expand the district's responsibilities beyond the requirements of the law. For employees who are not eligible for FMLA leave, including employees who have exhausted available FMLA-protected leave, requests for leave shall proceed according to the district's established policies.

Definitions

The following definitions apply to FMLA leave:

Covered Active Duty B In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country. In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in accordance with law.

Armed Forces B Army, Navy, Air Force, Marine Corps, Coast Guard.

Child B A biological, adopted or foster child; a stepchild; a legal ward; or a child of a person acting as a parent if the child is under 18 or 18 or over but incapable of self-care due to mental or physical disability at the time that FMLA leave is to commence. For the qualifying exigency leave and military caregiver leave only, the age of the child does not matter.

Covered Servicemember (for qualifying exigency leave) B The employee's spouse, child or parent under a federal call or order to covered active duty.

Covered Servicemember (for military caregiver leave) B The employee's spouse, child, parent or next of kin who is 1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or 2) a veteran who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

Instructional Employees B Employees whose principal function is to teach and instruct students in a class, a small group or an individual setting. This term includes athletic coaches, driving instructors and special education assistants such as signers for the hearing impaired. It does not include teachers' assistants or aides who do not have as their principal job actual teaching or

instructing, nor does it include auxiliary personnel such as counselors, psychologists or curriculum specialists. It also does not include cafeteria workers, maintenance workers or bus drivers.

Next of Kin B For the purposes of military caregiver leave, the nearest blood relative other than a spouse, parent, son or daughter, in order of priority as established by 29 C.F.R. ' 825.127.

Outpatient Status B Covered servicemember assigned to a military medical treatment facility or a unit established for the purpose of providing command and control of members of the armed forces as outpatients.

Parent B The biological, adoptive, stepparent or foster parent of a "child" as defined in this policy.

Qualifying Exigency B Issues that arise due to covered active duty or a call to covered active duty of an employee's spouse, child or parent, including issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other activities as defined by 29 C.F.R. ' 825.126.

Serious Health Condition B Illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical facility or continuing treatment by a health care provider.

Serious Illness or Injury (for military caregiver leave) B 1) An injury or illness incurred in the line of duty on active duty in the armed forces, including the National Guard or Reserves, or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty, that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating; and 2) in the case of a veteran who was a member of the Armed Forces (including the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy, an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces, or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty, and that manifested itself before or after the member became a veteran.

Spouse B Husband or wife as defined or recognized under the state law in the state in which the employee resides.

Uniformed Services B The armed forces, the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Commissioned Corps of the Public Health Service.

Veteran B A person who served in the active military, naval or air service and who was discharged or released therefrom under conditions other than dishonorable.

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).
2. Have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the leave.
3. Be employed at a worksite where 50 or more employees are employed by the district within 75 miles of that worksite.

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 that makes the employee unable to perform one (1) or more of the essential functions of his or her job or the serious health condition of the employee's spouse, child or parent.
4. Care of a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury (military caregiver leave).
5. A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty, in the armed forces.

Notice to Employees

General Notice

The district will post notice to employees explaining FMLA benefits in accordance with law. If the district employs 50 or more employees, it will include FMLA notice in an employee handbook or other written guidance to employees concerning employee benefits or leave rights, or by distributing a copy of the general notice to each new employee upon hiring. Notice may be provided electronically in accordance with law.

Eligibility and Rights and Responsibilities Notices

Absent extenuating circumstances, the district will provide the employee notice of the employee's eligibility to take FMLA leave and the rights and responsibilities of the employee within five (5) days of the request for leave or acquiring knowledge that an employee's leave may be for an FMLA-qualifying reason. Such notice will be provided at the commencement of the first instance of leave for each FMLA-qualifying reason in the applicable 12-month period, and no subsequent notice is required in the 12-month period unless leave is taken for a different qualifying reason or the employee's eligibility status has changed.

Designation Notice

When the district has enough information to determine whether the leave is being taken for an FMLA-qualifying reason, the district will notify the employee in writing whether the leave will be counted as FMLA leave within five (5) business days, absent extenuating circumstances. The district will notify the employee whether a fitness-for-duty certification is required before returning to work and, if required, include a list of the essential functions of the employee's position. The district will notify the employee of the number of hours, days or weeks that will be counted against the employee's FMLA leave entitlement, if known. The district may designate leave as FMLA leave retroactively if the retroactive designation will not cause harm or injury to the employee.

Employee Notice to the District

Employees must notify the district of the need for leave and explain the reasons for the leave so the district can determine whether the leave qualifies for FMLA. The leaves may be delayed or denied if the employee fails to give such notice.

In all cases of foreseeable leave, the employee must provide notice to the superintendent or designee of the reasons for the leave, the anticipated duration of the leave and the anticipated start of the leave, in the same manner that is required under the district's leave policies. If an

employee fails to provide the required notice, the district may delay or deny the FMLA-protected leave.

When the approximate timing of the need for leave is not foreseeable, an employee must provide notice to the district as soon as practicable under the facts and circumstances of the particular case, in the same manner that notice is required under the district's leave policies. The employee or the employee's spokesperson, if necessary, shall provide sufficient information for the district to reasonably determine whether the FMLA may apply to the leave request.

If the leave is for a qualifying exigency, an employee must provide notice as soon as practicable, regardless of how far in advance the leave is foreseeable. For all other qualifying reasons, an employee must provide 30 days' notice of the need to take FMLA leave when the need for leave is foreseeable. When 30 days' notice is unforeseeable or impractical, the employee must provide notice as soon as practicable. If fewer than 30 days' notice is given, the employee shall explain upon request why such notice was not practicable. "As soon as practicable" means as soon as both possible and practical under all the facts and circumstances of the individual case.

Leave Use

For all FMLA purposes except military caregiver leave, the district adopts a 12-month leave year beginning on July 1 and ending the following June 30.

1. All eligible employees are entitled to leave for a period not to exceed 12 workweeks per leave year for:
 - < The birth and first-year care of the employee's child.
 - < The adoption or foster placement of a child with the employee.
 - < A serious health condition of the employee that makes the employee unable to perform one (1) or more of the essential functions of his or her job or the serious health condition of the employee's spouse, child or parent.
 - < A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty, in the armed forces. The amount of leave available for a particular type of qualifying exigency may be limited by law.
2. The FMLA leave year for military caregiver leave begins on the first day that such leave is taken and runs for the following 12 months. All eligible employees are entitled to military caregiver leave for a period not to exceed 26 workweeks of leave per single 12-month period for the care of a spouse, child, parent or next of kin who is a covered

servicemember. Twenty-six weeks of leave are available per covered servicemember, per injury/illness; however, no more than 26 weeks of leave may be used during each single 12-month period.

3. During the 12-month duration of military caregiver leave, an employee is limited to a total of 26 weeks of leave for all combined FMLA reasons; with a 26-week limit on military caregiver leave and a 12-week limit for birth, adoption and serious health condition of the employee or the employee's spouse, child or parent. For example, an employee could take 16 weeks of military caregiver leave and still have ten (10) weeks available for the birth of a child. However, an employee who used ten (10) weeks of military caregiver leave could not take 14 weeks for the birth of a child because that exceeds the 12 weeks allowed for such leave. Leave that qualifies as both military caregiver leave and leave for the serious health condition of a parent, spouse or child will be designated first as military caregiver leave.
4. When a husband and wife entitled to FMLA leave are both employed by the district and both wish to use FMLA leave for the same qualifying event, both employees will be limited to an aggregate total of 12 workweeks during a 12-month period in cases where the leave is taken for the birth or first-year care of the employees' child, adoption or foster placement of a child with the employees, or to care for a parent with a serious health condition. However, where the husband and wife both use a portion of the total 12-week FMLA leave entitlement for the same qualifying event, the husband and wife would each be entitled to the difference between the amount he or she has taken individually and 12 weeks for another qualifying purpose. When a husband and wife are both employed by the district and both wish to use military caregiver leave or a combination of military caregiver leave and leave for the birth or first-year care of their child, adoption or foster placement of a child with the employees, or to care for a parent with a serious health condition, both employees will be limited to an aggregate total of 26 workweeks of leave.
5. The district shall apply all appropriate paid leave to an FMLA absence to the extent allowed by law and 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 allowable FMLA leave has been used, but such absences will be unpaid.
6. When an employee has an absence that meets the criteria to be an FMLA-qualified absence, the district will designate such absence as part of the employee's total annual FMLA entitlement, even if the employee has not requested FMLA leave and/or is absent under paid or unpaid leave in accordance with law or district policy. If an 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 will also be designated as an

FMLA-qualifying absence and charged against the employee=s FMLA-protected time entitlement.

7. FMLA leave may be taken intermittently as required for the health of the employee or family member or as reduced-schedule leave in increments used by the employer to account for use of other leaves, provided that it is not greater than one (1) hour and provided that the FMLA entitlement is not reduced by more than the amount of leave actually taken. Instructional employees may take intermittent or reduced-schedule leave to be with a healthy newborn only when the district and the employee have reached agreement for how the leave will be used.
8. The district reserves the right to require adequate certification and recertification of any FMLA-qualifying event or condition of the employee or employee=s spouse, child, parent or next of kin and authentication or clarification of such certification as the district deems necessary. Failure to provide such certification when requested will result in denial of the leave, and may result in discipline or termination of employment. 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.

Instructional Employees

If intermittent leave or reduced-schedule leave 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.

Leave Protections

The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave. 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.

The FMLA makes it unlawful for any employer to interfere with, restrain or deny the exercise of any right provided under the FMLA. Additionally, it is unlawful for any employer to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Recordkeeping

The superintendent or designee will ensure that personnel records regarding FMLA eligibility and leave are maintained in accordance with law and available for inspection, copying and transcription by representatives of the U.S. Department of Labor upon request.

Enforcement

The U.S. Department of Labor is authorized to investigate and resolve complaints of violation of the FMLA. An eligible employee may bring a civil action against an employer for violations. For additional information, contact the nearest office of the U.S. Department of Labor's Wage and Hour Division.

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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: June 18, 2012

Revised:

Cross Refs: DLB, Salary Deductions

Legal Refs: Family and Medical Leave Act of 1993, 29 U.S.C. ' ' 2611-2619
10 U.S.C. ' 101 (a) (13)
29 C.F.R. ' ' 825.100 - 825.702

Richards R-V School District, West Plains, Missouri

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 Richards R-V 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: June 18, 2012

Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure
DA, Fiscal Responsibility
DJF, Purchasing
DN, Surplus District Property
KG, Community Use of District Facilities

Legal Refs: §§ 105.450 - .458, .462, .466 - .467, .472, 168.126, 171.181, RSMo.

Richards R-V School District, West Plains, Missouri

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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: June 18, 2012

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
CH, Policy Implementation and Dissemination
DCB, Political Campaigns
DJF, Purchasing
HPA, Employee Walkouts, Strikes and Other Disruptions
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.

Richards R-V School District, West Plains, Missouri

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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: June 18, 2012

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

Richards R-V School District, West Plains, Missouri

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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 Richards R-V 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: June 18, 2012

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

Richards R-V School District, West Plains, Missouri

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STAFF/STUDENT RELATIONS

Definitions

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

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

Student B Individuals currently enrolled in the Richards R-V School District.

General

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

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

Absolute Prohibitions

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

1. Touching, caressing, fondling or kissing students in a sexual or sexually intimate manner.
2. Dating a student or discussing or planning a future romantic or sexual relationship with a student. The district may presume that this provision has been violated if a staff member begins a dating or sexual relationship with a student immediately after graduation or immediately after a student has left the district.
3. Making sexual advances toward a student or engaging in a sexual relationship with a student.

4. Engaging in any conduct that constitutes illegal harassment or discrimination as defined in policy AC or that could constitute a violation of that policy if pervasive.
5. Engaging in any conduct that violates Board policies, regulations or procedures or constitutes criminal behavior.

Exceptions to This Policy

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

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

The staff member must be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that he or she has maintained an appropriate relationship with the student. To avoid confusion, the district encourages staff members to consult with their supervisors prior to engaging in behaviors or activities that might violate professional boundaries as defined in this policy.

Failure to Maintain Boundaries

Unless an educational purpose exists or an exception as defined in this policy applies, examples of situations where professional physical and emotional boundaries are violated include, but are not limited to:

1. Being alone with a student in a room with a closed or locked door or with the lights off. Counselors or others who need to work with students confidentially must discuss with their supervisors the appropriate manner of meeting with students.
2. Meeting students in nonwork settings without the parent/guardian being present, even if the parent/guardian grants permission.

3. Associating with students in any setting where students are provided, are consuming or are encouraged to use or consume alcohol, tobacco, drugs or any other product or service prohibited to minors.
4. Communicating with students about sexual topics verbally or by any form of written, pictorial or electronic communication.
5. Discussing the staff member's personal problems with or in the presence of students.
6. Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
7. Inviting students to the staff member's home.
8. Being present when students are fully or partially nude.
9. Sending students on personal errands.
10. Allowing a student to drive the staff member's vehicle.
11. Providing a student (other than the staff member's children, stepchildren or other children living in the staff member's home) transportation in the staff member's personal vehicle without a supervisor's approval, unless another staff member or the student's parent/guardian is also present in the vehicle.
12. Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
13. Giving gifts to individual students.
14. Frequently pulling a student from another class or activity to be with the staff member.

Electronic Communication

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

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

1. When communicating electronically with students for educational purposes, staff members must use district-provided devices, accounts and forms of communication (such as computers, phones, telephone numbers, e-mail addresses and district-sponsored webpages or social networking sites), when available. If district-provided devices, accounts and forms of communication are unavailable, staff members communicating electronically with students must do so in accordance with number two below. Staff members may communicate with students using district-provided forms of communication without first obtaining supervisor approval. These communications may be monitored. With district permission, staff members may establish websites or other accounts on behalf of the district that enable communications between staff members and students or parents/guardians. Any such website or account is considered district sponsored and must be professional and conform to all district policies, regulations and procedures.
2. A staff member's supervisor may authorize a staff member to communicate with students using the staff member's personal telephone numbers, addresses, webpages or accounts (including, but not limited to, accounts used for texting) to organize or facilitate a district-sponsored class or activity if the communication is determined necessary or beneficial, if a district-sponsored form of communication is not available, and if the communication is related to the class or activity. The district will provide notification to the parents/guardians of students participating in classes or activities for which personal electronic communications have been approved. Staff members may be required to send the communications simultaneously to the supervisor if directed to do so. Staff members are required to provide their supervisors with all education-related communications with district students upon request.
3. Staff use of any electronic communication is subject to the district's policies, regulations and procedures including, but not limited to, policies, regulations, procedures and legal requirements governing the confidentiality and release of information about identifiable students. Employees who obtain pictures or other information about identifiable students through their connections with the district are prohibited from posting such pictures or information on personal websites or personal social networking websites without permission from a supervisor.

4. The district discourages staff members from communicating with students electronically for reasons other than educational purposes. When an electronic communication is not for educational purposes, the section of this policy titled "Exceptions to This Policy" applies, and if concerns are raised, the staff member must be prepared to demonstrate that the communications are appropriate. This policy does not limit staff members from communicating with their children, stepchildren or other persons living within the staff member=s home who happen to be students of the district.

Consequences

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

Reporting

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

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy. Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports.

The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

Training

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

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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: June 18, 2012

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
 EHB, Technology Usage
 JG, Student Discipline
 JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: ' ' 162.069, 168.114, 210.115, RSMo.
 Ross v. Robb, 662 S.W.2d 257 (1983)
 Title IX of the Education Amendments of 1972, 20 U.S.C. ' 1681
 Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999)
 Gebser v. Lago Vista Ind. Sch. Dist., 524 U.S. 274 (1998)

Richards R-V School District, West Plains, Missouri

REFERENCES

Definitions

Employee B Any staff member or student teacher of the Richards R-V School District.

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

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

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

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

General

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

Employees other than the superintendent or designee may provide personal references at the request of a current or former employee, but by doing so, they are acting outside of the scope of their employment. Employees may not use district letterhead or otherwise indicate that the reference is sponsored by the district. The district will not endorse any reference provided outside the directives of this policy and is not responsible for providing legal advice or protection for unauthorized employees who provide references.

Content

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

1. Names
2. Positions
3. Salary
4. Length of service

Unless otherwise required under this policy or by law, before providing a reference for a current or former employee, the superintendent or designee will verify that the employee consents to the release of further information. The district may obtain a blanket consent from the employee when the employee leaves the district.

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

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

Disclosing Allegations of Sexual Misconduct to Other Public Schools

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

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

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

Recordkeeping

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

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

Notice

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

Immunity

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

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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: June 18, 2012

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
 BDC, Closed Meetings, Records and Votes
 BDDL, Release of Information
 JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: ' ' 162.068, 290.152, 610.021, RSMo.
 Jamison v. State Dept. of Soc. Serv., 218 S.W.3d 399 (Mo. 2007)

Richards R-V School District, West Plains, Missouri

STAFF GRIEVANCES

The Richards R-V School District is interested in employee concerns and ideas for improving the district. District employees are encouraged to discuss concerns with supervisors and the administrative staff so that issues may be addressed in a timely fashion.

Grievance

Because violations of Board policies, regulations and collective bargaining agreements are particularly problematic, the Board has developed this formal process for addressing these grievances.

Grievance processing should be viewed as a positive and constructive effort to establish the facts upon which the grievance is based and to accurately implement Board policies, regulations or collective bargaining agreements. The Board strictly prohibits discrimination or retaliation against an employee for filing a grievance and directs all district employees to cooperate in the grievance process.

If more than one (1) district grievance process might apply to a particular concern, the superintendent or designee will decide which process will govern. If any part of a grievance includes allegations of illegal discrimination or harassment, or if the grievance is factually similar to a complaint filed by the same employee regarding illegal discrimination or harassment, the entire grievance will be resolved in accordance with policy AC.

Definitions

Days B Calendar days, whether occurring during the regular school year or during the summer, but excluding: weekends; district-designated holidays (whether on the original school calendar or designated thereafter); winter and spring breaks and other Board-designated breaks; and closings due to inclement weather, illness, natural disaster, or other emergencies.

Grievance B An allegation by an individual employee that a collective bargaining agreement or a specific, written, Board-adopted policy or regulation has been violated or misinterpreted. A grievance does not include concerns regarding performance evaluations or remedial documents, nonrenewal of contracts, employee discipline, reduction in force or termination. This policy does not apply if another Board policy or regulation or state or federal law provides due process, a hearing or a different method for addressing the issue.

Grievant B A district employee who has filed a grievance.

Performance Evaluations or Remedial Documents B Any assessment of employee performance including, but not limited to, notice of deficiencies, job targets, professional development plans and professional improvement plans.

Grievance Process

1. Grievances must be filed within ten (10) days of the occurrence that is the basis of the grievance.. The grievance must be in writing, on the forms provided by the district, and include a copy of the provision of the collective bargaining agreement, policy or regulation alleged to be violated or misinterpreted, as well as a statement of the relief requested.
2. Grievances will be processed according to the step-by-step process outlined below, with the following exceptions. If a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step. If a grievance is directly based on official Board action, the grievance shall be directed to the Board secretary. The grievance may be heard by the Board at the sole discretion of the Board.
3. No new information may be added and no new claims may be made after Step 1. Each subsequent appeal will address only the facts and issues presented at Step 1.
4. The deadlines established under this policy may be extended upon the written request of the grievant or the supervisor, but the final decision regarding any extension shall be made by the superintendent at his or her sole discretion. Investigation and reporting deadlines will be extended when more time is necessary to adequately conduct an investigation and to render a decision. The grievant will be notified when deadlines are extended.
5. Failure of the grievant to appeal within the timelines given will be considered acceptance of the findings and remedial action taken. The district will not consider late appeals.
6. Once a decision is rendered under this grievance process, the decision is final. Grievance decisions cannot be the subject of a new grievance.
7. Because the point of a grievance is to provide resolution outside the court system, an employee is not entitled to bring an attorney to grievance proceedings. Once an attorney becomes involved in the process, the superintendent or designee will refer the matter to the district's private attorney and the grievance process will end.

Immediate Supervisor (Step 1)

1. Employees are encouraged to informally notify their immediate supervisor of a grievance. If the issue is not resolved, the employee should submit a written grievance, on forms provided by the district, to the immediate supervisor. The written grievance must clearly indicate that it is a grievance and specify which provision(s) of policy, regulation or collective bargaining agreement were allegedly violated.
2. Within ten (10) days of receiving the written grievance, the immediate supervisor will investigate the matter and render a decision in writing. A copy of the decision will be provided to the grievant.

Principal or Designee (Step 2)

This step may be omitted if the principal or designee serves as the immediate supervisor at Step 1 or if the employee's supervisor is not under the direct supervision of a principal.

1. Within five (5) days after receiving the decision at Step 1, the grievant may appeal the decision in writing, using forms provided by the district, to the principal or designee. The appeal must clearly state why the previous decision is erroneous.
2. The principal or designee will, within ten (10) days of receipt of the appeal, review the investigation and render a decision in writing to the grievant and the grievant's immediate supervisor.

Superintendent or Designee (Step 3)

1. Within five (5) days after receiving the decision at Step 2, the grievant may appeal the decision in writing, using forms provided by the district, to the superintendent or designee. The appeal must clearly state why the previous decision is erroneous.
2. The superintendent or designee will, within ten (10) days of receipt of the appeal, review the investigation and render a decision in writing to the grievant, the principal or designee and the grievant's immediate supervisor.

School Board or Board Committee (Step 4)

Within five (5) days after receiving the decision at Step 3, the grievant may appeal the decision in writing, using forms provided by the district, to the Board of Education. The Board of Education, at its sole discretion, may decide to hear the grievance.

Documentation

A grievant will receive a written response or report regarding his or her grievance, but the grievant and persons investigated in the course of the grievance are not entitled to view or receive copies of the investigation file or notes taken during the investigation, unless required by law. If an employee is disciplined as a result of the grievance, the discipline may be recorded in the employee's personnel file and discussed with the employee. Information recorded in an employee's personnel file will not be shared except as provided in Board policy or 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: June 18, 2012

Revised:

Cross Refs: BDDH, Public Participation at Board Meetings
HA, Negotiations with Employee Representatives
KL, Public Complaints

Richards R-V School District, West Plains, Missouri

PROFESSIONAL STAFF SHORT-TERM LEAVES

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. However, the Board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

The district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with 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. Regular part-time professional staff employees will receive these leaves on a pro rata basis. This policy does not apply to temporary or substitute staff members unless otherwise noted.

1. **Sick Leave** Professional staff employees whose assignments call for 12 months of full-time employment will receive 4 days of sick leave. Professional staff employees whose assignments call for full-time employment only during the regular school term will receive 4 days of sick leave. Unused sick leave will be cumulative to 60 sick leave days. An absence of over one through four 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 healthcare provider'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:
 - < The employee's spouse.
 - < The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.

- < Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(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.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

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** a maximum of 5 days of personal leave will be available per school year. Unused personal leave days will rollover to sick days if unused.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law or policy provides for paid leave.
- 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. Absences under leaves authorized by law, policy or the Board that would otherwise be unpaid including, but not limited to, leave under the FMLA.
- g. Leave for other purposes as approved by the 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** all professional staff employed on a 12-month basis will receive 1 week of vacation after 1 year of service; 2 weeks of vacation after 3 years of service and 3 weeks of vacation after 7 years of service. 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** When a death occurs in an employee's immediate family, the employee may take up to five 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:

- < The employee's spouse.
- < The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- < Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

After the exhaustion of the five 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** - The district will grant paid and unpaid holidays in accordance with the academic calendar adopted by the Board. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.
2. **Professional Leave** - Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities. Professional leave must be approved by the superintendent or designee, arranged well in advance and is not considered personal leave.
3. **Military Leave** - The Board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 B September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.
4. **Election Leave** - Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven 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** - Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit the employees three successive hours while the polls are open 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** - 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** - 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** - 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-I Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. 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 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** - 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.
10. **Civil Air Patrol Leave** - Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.
11. **Coast Guard Auxiliary Leave** - Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any

calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.

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. The district shall only apply up to six weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to six 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 or unpaid leave.

Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

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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: August 18, 2015

Revised: June 6, 2019

Cross Refs: DLB, Salary Deductions
HA, Negotiations with Employee Representatives
HPA, Employee Walkouts, Strikes and Other Disruptions
IC, Academic Calendar/Year/Day

Legal Refs: ' ' 41.1000, .1005, 105.270 - .271, 115.102, .639, 168.122, 169.595, 320.200, .330 -
.339, 494.460, 595.209, RSMo.
Fair Labor Standards Act, 29 U.S.C. ' ' 201 - 218(c)
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-1 - 2000e-17
29 C.F.R. ' 1604.10

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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.

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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: June 18, 2012

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

Richards R-V School District, West Plains, Missouri

SUPPORT STAFF LEAVES

Consistent staffing is important to the learning environment and district operation and therefore is an essential duty of all employees. However, the Board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

The district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with 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. Regular part-time support staff employees will receive these leaves on a pro rata basis. This policy does not apply to temporary or substitute staff members unless otherwise noted.

1. **Sick Leave** - Any support staff employees whose assignments call for 12 months of full-time employment will receive 4 days of sick leave. Support staff employees whose assignments call for full-time employment only during the regular school term will receive 4 days of sick leave. Unused sick leave will be cumulative to 60 sick leave days. An absence of over one through four 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 healthcare provider'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:
 - < The employee's spouse.
 - < The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.

- < Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(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.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

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

Any support staff 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** - A maximum of 5 days of personal leave will be available per school year. Unused personal leave days will rollover to become sick days.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law or policy provides for paid leave.
- 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. Absences under leaves authorized by law, policy or the Board that would otherwise be unpaid including, but not limited to, leave under the FMLA.
- g. Leave for other purposes as approved by the 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** - All support staff employed on a 12-month basis will receive 1 week of vacation time after 1 year of service; 2 weeks of vacation after 3 years of service; and 3 weeks of vacation per year after 7 years of service. 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** - When a death occurs in an employee's immediate family, the employee may take up to five 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:

- < The employee's spouse.
- < The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- < Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

After the exhaustion of the five 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** - The district will grant paid and unpaid holidays in accordance with the academic calendar adopted by the Board. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.
2. **Professional Leave** - Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities. Professional leave must be approved by the immediate supervisor, arranged well in advance and is not considered personal leave.
3. **Military Leave** - The Board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 B September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.
4. **Election Leave** - Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven 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** - Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit employees three successive hours while the polls are open 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** - 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** - 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** - 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, Urban Search and Rescue Team or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. 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 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** - 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.
10. **Civil Air Patrol Leave** - Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.
11. **Coast Guard Auxiliary Leave** - Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency

in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.

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. The district shall only apply up to six weeks of accrued paid leave to such absences.

Employees who are ineligible for FMLA leave may take up to six 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 or unpaid leave.

Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

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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: August 18, 2015

Revised: June 7, 2019

Cross Refs: DLB, Salary Deductions
HA, Negotiations with Employee Representatives
HPA, Employee Walkouts, Strikes and Other Disruptions
IC, Academic Calendar/Year/Day

Legal Refs: ' ' 41.1000, .1005, 105.270 - .271, 115.102, .639, 168.122, 169.595, 320.200, .330 - .339, 494.460, 595.209, RSMo.

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Fair Labor Standards Act, 29 U.S.C. ' ' 201 - 218(c)
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-1 - 2000e-17
29 C.F.R. ' 1604.10

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SCHOOL CEREMONIES AND OBSERVANCES

The Board of Education recognizes the value of school-sponsored programs and ceremonies 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)
 - < Math, Engineering, Technology and Science Week (the first week of March)
 - < Arbor Day (the first Friday in April)
 - < Jefferson Day (April 13)

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- < 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 Richards R-V 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.

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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: 4/8/10

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, .138, .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)

Richards R-V School District, West Plains, Missouri

HAZING AND BULLYING

General

In order to promote a safe learning environment for all students, the Richards R-V 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 – 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

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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 – 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.

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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
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.

Richards R-V School District, West Plains, Missouri

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 Richards R-V School District is not legally obligated to administer medication to students unless specifically included in a Section 504 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. In accordance with law, any trained or qualified employee will be held harmless and immune from civil liability for administering medication in good faith and according to standard medical practices. A qualified employee is one who has been trained to administer medication according to standard medical practices.

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. Except for the emergency use of a prefilled epinephrine auto syringe, 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 Section 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 a chronic health condition including, but not limited to, asthma and anaphylaxis, in accordance with this policy and law. The district will permit the self-administration of other medications as required by the student's Section 504 plan or IEP. 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 a chronic health condition including, but not limited to, 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 Section 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 or other school employee trained and supervised by the nurse when the nurse or trained employee believes, based on his or her training, that a student is having a life-threatening anaphylactic reaction. In accordance with law, qualified employees will be held harmless and immune from civil liability for administering epinephrine in good faith and according to standard medical practice.

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.

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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: June 18, 2012 June 18, 2012

Revised:

Cross Refs: EBB, Communicable Diseases
EBBA, Illness and Injury Response and Prevention

Legal Refs: ' ' 167.621 - .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)

Richards R-V School District, West Plains, Missouri

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 superintendent and building principals will develop a student records system that includes protocols for releasing student education records. Principals are responsible for maintaining and protecting the student education records in each school. 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.

Definitions

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

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

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

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.

Parent and Eligible Student Access

All parents may inspect and review their student's education records, seek amendments, consent to disclosures and file complaints regarding the records as allowed by law. These rights transfer from the parent to the student once the student becomes an eligible student; however, under the Missouri Sunshine Law, parents maintain some rights to inspect student records even after a student turns 18.

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The district will extend the same access to records 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 modified.

If a parent or eligible student believes an education record related to the student contains information that is inaccurate, misleading or in violation of the student's privacy, the parent or eligible student may use the appeals procedures created by the superintendent or designee to request that the district amend the record.

The district will annually notify parents and eligible students of their rights in accordance with law.

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 without the consent of a parent or eligible student. The district will designate the types of information included in directory information and release this information without first obtaining consent from a parent or eligible student unless a parent or eligible student notifies the district in writing as directed. Parents and eligible students will be notified annually of the information the district has designated as directory information and the process for notifying the district if they do not want the information released.

Even if parents or eligible students notify the district in writing that they do not want directory information disclosed, the district may still disclose the information if required or allowed to do so by law. For example, the district may require students to disclose their names, identifiers or district e-mail addresses in classes in which they are enrolled, or students may be required to wear, publicly display or disclose a student identification card or badge that exhibits information that is designated as directory information.

The school district designates the following items as directory information.

General Directory Information B The following information the district maintains about a personally identifiable student may be disclosed by the district to the school community through, for example, district publications, or to any person without first obtaining written consent from a parent or eligible student:

Student's name; date and place of birth; parents' names; grade level; participation in district-sponsored or district-recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees, honors and awards received; artwork or course work displayed by the district; schools or school districts previously attended; and photographs, videotapes, digital images and recorded sound unless such records would be considered harmful or an invasion of privacy.

Limited Directory Information B In addition to general directory information, the following information the district maintains about a personally identifiable student may be disclosed to: school officials with a legitimate educational interest; parent groups or booster clubs that are recognized by the Board and are created solely to work with the district, its staff, students and parents and to raise funds for district activities; parents of other students enrolled in the same school as the student whose information is released; students enrolled in the same school as the student whose information is released; governmental entities including, but not limited to, law enforcement, the juvenile office and the Children's Division (CD) of the Department of Social Services:

The student's address, telephone number and e-mail address and the parents' addresses, telephone numbers and e-mail addresses.

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 federal law.

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 as allowed by law.

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 CD 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.

FILE: JO
Critical

Military and Higher Education Access

The district will disclose the names, addresses and telephone numbers of secondary school students to military recruiters or institutions of higher education as required by law unless the parent or student notifies the district in writing not to disclose the information to those entities.

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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: February 19, 2013

Revised:

Cross Refs: BBFA, Board Member Conflict of Interest and Financial Disclosure
EFB, Free and Reduced-Cost Food Services
EHB, Technology Usage
EHBC, Privacy Protection
GBCB, Staff Conduct
IGBA, Programs for Students with Disabilities
IGBE, Students in Foster Care
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 - 1417
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
34 C.F.R. Part 99

Oregon County R-VI School District v. LeMon, 739 S.W.2d 533 (Mo.Ct.App. 1987)

Richards R-V School District, West Plains, Missouri

Richards R-V School District has designated the following types of information as directory information.

GENERAL DIRECTORY INFORMATION

Student's Name

Participation in officially recognized activities and sports

Weight and height of members of athletic teams

Photographs, videotapes, digital images and recorded sound (unless such records would be considered harmful or an invasion of privacy)

Degrees, honors, and awards received

Date and place of birth

The most recent educational agency or institution attended

Dates of attendance

Grade level

Parents' Names

LIMITED DIRECTORY INFORMATION

The following would be "limited directory information". This means the following information which is maintained by the district may be disclosed to: school officials with a legitimate educational interest; parent groups or booster clubs that are recognized by the Board and are created solely to work with the district, its staff, students and parents and to raise funds for district activities. This information will also be available to law enforcement, the juvenile office and the Children's Division (CD) of the Department of Social Services upon request. The "limited directory information" is as follows:

Student's Address

Student's Telephone Number

Student's Email Address

Parents' Address

Parents' Telephone Numbers

Parents' Email Addresses

Building Safety Policy

As per our insurance through MUSIC, the following are prohibited in any rooms on school property:

Candles

Candle Warmers

